

Public Document Pack

SCOTTISH BORDERS COUNCIL EDUCATION SUB-COMMITTEE

MINUTE of MEETING of the EDUCATION
SUB-COMMITTEE held in Council Chamber
and via Microsoft Teams on Wednesday, 24
May 2023 at 10:00am

- Present: - Councillors L. Douglas (Chair), J. Greenwell, C. Hamilton, A. Orr, N. Richards, E. Robson, S. Scott, A. Smart, F. Sinclair, Pam Rigby (Youth Engagement Worker).
- Apologies:- A. Hood, M. Docherty (Religious Representatives); N. York, C. Clements, (Teacher Representatives); B. Birchall, G. Scott (Pupil Representatives).
- In Attendance: - Director of Education and Lifelong Learning, Chief Education Officer, Equity and Inclusion Lead Officer, Senior Lead Officers – Education (C. Brown), Democratic Services Officer (F.Henderson).

1. **WELCOME**
The Chair welcomed everyone to the meeting, which included members of the Sub-Committee and those watching via the Live Stream, and outlined how the meeting would be conducted.

2. **MINUTE**
The Minute of the Meeting held on 2 March 2023 had been circulated.

DECISION **AGREED the Minute for signature by the Chairman.**

3. **PERFORMANCE AND IMPROVEMENT – QUINTILE 1 REVIEW**
 - 3.1 There had been circulated copies of a report by the Director of Education and Lifelong Learning, which provided details of the approach taken by the Quality Improvement Team within Scottish Borders Council to provide support and challenge to 10 key schools to ensure a relentless focus on closing the poverty related attainment gap and which sought approval for the plan of action for session 2023/24. Mr Scott Watson, Quality and Inclusion Lead Officer and Mr Jamie Bryson, Headteacher – Selkirk High School presented the report and answered members questions.
 - 3.2 The report explained that the Scottish Attainment Challenge and Scottish Borders Quality Improvement Framework underpinned the approach to raising attainment and closing the poverty related attainment gap. Data highlighted 10 schools for inclusion in a customised review programme, which involved a focused visit from a Quality Improvement Team to identify and share strengths and good practice, while identifying areas for improvement which were agreed with the school and captured in an action plan. Across the reviews, a number of common areas for improvement were identified and these would be included in ongoing quality improvement plans.
 - 3.3 The report further explained that the Scottish Attainment Challenge, launched in February 2015, aimed to raise the attainment of children and young people living in deprived areas in order to close the equity gap and to bring a greater sense of urgency and priority to the issue. It was underpinned by [The National Improvement](#)

[Framework](#), Curriculum for Excellence and Getting it Right for Every Child (GIRFEC). In March 2022, Scottish Government produced a revised Framework for Recovery and Accelerating progress, designed to support Local Authorities and school leaders to refocus their efforts post Covid on closing the poverty related attainment gap in Scotland. In the Scottish Borders there was a significant gap between the attainment of those living in areas of high deprivation (Quintile 1) and those in areas of low deprivation (Quintile 5) and the Quality Improvement Team identified 10 schools in the Scottish Borders (3 High Schools and 7 Primary Schools) who contributed to the lower level of attainment in Quintile 1. The Team worked closely with Education Scotland Attainment Advisor and Headteachers to prepare a programme of school review to provide support and challenge for each of the 10 schools. In response to a question with regard to the progress on recommendation (b) (iv), Mr Watson advised that the consultation period was underway and would bring a report back with the progress. In response to a further question in terms of engagement with Families, Mr Bryson advised that engaging with Families was not easy but work was ongoing to work with Families and extra curriculum activities were the curriculum with 90 plus pupils at Selkirk High who followed a bespoke curriculum programme. Mr Watson highlighted the complexities of the system and offered a briefing session for Councillors.

DECISION

- (a) NOTED the approach taken by the Quality Improvement Team to provide support and challenge to 10 key schools to ensure a relentless focus on closing the poverty related attainment gap; and**
- (b) APPROVED the following actions for the next school session:**
 - i. to review school progress with individual recommendations within 12 months of the review date;**
 - ii. to hold ‘Sharing Effective Practice’ sessions for all schools;**
 - iii. to agree bespoke support plans for each of the 10 schools to ensure the poverty related attainment gap continues to narrow and close; and**
 - iv. to consider how to make best use of the Strategic Equity Fund to further reduce the impact of poverty on the outcomes of children and young people.**

4.0 RESPECTFUL RELATIONSHIPS AND ANTI - BULLYING POLICY

4.1 There had been circulated copies of a report by the Director of Education and Lifelong Learning, which sought approval of the revised Respectful Relationships and Anti - Bullying Policy and the accompanying documents to support the Policy. The report explained that The Respectful Relationships and Anti-Bullying Policy sat within a suite of policies and guidance documents within the Inclusion Policy and framework for Scottish Borders. The Policy supported with work for all learning establishments to have a positive ethos and environment, which was inclusive and reduced the number of incidents of bullying behaviour. However, if bullying behaviour did occur, the Policy aimed to address it in a consistent way. The Policy and supporting documents had been created through a ‘community of practice’ involving all stakeholders between November 2022 and March 2023. Mrs Christine Brown, Senior Lead Officer and Ms Yvonne Wilson, Health and Wellbeing Support Officer (Schools) presented the report and answered members questions. In terms of timescale, it was reported that there would be engagement with every school improvement plan and the policy would be in place by the new term in August 2023.

DECISION

- (a) APPROVED the Respectful Relationships and Anti-Bullying Policy contained in Appendix 1, to this Minute in the Minute book.**
- (b) AGREED to:-**
 - (i) support the implementation and communication plan for the Policy and supporting documents.**
 - (ii) the Policy and supporting documents being reviewed and updated in 2026.**

5. DIGITAL CITIZENSHIP – MOBILE TECHNOLOGY

There had been circulated copies of a report by the Director of Education and Lifelong Learning which sought approval of the first in a new series of guidance documents for schools under the theme of Digital Citizenship and would include Cyber Resilience, Internet Safety and curriculum areas such as technology and health and wellbeing. This guidance focuses on supporting the safe use of mobile technology in schools. Mobile technology was an integral part of the lives of children and young people across the Borders and Scotland, with many bringing their own mobile phone devices into school. It was important that schools were empowered and confident in ensuring the safe and responsible use of all devices in school. The guidance responded to the need for an overarching framework to achieve consistency in schools' approaches and decision making and provide a clear framework, while empowering schools and clusters to develop an approach which responded to their local context. The guidance recognised that children and young people need to learn about digital citizenship as part of developing the four capacities of Curriculum for Excellence and the fundamental importance and impact of Inspire Learning was recognised throughout and would be rolled out across all schools with appropriate support for the implementation. All schools would be expected to share their plans to implement the guidance with pupils, parents and other key stakeholders.

DECISION

AGREED to:-

- (a) approve the implementation of the Responsible Use of Mobile Technology Guidance.**
- (b) the expectation that each school would share plans for implementation in their own setting with key stakeholders.**

The meeting concluded at 12.00 noon

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Appendix 1

SBC Includes: Respectful Relationships and Anti-Bullying Policy

**Ensuring safe, respectful and nurturing environments for children
and young people in the Scottish Borders**

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****To be completed by all learning establishments****

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Acknowledgements

Foreword

Bullying of any kind is unacceptable and must be addressed quickly. Bullying should never be seen as a typical part of growing up. The Scottish Government's vision is:

- every child and young person in Scotland will grow up free from bullying and will develop respectful, responsible and confident relationships with other children, young people and adults;
- children and young people and their parent(s), will have the skills and resilience to prevent and/or respond to bullying appropriately;
- every child and young person who requires help will know who can help them and what support is available; and
- adults working with children and young people will follow a consistent and coherent approach in dealing with and preventing bullying from Early Learning and Childcare onwards

In Scottish Borders, our vision is that all learning establishments are safe, respectful and nurturing environments where bullying behaviour is never acceptable. It is therefore critical that those who play a role in the lives of children and young people in the Scottish Borders are equipped to prevent and respond effectively to incidents of bullying behaviour.

Getting it right for every child (GIRFEC) in the Scottish Borders ensures that the child and their family are at the centre of policy and practice and that the views of the child, young person and their parents/carers are sought, listened to and taken into account when decisions are being made.

Bullying can exist in any learning establishment and we recognise the detrimental impact it has on children and young people's lives. The GIRFEC wellbeing indicators state that in order to do well, now and in the future, children and young people need to be safe, included, responsible, respected, active, nurtured, achieving, and healthy. However, bullying behaviour can have a negative impact on all those indicators for both the child or young person displaying bullying behaviour and those experiencing it.

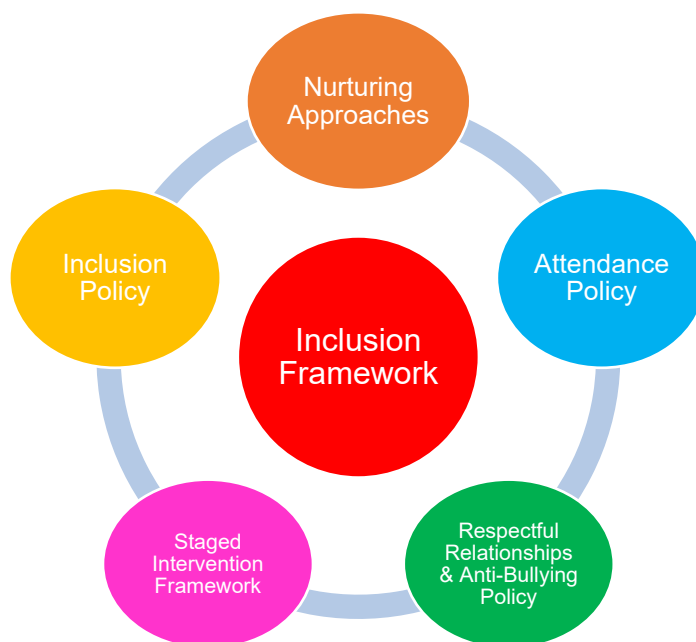
We have the responsibility to challenge behaviour and attitudes that lead to bullying before incidents arise and believe early intervention and prevention are key in reducing bullying behaviour. When incidents do arise, it is important there are proper procedures in place to ensure the appropriate action is taken.

I welcome this policy, which gives clarity to the definition of bullying and the procedures in place within Scottish Borders.

Councillor Leagh Douglas

Introduction

The Scottish Borders Respectful Relationships and Anti-Bullying Policy is one of a suite of policy and guidance documents in the Inclusion Framework, within the context of our overarching policy on Inclusion and our Nurturing Approaches Guidelines. This policy replaces all previous Education and Lifelong Learning Anti-Bullying Guidance, Policies and Procedures adopted by the local authority and those developed by individual learning establishments.



Based on [Respect for All](#) *: The National Approach to Anti-Bullying for Scotland’s Children and Young People, the policy provides a coherent and consistent approach for staff, parents/carers, and children and young people on the prevention, early intervention and management of bullying behaviour.

**Scottish Borders Council are aware that the Scottish Government intend to review the Respect for All document in 2023/24 and will therefore subsequently review this policy accordingly.*

The policy applies to all incidents of bullying behaviour within a learning establishment between children and young people. The policy also considers the impact of bullying behaviour that is experienced out with the learning establishment, as the impact of the behaviour is likely to affect the individual’s motivation towards learning.

It is important that this policy sits within, and is considered part of, the learning establishments’ positive behaviour and relationships policy approach. In order to outline the procedures and actions which learning establishments will undertake to embed this policy, each establishment should complete a **Respectful Relationships and Anti-Bullying Establishment Statement** (Appendix1).

Health and Wellbeing Census 2022 – What does the data tell us?

In March 2022, Scottish Borders schools took part in a Health and Wellbeing Census where P5-7 children in primary schools and S1-S3 young people in secondary schools were asked directly about their experience of bullying. The results were as follows:

Been Bullied

Q27. Have you been bullied in the last year?	1. Yes	2. No	3. Prefer not to say	Respondents to Question
P5	46%	39%	16%	944
P6	42%	44%	14%	954
P7	38%	51%	12%	972
Grand Total	42%	45%	14%	2870

S1-3 Q42. Have you been bullied in the last year?	1. Yes	2. No	3. Prefer not to say	Respondents To Question
S1	34%	55%	12%	785
S2	28%	63%	9%	694
S3	25%	69%	6%	730
Grand Total	29%	62%	9%	2209

Where Bullied

28. Where have you been bullied?	Q28.1. At school	Q28.2. Somewhere else (including on the way to or from school)	Q28.3. Online / Social media / gaming platform	Grand Total
P5	35%	18%	12%	973
P6	34%	17%	12%	986
P7	30%	15%	12%	1006
Grand Total	33%	17%	12%	2965

S1-3 Q43 - Where have you been bullied? (% of all responses)	S1-3 Q43.1. At school	S1-3 Q43.2. Somewhere else (including on the way to or from school)	S1-3 Q43.3. Online / Social media / gaming platform
S1	26%	8%	10%
S2	20%	6%	7%
S3	20%	7%	10%
Grand Total	22%	7%	9%

How Bullied

29. How were you bullied?	Q29.1. Name calling	Q29.2. Rumours spread	Q29.3. Hurtful comments	Q29.4. Threats	Q29.5. Pictures or videos of you shared with others	Q29.6. Embarrassed or made to feel foolish	Q29.7. Physically hurt	Grand Total
P5	30%	10%	25%	14%	4%	16%	16%	973
P6	30%	13%	25%	14%	4%	16%	16%	986
P7	29%	16%	25%	13%	6%	18%	15%	1006
Grand Total	30%	13%	25%	14%	5%	17%	16%	2965

S1-3 Q44 - How were you bullied? (% of all responses)	S1-3 Q44.1. Name calling	S1-3 Q44.2. Rumours spread	S1-3 Q44.3. Hurtful comments	S1-3 Q44.4. Threats	S1-3 Q44.5. Pictures or videos of you shared with others	S1-3 Q44.6. Embarrassed or made to feel foolish	S1-3 Q44.7. Physically hurt
S1	21%	12%	17%	8%	5%	11%	10%
S2	18%	11%	15%	7%	5%	12%	5%
S3	17%	12%	16%	6%	6%	12%	4%
Grand Total	19%	12%	16%	7%	5%	12%	7%

Online Bullying (S1 – S3 only)

S1-3 Q45. How often do other children pick on you by sending emails, through messaging or posting something online?	1. Most days	2. About once a week	3. About once a month	4. Every few months	5. Never	6. Prefer not to say	Respondents To Question
S1	5%	7%	8%	16%	51%	13%	257
S2	4%	9%	7%	19%	49%	11%	192
S3	5%	8%	7%	24%	47%	10%	180
Grand Total	5%	8%	7%	19%	49%	12%	629

Report Bullying

Q30. Did you report the bullying to anyone?	1. Yes	2. No	3. Prefer not to say	Respondents to Question
P5	64%	19%	17%	427
P6	63%	19%	18%	402
P7	59%	30%	11%	366
Grand Total	62%	23%	15%	1195

S1-3 Q46. Did you report the bullying to anyone?	1. Yes	2. No	3. Prefer not to say	Respondents To Question
S1	55%	31%	14%	261
S2	49%	44%	7%	191
S3	50%	39%	12%	179
Grand Total	52%	37%	11%	631

Reporting Bullying Results

Q31. Did reporting the bullying to anyone...?	1. Make the situation better	2. Make the situation worse	3. Nothing changed	4. Prefer not to say	Respondents to Question
P5	52%	9%	25%	14%	266
P6	55%	10%	24%	10%	248
P7	55%	13%	26%	6%	216
Grand Total	54%	11%	25%	10%	730

S1-3 Q47. Did reporting the bullying to anyone...?	1. Make the situation better	2. Make the situation worse	3. Nothing changed	4. Prefer not to say	Respondents To Question
S1	57%	9%	25%	10%	141
S2	38%	10%	42%	10%	92
S3	46%	13%	33%	8%	90
Grand Total	48%	10%	32%	9%	323

Take Part in Bullying

Q32. How often have you taken part in bullying another pupil(s) at school in the past couple of months?	1. Not at all	2. Once or twice	3. Around two or three times a month	4. About once a week	5. Several times a week	6. Prefer not to say	Respondents to Question
P5	76%	12%	2%	1%	1%	8%	936
P6	80%	11%	2%	0%	1%	6%	953
P7	79%	14%	2%	0%	1%	4%	971
Grand Total	78%	12%	2%	0%	1%	6%	2860

S1-3 Q48. How often have you taken part in bullying another pupil(s) at school in the past couple of months?	1. Not at all	2. Once or twice	3. Around two or three times a month	4. About once a week	5. Several times a week	6. Prefer not to say	Respondents To Question
S1	83%	11%	2%	0%	0%	4%	773
S2	80%	12%	1%	1%	1%	5%	686
S3	82%	11%	1%	1%	1%	4%	725
Grand Total	82%	11%	1%	1%	1%	4%	2184

Terms of Reference Used Within the Policy

Learning establishment

A learning establishment is any educational environment, which delivers the outcomes of Curriculum for Excellence. This will include early childhood centres, primary, special and secondary schools.

External providers funded by Scottish Borders Council such as early years partners, specialist educational providers, post-16 training provisions, youth work providers, arts and cultural development, and after school clubs and groups are encouraged to adopt, where appropriate, the guidance contained within this policy document.

This single policy will apply in all learning establishments. Heads of learning establishments should ensure that the policy and procedures are being implemented and monitored.

Parent/Carer

Parent/Carer is used to describe parents, carers, kinship carers and any other adult with a primary caring responsibility for a child or young person.

Respectful Relationship

A respectful relationship is based upon mutual trust, honesty, kindness, consideration and fairness, bringing out the best in those involved.

Section 1

Respectful Relationships

In Scottish Borders learning establishments, adults should work together with children and young people to create an environment that encourages respect, celebrates difference and promotes positive relationships and behaviour. Children and young people are more likely to develop self-confidence, resilience and positive views about themselves where open and respectful relationships exist between adults and other children and young people.

The starting point for promoting respectful relationships and behaviour is the provision of a:

- coherent and inclusive curriculum
- effective and engaging learning and teaching
- whole school nurturing ethos based on positive relationships
- whole school commitment to inclusion

SBC Includes: [Inclusion Policy Jan 2020](#)

All of our learning establishments should promote respectful relationships based on care, trust, respect, honesty, kindness and justice, seeking to realise and harness the full potential of all young people and bring out the best in them, especially in challenging situations such as those created by bullying.

Section 2

Ethos and Culture

Respect for all states: *'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'*

Health and Wellbeing is the responsibility of all staff and it is a critical factor in creating and maintaining a positive ethos within all learning establishments. The guidance contained within this policy is informed by the overarching principles of the SBC Includes: [Inclusion Policy](#) and [Nurturing Approaches Guidelines](#).

All learning establishments should work to create a positive ethos and culture of respect and trust based upon shared values. Adults do not expect to be verbally or physically abused by colleagues or friends, and children and young people have the same right to be free from bullying and to feel safe in their environments.

An inclusive culture and ethos will minimise incidences of bullying however, any bullying behaviour is unacceptable and should be dealt with in line with the policies and procedures contained within this document.

The following proactive approaches are effective ways of preventing bullying happening in the first place:

- pro-actively promoting an understanding of bullying and it's impact
- modelling how to treat others with compassion and respect
- creating an open and safe space to talk

Approaches to support preventing or reducing the incidence and effects of bullying behaviour in learning establishments may include:

- Establishing an ethos which places an emphasis on respecting, valuing and caring for self and others
- Establishing a climate where all members of the learning community, irrespective of age or status, promote and model respectful relationships and values
- Vision, Values and Aims statements which place an emphasis on mutual respect and which are agreed and discussed with all staff, children and young people and parents/carers

- Completion of a Respectful Relationships and Anti-Bullying Statement, aligned with council policy, which makes clear that bullying is unacceptable and sets out everyone's responsibility in preventing and responding to bullying
- Involvement of staff, children and young people and parents/ carers in the completion of a Respectful Relationships and Anti-Bullying Statement
- Responsible Use of Mobile Technology Policy developed with staff, children/young people and parents/ carers within the context of the setting
- Provision of appropriate staff training in recognising and dealing appropriately with acts of bullying
- Taking seriously any report or allegation of bullying behaviour, investigating and taking appropriate action
- Providing a variety of means to allow children and young people to report bullying for themselves or their peers
- Providing support for children and young people who are experiencing bullying behaviour
- Helping the person displaying bullying behaviour to understand the impact of their behaviour and supporting them as they change their behaviour. The approaches taken should always take in account the individual needs of each child or young person
- Involving parents/carers, as appropriate, in supporting both children and young people who are bullied and those who are displaying bullying behaviour
- Ongoing recording and monitoring of bullying incidents. Monitoring bullying incidents is essential and can help to identify recurring patterns, thereby encouraging early intervention. This can also help identify training (CLPL) needs for everyone working with children and young people (Reference Section 9)

In their 'Policy through to Practice – Getting it Right Anti-Bullying Policy Guidance for Schools and Children & Young People's Services', respectme state:

"It is important to maintain the profile of any anti-bullying work undertaken and reinforce this ethos in everyday workings and relationships."

For examples of initiatives designed to prevent and/or respond to bullying visit the document [respectme Principles for policy developmentrespectme](#).

In addition to the approaches suggested above for all learning establishments, early learning and childcare settings and schools in particular may consider:

- Including anti-bullying education within the Personal, Social and Health Education curriculum for all children and young people as well as through cross-curricular and whole school approaches
- Addressing anti-bullying through, for example, assemblies, circle time, restorative approaches and co-operative learning methodologies
- Working towards and becoming a Rights Respecting School

Section 3

What do we mean by bullying?

There have been many different definitions and theories about what constitutes bullying, but it is not helpful to define bullying purely in terms of behaviour.

“Bullying is both behaviour and impact; what someone does and the impact it has on the other person’s capacity to feel in control of themselves. We call this 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 and it can happen face to face and online.” (respectme,2015)

This behaviour can include, but is not limited to:

- 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 that 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).

This can harm people physically or emotionally and, although the actual behaviour may not be repeated, the threat may be sustained over time, typically by actions, looks, messages, confrontations, physical interventions or the fear of these. This is not an exhaustive list and it is important to consider impact, rather than intent and persistence when defining bullying behaviour.

Online Bullying

Online bullying, or cyberbullying, is often the same type of behaviour as face to face bullying, for example name-calling, spreading rumours and leaving people out, but it takes place online, for example on social networking sites, in chatrooms, and via mobile technologies, gaming and instant messaging platforms. The impact of this can be as hurtful and damaging as other forms of bullying behaviour. This should be taken as seriously as any other form of bullying.

Advances in technology are simply providing an alternative means of reaching people. Where malicious messages were once written on schoolbooks or toilet walls, they can now be sent via mobile phone or the internet, making their reach greater, more immediate and much harder to remove or erase.

Whilst advances in technology, including social media, provide many possibilities to enhance learning and teaching, staff in learning establishments should be alert to its possible misuse. Some online behaviour is illegal. Children and young people need to be made aware of the far-reaching consequences of posting inappropriate or harmful content on forums, websites, social networking platforms, etc.

ICT/Mobile phone policies can also be a helpful tool in reinforcing the consequences of misuse of technology, the Scottish Government have written useful guidance on developing such a policy:

[Guidance on Developing Policies to Promote the Safe and Responsible Use of Mobile Technology in Schools](#)

Scottish Borders Council have also produced the following guidance:

[Responsible Use of Mobile Technology](#)

Scottish Borders Council also recommend consulting the following website for online safety advice and support:

[South West Grid for Learning \(SWGfL\) Safe, Secure, Online](#)

Language and Use of “Labels”

When talking about bullying, it is important not to label children and young people as “bullies” or “victims”. Labels can stick for life and can isolate a child, rather than helping them to recover or change their behaviour. Reference should be made instead to “those experiencing bullying behaviour” and “those displaying bullying behaviour”. All children and young people need help to understand why bullying behaviour is wrong in order that they can change it. It is important not to develop predisposed notions about which child or young person is likely to fall into which category.

If staff are unsure if behaviour is bullying, look at the effect it is having on the child or young person. It can be the case that one child says something unpleasant to

another, but this is not always a case of bullying as it has no real impact on the child. Such behaviour should always be challenged, even if it is not bullying.

Possible Signs of Bullying

Children and young people may display a wide range of signs, which may indicate that they are being bullied. Some of the signs that staff should look out for may be:

- Change in attendance at school
- Change in achievement levels
- Unexplained injuries, neglect of appearance, torn clothing
- Changes in sleep patterns
- Changes in eating pattern
- Social withdrawal/isolation
- Mood changes
- Depression
- Suicidal Thoughts
- Changing social media accounts

It is important for children and young people to discuss how they feel and help them develop resilience to manage their relationships. We know that children and young people will fall out and disagree with each other as they form and build relationships. This is a normal part of growing up and most children and young people have the ability to bounce back from this type of behaviour.

Bullying or Criminal Behaviour?

Some online behaviour may be illegal, and children and young people need to be made aware of the far-reaching consequences of posting inappropriate or harmful content online. In cases of sexual imagery, the [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016 \(legislation.gov.uk\)](https://legislation.gov.uk/ukpga/2016/16/section/1), criminalises the non-consensual sharing of intimate images. Similarly, hate crime is defined through the law as any crime which is perceived by the victim or any other person as being motivated (wholly or partly) by malice or ill will towards a social group. There are five groups or protected characteristics covered by the hate crime legislation:

- Disability
- Race
- Religion or belief
- Sexual Orientation

- Transgender Identity

There is no legal definition of bullying in Scotland and, as such, bullying is not a crime. Bullying can be motivated by prejudice similar to hate crime; the distinction is when a crime has taken place, such as assault, graffiti or a breach of the peace that has been motivated by prejudice. The Lord Advocate has issued guidelines about which category of offence will be reported to the Procurator Fiscal for consideration of prosecution. Children who do not come within these guidelines may be referred to the Children's Reporter or made subject to Police direct measures, depending on the circumstances. The Procurator Fiscal and the Children's Reporter discuss cases that are subject to joint referral and the Procurator Fiscal will decide where the case is best dealt with.

The presumption should be against criminalising children and young people wherever possible unless it is in the public interest.

Promoting the principles of inclusion amongst children and young people is key to preventing hate crime. Adults, and children and young people, can seek appropriate advice and guidance from Police Scotland if they feel a crime may have taken place.

Relational conflict usually involves individuals and groups who are relatively similar in power and status. It is generally behaviour which happens occasionally, and offence might be accidental.

Section 4

Prejudice-based bullying

All staff should be prepared to address prejudicial attitudes that may be behind the behaviour. Bullying behaviour can often be rooted in prejudice due to difference or perceived difference. This can lead to prejudice and discriminatory language or behaviour, including racism, sexism, homophobia, biphobia or transphobia.

Respect for All states: "Prejudice-based bullying is when bullying behaviour is motivated by prejudice based on an individual's actual or perceived identity; it can be based on characteristics unique to a child or young person's identity or circumstance."

[The Equality Act 2010](#) sets out rights, which include legal protection from discrimination, related to any of the nine protected characteristics. Learning establishments should be committed to challenging prejudice based bullying and make an explicit commitment to each of the protected characteristics listed below:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Learning establishments are expected to challenge inequality and promote inclusive and nurturing environments where bullying based on or motivated by these is never acceptable.

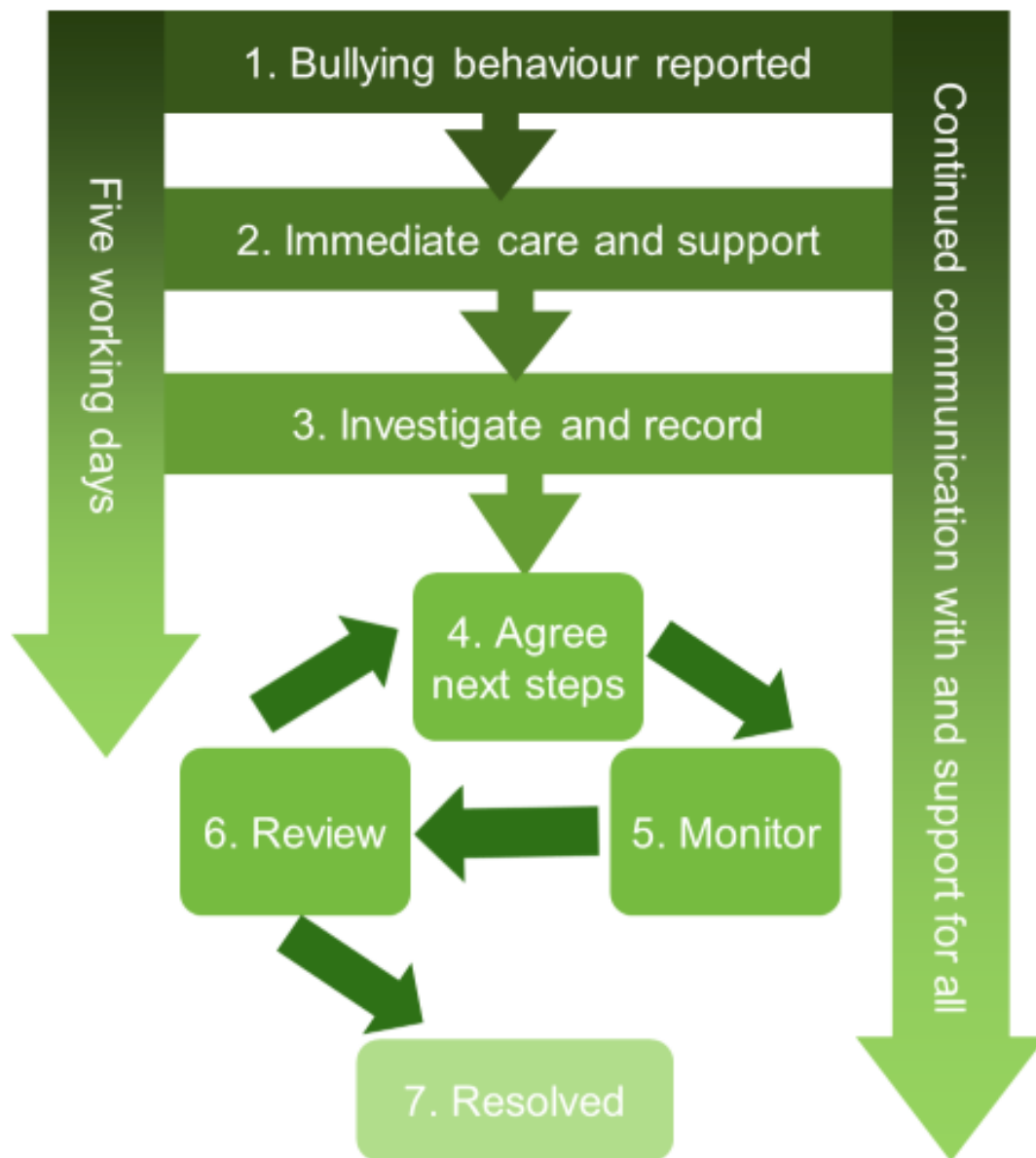
Learning establishments should be aware of the potential vulnerability of children/young person in relation to the following:

- Asylum seeker or refugee status
- Body image
- Care experienced young people
- Social or economic status
- Young carer responsibilities
- Imprisonment of parents/carers, siblings, or other family members

Learning establishments where relationships are based on respect and children and young people feel included are more likely to develop effective resolutions and responses to bullying.

Section 5

What to do if bullying behaviour is experienced



****Further guidance can be found on the subsequent pages****

1. Bullying Behaviour Reported

Staff may become concerned about a child or young person when, for example, they witness something that may be construed as bullying behaviour, or a child, young person or parent/carer reports to them that they are experiencing bullying behaviour. How the member of staff reacts is crucial. Children and young people may have gone through a lot of upset before reporting an incident of bullying to an adult. A child's experience may be directly affected by the response they get from the adult.

2. Care and Support

It is crucial for staff to listen and get it right; offer support whenever required and be mindful of the potential need for their support, no matter how busy they are at the time. The child/young person may have chosen to report bullying behaviour at a less than convenient moment. If it is not possible to speak to them there and then, it is important for the staff member to acknowledge how the child/young person is feeling. The staff member should reassure the child/young person that they have done the right thing by reporting the bullying and should arrange a time when they will speak to them about it further. The timeline for this care and support is immediate.

3. Investigate and Record

Staff should gently encourage the child/young person to talk, find out what happened, who was involved, where and when – or ask them to write it down if that is easier. It may be necessary to do some probing by asking open and direct questions, but staff should find out as much as possible.

Keeping notes may be helpful but it is important that the child/young person knows why and how the notes will be used. This information would form the basis for further investigation and recording. Schools have a responsibility to record the information on SEEMIS through the Bullying and Equalities module (see section 9). Other learning establishments, will have their own recording system, which should be used.

respectme recommend that the most effective way for staff to structure their response to bullying is to ask themselves these questions:

- What was the behaviour?
- What impact did it have?
- What does the child or young person want to happen?
- What do I need to do about it?
- Is there evidence of any prejudice-based attitude or behaviour?

Consent

Responding to bullying behaviour requires a partnership approach – when it is safe to do so. The response to incidents of bullying behaviour will normally involve the

learning establishment staff, children/young people, parents/carers and partner organisations if appropriate.

Learning establishments should seek to inform and involve parents in supporting resolution of bullying behaviour. However, it is important the children and young people are aware of the learning establishment's intentions and actions regarding parental involvement.

“There is no age limit on the right of the child or young person to express their views. However, in Scotland, under data protection law, children and young people aged 12 or over are presumed to be mature enough to provide their own consent, unless there is any reason to think that they are not. If there is disagreement between the child or young person and their parents and it is not possible to reach agreement, professional judgement will be required, with consideration for the rights of the child under Article 12 of the UNCRC.” [Getting it right for every child \(GIRFEC\) Practice Guidance 4 - Information sharing](#).

It should be noted that whilst any learner's view, as expressed, should be considered, there may be situations whereby it is deemed to be in their best interests that their parents or third parties are advised of the situation.

Consent may need to be sought and re-sought at different intervals throughout a bullying incident to manage risk, harm, and consideration of child protection. Consent can be verbal and will be recorded within the Management Information System - SEEMiS for Schools or other learning establishments recording system.

Confidentiality

Responding to bullying behaviour requires a commitment to confidentiality by all parties – this should take account of the right to confidentiality of all involved:

- child/young person experiencing bullying
- parents/carers of child/young person experiencing bullying
- child/young person perceived/actually demonstrating bullying
- parents/carers of child/young person demonstrating bullying

When responding to and managing incidents it may be appropriate in some circumstances for a confidentiality agreement to be put in place for all parties. It will be made explicit to the child/young person the circumstance in which confidentiality may have to be broken to ensure they are protected from harm and kept safe. Child Protection should be considered and discussed at this stage. Involvement of Police Scotland may influence the direction and timing of the investigation. HR policies and procedures should be followed if a member of staff is involved (see Section 8).

Child Protection

Where there is a Child Protection concern, this will supersede the Respectful Relationships and anti-bullying policy and the following policy should be followed:

[Scottish Borders Child Protection Procedures \(sb-cpc-procedures.org.uk\)](http://sb-cpc-procedures.org.uk)

4. Agreed Next Steps

At this stage, staff need to be very clear with the child or young person about what happens next. The child or young person experiencing bullying behaviour needs to retain some feeling of control over the situation. It is vital that they are involved in deciding and agree to the next steps. Sometimes a particular incident can be resolved quickly but in many cases it can take some time to work towards a resolution and it is important that the child experiencing the bullying behaviour feels supported and has some strategies to help.

“There isn’t any single approach when responding to bullying, and what works for one child or situation, may not work for another. Children and young people value choices.” [respectme - ways to respond](#)

If staff are unsure of how to respond or are not sure what will work, they should explore different options, ask what the child/young person thinks would happen if a certain course of action were followed, and explore alternatives.

****Steps 1 – 4 should be completed within 5 school/working days****

5. Monitor

Monitoring meetings should be scheduled with the children/young people involved at increasing intervals of time as appropriate to the circumstances to ensure the agreed course of action is effective. This provides reassurance and builds confidence for all involved. All parties involved should mutually agree a date for the monitoring to stop. If the agreed course of action is not effective then step 4 should be revisited and a new agreement made.

6. Review

Following the agreed date for monitoring to stop, there should be a date set for review to ensure that the bullying behaviour has not started again. Regular check-ins with all parties involved would also be beneficial between the end of monitoring and the review date.

**** Step 4, 5 and 6 should be seen as ongoing until the situation is resolved****

7. Resolved

When all parties agree that the bullying behaviour incident has been resolved satisfactorily, then the incident can be 'signed-off' in SEEMIS (see Section 9).

Communication with all people involved

There should be regular communication with all parties involved throughout the process and a record of all communication should be kept. For schools records of communication should be kept in pastoral notes, however, a report on the Assure system may also be required.

Continued support for all people involved

Initially, it is critical to ensure the safety and wellbeing of the individual experiencing or displaying bullying behaviour. As outlined in step 2, care and support needs to continue throughout the process for all people involved.

Bullying can have long-term impacts on children and young people. When the bullying behaviour stops, the impact may still be felt and the process of moving on from what may have been a traumatic event may need ongoing monitoring and support to aid recovery.

Complaint Procedure

Any individual has the right to express their dissatisfaction and complain if they feel that the learning establishment has not fulfilled the expectations of this policy or any agreed management plans.

Scottish Borders Council defines a complaint as:

“Any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.”

It is encouraged that complaints are responded to and resolved within the learning establishment; however, complainants have the right to lodge a formal complaint to the local authority.

[Scottish Borders Council Complaints Handling Procedure](#)

Section 6

What about the child who is displaying bullying behaviour?

“Children and young people who are displaying bullying behaviour will need help and support to help identify the feelings that cause them to act this way and develop strategies to cope with these feelings differently.” (respectme 2014)

The reasons why children and young people may get involved in bullying behaviour are many. Some examples include:

- to impress or establish leadership amongst a peer group
- to create a group identity by attacking an outsider
- pressure to conform – punishing non-conformity
- lack of social skills
- jealousy
- have been bullied themselves
- family and/or social problems
- lack of understanding of the impact of bullying

Nurture Principle 5 states that all behaviour is communication, it may well be that the bullying behaviour of the child or young person may stem from an unmet need, in this case staff should:

- Deal with the behaviour in the same way as you would with any type of distressed behaviour
- Describe the behaviour that is causing harm – avoid labelling
- Identify what is causing the bullying behaviour
- Listen and support to identify thoughts/feelings behind the behaviour
- Have conversations with parents whose insights may shed light on a situation not previously considered
- Support children and young people to find other ways to manage difficult feelings
- Be prepared for a strong reaction from parents/carers and children and young people
- Be prepared to address prejudicial attitudes that may be behind the bullying behaviour
- Support repair of relationships, where possible
- Address what is happening behind the behaviour, even when the bullying has stopped

There will be a wide range of actions or consequences that a learning setting can take in response to bullying incidents. These actions should be proportionate and appropriate to the age and stage of the child and to the incident.

Restorative Approaches

Restorative approaches articulate with and compliment all other relational approaches and strongly influence the emotional atmosphere in a learning community. A restorative approach recognises that people are the experts of their own solutions and if implemented effectively will promote accountability and maximise personal responsibility. A restorative approach provides a framework of values, thinking and language that is helpful when 'something' needs to be restored. In different contexts this could be:

- effective communication
- relationships or friendships
- empathy and understanding for another person's perspective
- respect (this could mean a sense of security, self-confidence, self-respect, or dignity)
- understanding the impact of our own behaviour on others
- repairing or replacing damaged materials or resources

Being restorative can be proactive (relationship building) or responsive (relationship repairing) and can be used at every level from everyday informal interactions to more formal restorative meetings. All practitioners can behave in a restorative way by demonstrating restorative values and using restorative thinking and language.

Exclusion

Exclusion from school should only be used as a last resort. It should be a proportionate response where there is no alternative. It is the responsibility of all Scottish Borders Council's schools and learning establishments to keep all children and young people fully included, engaged and involved in their education and to improve outcomes for all, with a particular focus on those who might be at risk from exclusion.

While individual circumstances must be taken into account, the grounds for exclusion are the same for all children and young people. In line with National guidance in [Included, Engaged and Involved Part 2: a positive approach to managing school exclusions \(2017\)](#) and [Included, Engaged and Involved Part 1: a positive approach to the promotion and management of attendance in Scottish schools](#), Scottish Borders Council have produced guidelines on how to Manage School Exclusions. These can be found in [Policy Guidance on Managing School Exclusions](#).

Other learning establishments should consult their own policies and procedures for excluding children and young people.

Section 7

Parents/Carers as Partners

Parents and carers are the people who know and understand their children's behaviour and their physical and mental wellbeing best. They have a key role to play in supporting their children when they experience or display bullying behaviour.

Parents/carers are often able to offer advice to staff on extra support their child might need or any creative solutions that may help resolve the situation. It is important that staff listen to, and respond to, the concerns of parents/carers and ensure that there is clear communication between them when dealing with bullying incidents relating to their children (see flow chart in Section 5).

When writing their Respectful Relationships and Anti-Bullying Statement, learning establishments should consult with parents/carers to draw on the wealth of knowledge that they have.

Parents/Carers are requested to:

- Be aware of the respectme, Scotland's Anti-bullying Service, booklet: [Bullying... a guide for parents and carers](#) and their [Parents tip sheet for online bullying](#)
- Work collaboratively and respectfully with staff, children and young people and other parents/carers where appropriate to help ensure bullying cannot thrive
- Inform learning establishments of bullying behaviour at the time of the incident or as soon as possible thereafter
- Address their children's behaviour when it affects others negatively and refrain from engaging directly in a negative way with any other children involved or their parents/carers/families
- Manage their children's use of electronic devices, mobile technologies and social media, including setting parental controls, ensuring privacy establishments are in place and adhering to age guidelines
- In the first instance, report any abuse to website providers and ensure their children unfriend or block persons potentially perpetrating abuse
- Be aware of the type of incidents which may have to be reported to the police – retain any evidence which may include screenshots, messages, images etc
- Understand we seek to understand the experiences, and address the needs of all children and young people, who experience bullying behaviour as well as those who display bullying behaviour, within a framework of respect, responsibility, resolution and support
- Be given the opportunity to express their views and help shape policy development in this area

- Be aware of the complaints process set out by the learning establishment and local authority and their rights with regard to these procedures (see Section 5 – Complaints Procedure)

Parent/Carer involvement can take the form of:

- Parent Councils as partners with the learning establishment
- Involvement with development of the '*Respectful Relationships and Anti-Bullying Statement*' for the learning establishment
- Parent education events around bullying
- Attendance at learning establishment open sessions where respectful relationships are modelled
- Involvement of parents in national Anti-Bullying week activities
- Involvement of parents in school assemblies dealing with current issues in bullying and its prevention
- Home-School Partnerships

Parent and carer support/information

Information about bullying, what to look for and further advice for parents and carers is available on ParentZone Scotland and Enquire websites:

[Experiencing bullying behaviour](#) | [Social and emotional factors](#) | [Specific support needs](#) | [Additional support](#) | [Parent Zone \(education.gov.scot\)](#)

[I'm not happy with how my child's school is responding to bullying - Enquire](#)

[Every child's right to live free from bullying and harassment - Enquire](#)

[Talking to your child's school about bullying - Enquire](#)

Section 8

Staff Working in Scottish Borders Council Learning Establishments

Scottish Borders Council promotes a 'Zero Tolerance' approach to threats and violent and abusive behaviour towards staff.

If unacceptable behaviour is experienced, your Line Manager should be made aware in order to provide appropriate support.

The following policies have been developed to ensure Scottish Borders Council staff are supported:

[Dignity and Respect in the Workplace | Scottish Borders Council \(scotborders.gov.uk\)](#)

[Managing Customer Engagement Policy | Scottish Borders Council](#)

(The above policy has been approved by council and is awaiting implementation)

Staff Welfare

Staff Wellbeing Handbook:

The [Staff Wellbeing Handbook](#) is available online as a supportive tool. The purpose of this directory is to provide staff with a list of useful organisations and resources in relation to wellbeing topics. The handbook will be continually added to and updated quarterly.

If you have any individual queries, contact your line manager or email: askhr@scotborders.gov.uk

Staff Working in Other Learning Establishments

Other learning establishments will have their own policies, procedures and support, which would be available if required.

Section 9 – Schools Only

SEEMiS: Recording, Reporting and Monitoring of Bullying and Discriminatory Incidents/Alleged Incidents in Schools

This section should be read in conjunction with [The Scottish Government's Supplementary Guidance on Recording and Monitoring of Bullying Incidents in Schools](#).

Schools are required to record all incidents of bullying behaviour on the SEEMIS Bullying and Equalities Module. As part of SBC's Education and Lifelong Learning's quality assurance processes, data recorded on the module will regularly be analysed.

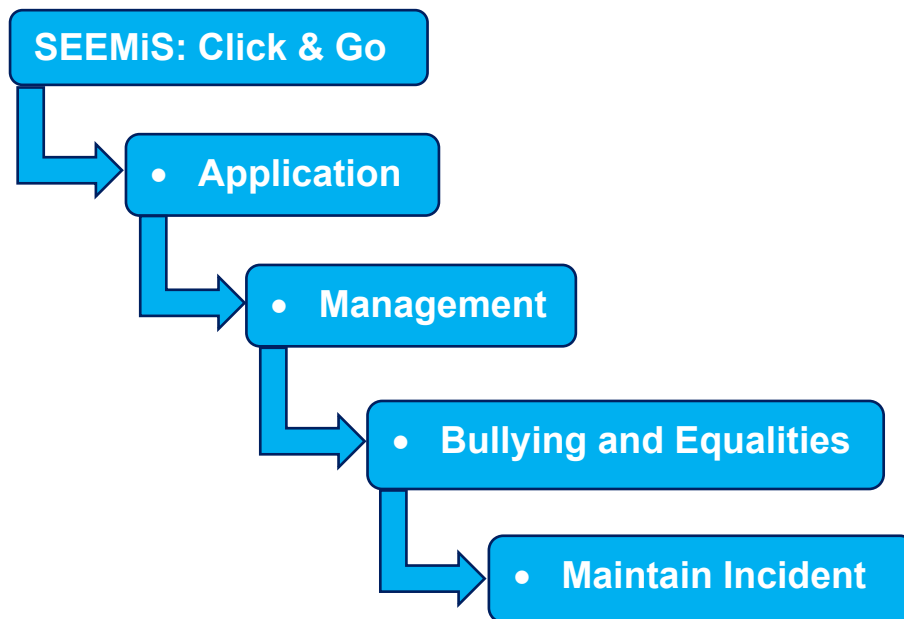
Recording in this way has a number of advantages:

- It allows education services to collect and collate data centrally
- It allows schools/early learning centres to interrogate data
- It complies with the requirements of the Equality Act 2010
- Incidents will be recorded under different types of discriminatory behaviour
- The system will record incidents against persons displaying the behaviour and persons experiencing the behaviour
- There will no longer be a requirement to record racist incidents in a separate menu item as these are part of the module

Each school should have a clear set of procedures for reporting and investigating reports of bullying behaviour. The member of staff to whom the incident is first reported, or who has witnessed the incident, should take the incident seriously. They must use their professional judgement in deciding upon appropriate action, taking into account the circumstances and the information they have and this should be agreed with a member of the Senior Leadership Team or Pupil Support Team. In all cases, it is crucial that the child or young person is listened to and supported.

It should be clear how the case will be investigated, monitored and reviewed. A member of Senior Leadership Team in each learning setting should have responsibility for ensuring that procedures relating to reports of bullying are implemented and that the whole school reports available on SEEMIS are regularly monitored.

Where to find the Bullying and Equalities Module on SEEMiS:



All of the sections in the Bullying and Equalities module must be completed

Within SEEMIS Bullying and Equalities Module, information is recorded about both the person experiencing the behaviour and the person displaying the behaviour. The nature of the incident and the specific perceived reasons for bullying (formerly characteristics) must be completed in all cases. If an incident is covered by more than one of these select all that apply under these headings:

Nature of Incident

- Name calling, teased, put down or threatened
- Hit, tripped, pushed or kicked
- Belongings taken or damaged
- Being ignored
- Spreading rumours
- Abusive messages online/phone/gaming/social media
- Targeted because of who they are/perceived to be
- Racism or Racist incident
- Gender Based Violence
- Other (Please Specify)

If 'Other' is selected from the list, an additional text box will be displayed to enable details of the 'Other' incident to be recorded.

Perceived Reason(s) for bullying (formerly Characteristics)

- Actual or perceived Sexual orientation (e.g. homophobic, bi-phobic)
- Additional support needs
- Asylum seekers or refugee status
- Body Image and physical appearance
- Disability
- Gender identity or Trans identity
- Gypsy/travellers
- Care Experience
- Marriage/civil partnership of parents/ carers or other family members
- Mental health
- Pregnancy and maternity
- Race and racism including culture
- Religion or belief
- Sectarianism
- Sexism and gender
- Socio-economic prejudice
- Young carer
- Not known
- Other: please specify

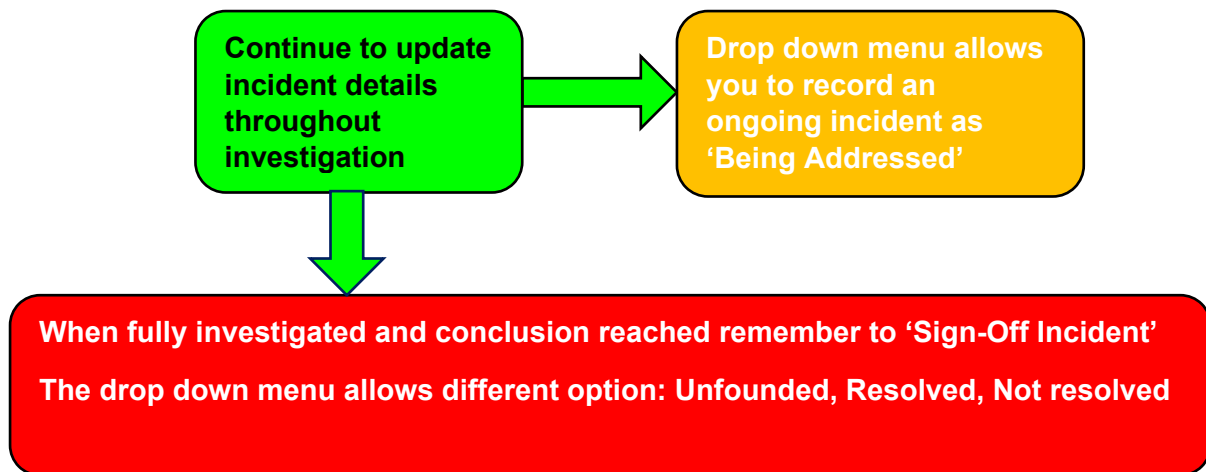
If 'Other' is selected from the list, an additional text box will be displayed to enable details of the 'Other' incident to be recorded.

Information about how the situation is to be monitored and reviewed should be entered in the appropriate section. The views of the person experiencing, the person displaying, and, if appropriate, the views of parent/carer should also be recorded (See item 3 of the flow chart in Section 5).

Monitor and review

- Do they feel their concerns were listened to?
- Do they feel satisfied with the outcome?
- Does the parent/carer feel satisfied with the outcome?
- Restorative Action has taken place?

Information recorded in this part the Module automatically creates an entry into the pastoral notes for each of the children or young people. This entry does not contain detail about the incident – its purpose is to indicate that an incident has been recorded in the bullying and equalities module.



The use of annual surveys with pupils / staff / parents and carers about experiences of bullying in school is encouraged. The results of any surveys carried out should be monitored to ensure that steps continue to be taken to improve the learning environment.

Appendix 1

Template to be completed by all learning establishments

Respectful Relationships and Anti-Bullying: statement for Children / Young People in

Learning Setting Name

Scottish Borders Council Vision

It is our vision that all learning establishments are safe, respectful and nurturing environments where bullying behaviour is never acceptable. It is therefore critical that those who play a role in the lives of children and young people in the Scottish Borders are equipped to prevent and respond effectively to incidents of bullying behaviour. Getting it right for every child (GIRFEC) in the Scottish Borders ensures that the child and their family are at the centre of policy and practice and that the views of the child, young person and their parents/carers are sought, listened to and taken into account when decisions are being made.

Policy statement purpose

In the Scottish Borders, learning establishments promote respectful relationships approaches.

This document builds on Scottish Borders Respectful Relationships and Anti-bullying Policy and outlines the steps that will be undertaken in **[name of learning setting]** to provide guidance to staff, parents/carers and children/young people on the prevention and management of bullying behaviour. Our aim is to make **[name of learning setting]** a safe, respectful and nurturing environment where bullying behaviour is never acceptable.

Raising awareness and prevention

Staff and Volunteers

In addition to promoting and role modelling respectful relationships and positive behaviour, all staff and volunteers in **[name of learning setting]** with a responsibility for children/young people will participate in the training and development listed below:

Please list the training that staff in the learning establishment will undertake in this box. See Appendix 2 for suggested training resources.

Pupils

In **[name of learning setting]** we actively and openly talk about and discuss bullying behaviour.

Listed below are the strategies / resources, which will be used to raise the children/young people's awareness and prevent bullying:

Please list the resources/strategies that staff in the learning establishment will use to raise awareness and prevent bullying with children and young people. See section 2 of the Respectful Relationships and Anti-Bullying policy for suggestions.

Recording and monitoring strategies

In **[name of learning setting]** incidents of bullying are recorded and monitored, in accordance with the guidance in Scottish Borders Respectful Relationships and Anti-Bullying Policy. Incidents will be recorded in the SEEMIS Bullying and Equality Module in schools or manually in learning establishments who do not have access to SEEMIS.

Reporting and feeding back about bullying incidents

In *[name of learning setting]* children/young people, staff and parents will be made aware of the confidential and safe ways to report bullying behaviour.

Ways for Pupils to report bullying behaviour:

Please list the methods of reporting which are available to the children and young people along with the people they can report to.

Ways for parents to report bullying behaviour:

Please list the methods of reporting which are available to the parents/carers along with the people they can report to.

Ways for Staff to report bullying behaviour:

Please list the methods of reporting which are available to staff along with the people they can report to.

In *[name of learning setting]*, *[name of person]* will be responsible for ensuring all parties are actively informed of progress made.

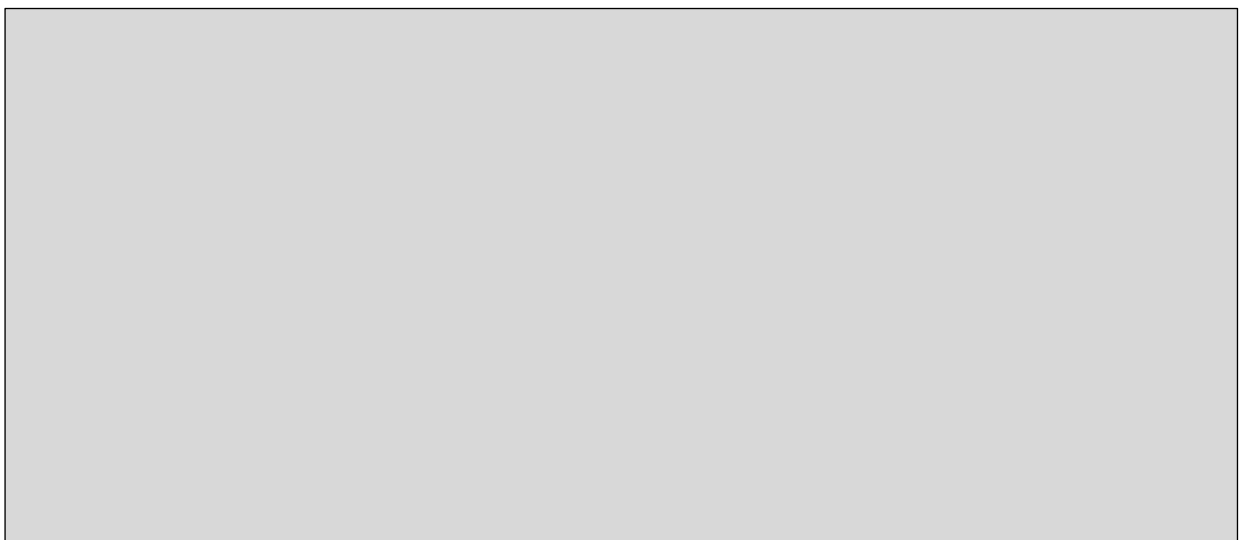
Children / young people’s views on respectful relationships

We have shared the Respectful Relationships and Anti-Bullying poster with our children/young people and consulted with them in the creation of this statement. Some of their comments are shown below:



Parent’s views on respectful relationships

We have shared the Respectful Relationships and Anti-Bullying parent leaflet with our parents/carers and consulted with them in the creation of this statement. Some of their comments are shown below:



Policy statement reviewed date (Every three years)

Head of **[learning setting]** Signature

Date:-

Appendix 2

Training and Support

[‘Bullying- It’s Never Acceptable’ | Learning resources | National Improvement Hub \(education.gov.scot\)](#)

An online professional learning resource from [respectme](#) adopts the Scottish Government’s anti-bullying guidance, [Respect for All](#). It seeks to define bullying and introduce practical strategies to address bullying behaviour when it occurs.

The [four online modules](#) consist of:

Module 1: Why address bullying? (approx. 28 minutes in length)

Module 2: Defining and recognising bullying behaviour (approx. 23 minutes in length)

Module 3: Preventing bullying: policy and practice (approx. 18 minutes in length)

Module 4: Responding to bullying (approx. 25 minutes in length)

[Free CPD online training \(anti-bullyingalliance.org.uk\)](#)

Free CPD-certified anti-bullying online training for anyone that works with children and young people.

Restorative Practices Training for Schools

Contact [Emma Sowerby](#) Headteacher, Inclusion and Wellbeing Service

[LGBT Inclusive Education | National Platform \(lgbteducation.scot\)](#)

The one stop platform for teachers to access quality approved materials, resources, and professional learning linked to Scotland’s Curriculum to support the implementation of LGBT Inclusive Education.

Complete the Stage 1 E-Learning module from the national “Delivering LGBT Inclusive Education” professional learning course, freely available to all teachers in Scotland. Stage 2 can be booked upon completion. This course should be completed by Primary and Secondary school teachers in Scotland.

[How to be One Good Adult](#)

An interactive resource developed by children and young people that can be used for communications and awareness raising about the importance of good relationships with adults for children and young people’s mental health and wellbeing.

[Timeline: An anti-sectarian professional learning resource | Learning resources | National Improvement Hub \(education.gov.scot\)](#)

This professional learning resource aims to increase staff knowledge of the historical context for sectarianism in Scotland. Available as an online presentation, the resource takes the user through different events in Scottish, English and Irish history that have had an effect on the making of modern Scotland.

It has been developed from the 'Timeline of Sectarianism in Scotland' found in 'Beyond a Culture of Two Halves', a resource originally developed by [YouthLink Scotland](#).

Appendix 3

Case studies

[Berwickshire High School Whole School Approach to Early Intervention and Prevention of Bullying Behaviour Case Study and Resources and Resources](#)

Read about the approach taken by Berwickshire High School to address pupil concerns around the reporting of bullying behaviour using a QR code system. Access the PowerPoints used to launch the system to pupils in assembly.

[Stirches Primary School Case Study - Reach Out.docx](#)

Some pupils in Stirches Primary School reported that they did not feel safe in school and that they did not always have a member of staff that they could talk to, or did not find it easy to contact a member of staff about issues such as bullying. The response from Stirches primary School was their 'Reach Out' programme which gives the children access to the person they trust discreetly, quickly and efficiently.

[Map | respectme reward](#)

Click on the blue map pin drops in the link above to find case studies from primary and secondary schools across Scotland showing best anti-bullying practice under the headings: Prevention, Response, and Inclusion.

Appendix 4

Useful Links

Respectme

Scotland's anti-bullying service was launched in March 2007. The service is fully funded by the Scottish Government and is managed by Scottish Association for Mental Health (SAMH) in partnership with Lesbian, Gay, Bisexual and Transgender (LGBT) Youth Scotland. Respectme develop resources for both training and awareness raising across Scotland free of charge.

[Respectme](#)

LGBT Youth Scotland

LGBT Youth Scotland's vision is to make Scotland a place where LGBTI young people can flourish and thrive. The charity plays a leading role in the provision of quality youth work to LGBTI young people that promotes their health and wellbeing and are a valued and influential partner in LGBTI equality and human rights.

LGBTYS aspires for all schools in Scotland to be inclusive places for LGBTI learners, their families and LGBTI staff. The organisation delivers the LGBT Charter, a programme that enables schools and organisations to safeguard lesbian, gay, bisexual, and transgender people's human rights.

LGBTYS further provides continuing professional development for teachers in Scottish schools and input to Initial Teacher Education on LGBT Youth issues.

www.lgbtyouth.org.uk

Children 1st

This is the working name of the RSSPCC, CHILDREN 1st works with Scotland's vulnerable children and young people to help change lives for the better. ParentLine Scotland (0808 800 2222) is a service provided by CHILDREN 1st and is a free confidential helpline for anyone concerned about or caring for a child in Scotland to call about any issues affecting their children or family life. The helpline provides emotional and practical support to parents and carers whose children are being bullied, either at school or within the community.

www.children1st.org.uk

Childline

This service is delivered by CHILDREN 1st and hears from children and young people directly to make sure the voice of the people who call is fed into policy and influencing. There is also a Childline anti-bullying helpline in Scotland (0800 44

1111) specifically for children and young people who are experiencing bullying or who are displaying bullying behaviour. The training and outreach team at Childline Scotland works with schools raising awareness of Childline and the issues faced by children and young people.

www.childline.org.uk/info-advice/bullying-abuse-safety/types-bullying

Youth Scotland

Youth Scotland aims to enable young people throughout Scotland to maximise their full potential through the provision of quality educational and social opportunities. Youth Scotland is the largest non-uniformed youth organisation in Scotland and one of the key providers of information, training, advice and support to part-time and voluntary youth workers. The organisation has a membership of over 500 youth groups and organisations, and works in partnership with a network of Area Associations and regional staff to support youth workers to deliver safe and inspiring leisure opportunities to young people throughout Scotland. Youth Scotland contributes to anti-bullying in Scotland through engagement in development of national policies and through the provision of advice, information and training for those working with young people on a range of issues which may contribute to bullying behaviours, for example racism and sectarianism.

www.youthscotland.org.uk

Education Scotland – Health and Wellbeing

Education Scotland is a non-departmental public body, which plays a key role transforming education through national guidance, support and advice. The LTS website has information and resources relating to support, health and wellbeing and promoting positive relationships.

[Education Scotland](#)

[A summary of anti-bullying resources | Learning resources | National Improvement Hub \(education.gov.scot\)](#)

SAMH

SAMH is a national mental health charity dedicated to mental health and wellbeing for all. They provide support to people who experience mental health problems, homelessness, addictions and other forms of social exclusion through 84 direct services across Scotland and campaign to influence policy and legislation to ensure they provide a framework to enable individuals to improve their life experiences and opportunities. SAMH is committed to progressing anti-bullying work across Scotland, as we understand the mental health impacts of bullying behaviour for both children and adults. Furthermore, we believe that the prevention of bullying behaviour and

recovery from its impacts are fundamental to the realisation of individual human rights. SAMH is increasingly pursuing an anti-bullying agenda in all that it does driven by its management of respectme, Scotland's anti-bullying service, in partnership with LGBT Youth Scotland. SAMH also Chair the management partnership for See Me, Scotland's anti-stigma campaign.

[Home | SAMH](#)

Zero Tolerance

Zero Tolerance aims to raise awareness about the nature and prevalence of all forms of male violence against women and children. Zero Tolerance targets campaigns and educational activities at the wider public, rather than just perpetrators or victims of abuse and makes the links between the different forms of male violence against women and wider equality and human rights agendas. Zero Tolerance provides training materials for use in primary schools, secondary schools and informal youth establishments through the Respect Education Initiative. Teachers, youth workers, health promotion specialists and young people were involved in the design of the packs, which aim to empower young people with useful knowledge, skills and understanding and promote positive, non-violent relationships based on equality and respect.

www.zerotolerance.org.uk

Enquire

Enquire is the Scottish advice centre for children with additional support needs, managed by Children in Scotland and funded by the Scottish Government. Enquire offers independent advice and information to parents, carers, practitioners, children and young people through a dedicated telephone helpline 0845 123 2303 or via the website.

www.enquire.org.uk

Enable Scotland

Enable Scotland is a dynamic charity run by its members campaigning for a better life for children and adults with learning disabilities and support them and their families to live, work and take part in their communities. A report published in 2007 found that 93% of children and young people with learning disabilities are bullied. Enable Scotland in partnership with respectme have created a web site specifically to help adults tackle the bullying of children and young people with learning disabilities (<http://www.enablemescotland.info>).

Enable Scotland also provides training on disability awareness.

[Enable Scotland](#)

Scottish Traveller Education Programme (STEP)

STEP, is based at the University of Edinburgh and funded by the Scottish Government. STEP provides information, advice and support to professionals engaged in enabling Scotland's Travelling families to access education and web links for children and young people to a range of different websites providing information and contacts with Travellers and people working with them to support their cultures and life-styles. STEP's remit includes supporting developments in inclusive educational approaches for Scotland's Travelling Communities and to address racism, harassment and bullying.

[STEP - Providing Flexible Learning for Travelling Communities \(ed.ac.uk\)](http://ed.ac.uk)

Changing Faces

Changing Faces is the charity that aims to support and represent children, young people and adults with disfigurements from a wide range of causes. Our aim is to help them achieve their full potential, receive excellent health, education and employment opportunities and be fully included in society. Our focus is on the psychological and social impact of disfigurement on the life of anyone who experiences it – and we are committed to enabling everyone, whether or not they have a disfigurement, to face it with confidence.

www.changingfaces.org.uk

Show Racism the Red Card

Show Racism the Red Card is an anti-racist educational charity. We aim to combat racism through enabling role models, who are predominately but not exclusively footballers, to present an anti-racist message to young people and others. We achieve this through producing educational resources, developing activities to encourage people, including young people, to challenge racism, and through challenging racism in the game of football and other sports.

Show racism the red card also provides training opportunities to those working for or with children and young people to raise awareness of issues of racism and the impacts on young people.

[Show Racism the Red Card - Home - Scotland](http://www.showracismtheredcard.org.uk)

Children and Young People's Commissioner Scotland (CYPCS)

The job of Children and Young People's Commissioner Scotland is to promote and safeguard the rights of children and young people in Scotland.

In carrying out this job, the Commissioner must in particular:

Promote awareness and understanding of the rights of children and young people;

Review law, policy and practice to examine their effectiveness in respecting the rights of children and young people;

Promote best practice by service providers; and promote and commission research on matters relating to the rights of children and young people

The Commissioner must encourage the involvement of children and young people in the work of the Commissioner, and in particular consult with them on the work that he should be doing to improve the rights of children and young people. The Commissioner has a power of formal investigation where it seems that the rights of groups of children and young people might have been breached, but cannot investigate matters that apply to only one child.

www.cypcs.org.uk

The Children's Parliament

We are an independent national charity whose focus is on direct work with children through their participation in a group, project, consultation or event. We are concerned with empowerment and participation and so we create spaces where children learn and work with others to shape their lives and communities. We work with children in the context of family, school and community life to affirm the positive and aspire to do what we can to make the world a better place for ourselves and for others. We are concerned about the disconnect between many individuals, families and communities and society: we promote the idea, delivered through our practice that every child matters and every child can participate in civic society; we want to contribute toward a Scotland where we are positive about children. We believe that through strong and mutually respectful relationships, children will flourish with adult guidance and encouragement. An awareness, understanding and commitment to children's human rights provide a foundation for such relationships. We help local authorities; Scottish Government and other public bodies fulfil their legal obligations to promote and protect the human rights of everyone, to develop and deliver meaningful community engagement, and fulfil a duty of care toward children.

www.childrensparliament.org.uk

Kooth

Kooth is a free online counselling and emotional well-being support service providing children and young people aged 10 - 18 years (up to 19th birthday) in the Scottish Borders with a safe and secure means of accessing support with their emotional health and wellbeing needs from a professional team of qualified counsellors. By accessing Kooth children and young people can benefit from:

- **A free, confidential, anonymous and safe** way to receive support online.
- **Out of hours' availability.** Counsellors are available from 12noon to 10pm on weekdays and 6pm to 10 pm at weekends, every day of the year on a drop in basis.
- **Online Counselling** from a professional team of BACP qualified counsellors is available via 1-1 chat sessions or messaging on a drop in basis or via booked sessions.
- **Discussion Boards** which are all pre-moderated allow young people to access peer to peer support.
- **Online Magazine** full of moderated articles many of which are submitted by young people offering advice and guidance on a huge range of topics.
- **No referral** is required. Young people can register for Kooth independently at

www.kooth.com

Togetherall

- Togetherall is available free for all residents (16+) living within Scottish Borders.
- Togetherall provides a supportive, online community to get help. Trained professionals are available 24/7, and there is a choice of safe therapeutic services, including online self-help courses. This means anyone who may be struggling can get support at a time that suits them, direct from their device.
- The service is completely anonymous, and when a new member joins, they create an anonymous username, which does not identify them in any way.
- Residents can simply go to www.togetherall.com and register using their postal code.

Appendix 5

Prejudice based bullying

Prejudice can lead to bullying for a variety of reasons...

Prejudice-based bullying includes the protected characteristics, but prejudice can and does extend beyond these and can lead to bullying for many other reasons.

If you would like to find out more about the different types of prejudice-based bullying listed below, visit our useful links section in Appendix 4.

Asylum Seekers and Refugees

Children and young people who are asylum seekers or refugees may be at greater risk of bullying directly and indirectly. Stigma, due to lack of knowledge and understanding of asylum seekers and refugees, together with a reluctance to burden parents with extra worries can allow bullying to continue and go undetected.

Body Image

Body image and physical appearance can be hugely important to children and young people, with bullying because of body image having the potential to negatively impact upon their wellbeing.

Sexual Orientation and Homophobic Bullying

Sexual Orientation & Homophobic Bullying: Bullying based on sexual orientation is motivated by a prejudice against lesbian, gay or bisexual (LGB) people. It is also commonly referred to as 'homophobic bullying' but can also be expanded to recognise the specific experiences of bisexual young people using the term 'biphobic bullying'.

Children and young people do not necessarily have to be lesbian, gay or bisexual themselves to experience 'homophobic bullying'. This type of bullying may be directed towards young people perceived to be lesbian, gay or bisexual young people; those that do not conform to gender norms and/or expectations; and those who have gay friends or family. Children with LGBT parents may also experience homophobic bullying. Although homophobic bullying is distinct from sexist and transphobic bullying, it is related to these forms of bullying through underlying sexist attitudes.

Homophobic bullying can also be directed at young people who do not conform to strict gender "norms". For example, a boy who doesn't like football may stand out as being different.

Gender Reassignment / Transgender identity

The term 'transgender' is an 'umbrella term' for those whose 'gender identity' or expression differs in some way from the gender that was assigned to them at birth. Gender identity reflects an individual's internal sense of self as being male, female, or an identity between or outside the two.

Transgender people face significant societal prejudice, largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, transgender or gender 'variant' children and young people can be particularly vulnerable to bullying. This can manifest in many ways, including transphobic and homophobic name calling or deliberately mis-gendering them. An individual may also experience transphobic bullying as a result of a perception that a parent, relative or other significant figure is transgender.

If children and young people are experiencing confusion over their gender identity, they may be reluctant to challenge bullying behaviour that could attract further attention to them.

Care Experience Young People

Children and young people who are care experienced are vulnerable to bullying behaviour for a number of reasons:

- Regular changes in schools or where they are placed
- They may have poor relationship skills stemming from attachment difficulties
- Inappropriate reactions to situations as a result of learned behaviours
- A reluctance to make friends
- Low self-esteem, lack of role models and a heightened sense of privacy

Forming relationships with peers and adults can be made even more difficult due to early childhood adversity.

Race and Ethnicity

Children and young people from minority ethnic groups, including the gypsy/ travelling community, may experience bullying based on perceived differences in dress, communication, appearance, beliefs and/or culture. The status of "minority" in a school, community or organisation can often make a child or young person the focus for those involved in bullying behaviour. This can arise from a misguided and/or learned belief that they 'deserve' to be treated differently or with less respect.

Religion and Belief

Lack of knowledge and understanding about the traditions, beliefs and etiquette of different faiths, or having no faith, can lead to religious intolerance.

Lack of awareness about the differences in practices of religions such as prayer times, dietary requirements, fasting and the wearing of religious clothing or articles of faith can result in misunderstandings and stereotyping, which may fuel bullying behaviour. People who have no religion or belief are also protected under the Equality Act.

Sectarianism

Most people understandably associate Sectarianism with religion. The reality of prejudice however means that your family background, the football team you support, the community you live in, the school you attend and even the colour of your clothing can mark you out as a target for sectarian abuse - whatever your beliefs may be.

Sexism and Gender

Gender inequality and stereotyping can leave children and young people who do not conform to norms vulnerable to bullying.

Bullying in the form of derogatory language, online comments and the spreading of malicious rumours can be used to regulate both girls' and boys' behaviour - suggesting that they are not being a real man or a real woman if they do not behave in certain ways towards others. Personality traits that do not fit in to the unwritten rules of "appropriate" male and female behaviour can make children and young people a target for their actual or perceived difference. These terms can be of an explicit gender-based nature and it is worth noting that many can involve using terms for people who are gay and lesbian as a negative towards someone.

This behaviour should not be confused with sexually aggressive behaviour, which is potentially a form of criminal harassment and should be treated as such. For this reason, in Scotland we do not recommend using the term "sexual bullying" as a descriptor in policies or in practice – it is an unclear and reductive term. Sexual assault and exploitation, are not types of bullying, they are abuse.

Gender-based bullying – if unchallenged can lead to a deepening of attitudes and behaviour towards girls or those who do not conform to gender norms that can escalate to more abusive behaviours.

This behaviour can take place face-to-face, in private and online or sometimes a combination of all of these. What happens or is shared online will directly impact on a person and that should be our focus. In all probability, online activity will relate directly to an experience or conversation they have had in person. Successful anti-bullying work focuses on equalities and developing and modelling relationships based on respect and fairness – and this must include gender.

Disablist Bullying

People who bully others may see children and young people with disabilities as being less able to defend themselves and less able to tell an adult about the bullying. The bullying behaviour is likely to be focused upon their specific disability or disabilities, whether they are in mainstream schooling or in specialist provision, and may result in a need for additional support to be provided.

Young Carers

The lives of young carers can be significantly affected by their responsibility to care for a family member who has a physical illness or disability, mental health problem, sensory or learning disability or issues with the misuse of drugs or alcohol.

Young carers are at risk of bullying for a variety of reasons. Depending on responsibilities at home, they may find themselves being unable to participate fully in school or after-school activities or “fun stuff”.

This can make it difficult for them to form relationships; it can hinder successful transitions or lead to educational difficulties.

Social and Economic Prejudice

Bullying due to social and economic status can take place in any group no matter how little diversity exists in it. Small differences in perceived class/ family income/family living arrangements/social circumstances or values can be used as a basis for bullying behaviours.

These behaviours, such as mocking speech patterns, belongings, clothing, hygiene, etc. can become widespread through those considering themselves to be in the dominant social economic group or class. Bullying of children who endure parental substance misuse can also be prevalent in some locations.

Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, we have a duty to assess all new policies and guidance to ensure it fulfils our duties under the Act. The Equality Act 2010 sets out a range of individual characteristics that are “Protected” from discrimination and unfair treatment including bullying. All children and young people have the right to feel safe regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. All anti-bullying guidance should include all of the protected characteristics as well as other issues that may see children discriminated against such as body image or socio economic status.

Additional Support Needs

Bullying, whether linked to prejudicial attitudes or not, can sometimes create additional support needs for children and young people. There is specific legislation in this area in the Education (Additional Support for Learning) (Scotland) Act 2009.

Further support can be accessed at:

[Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#)

Appendix 6

Legislative and Policy Framework

Children's rights and entitlements are fundamental to Scotland's approach to inclusive education. The legislative and policy framework place duties and expectations on early learning establishments, schools and local authorities to ensure that they deliver an inclusive education. This policy details the actions required by all learning establishments to ensure the ongoing development of inclusive practices within Scottish Borders Council.

In Scotland's Public Sector, organisations must have due regards to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited under the act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

In 'A National Approach to Anti-Bullying for Scotland's Children (2010)' the Scottish Government lays out the legislative framework for its policy on anti-bullying, which is detailed as follows :

UK Government and International

- Human Rights Act (1988)
- UN Convention on the Rights of the Child (1989)

This is a comprehensive and internationally binding agreement on the rights of children. It is based on equality, dignity, respect, protection, development and participation. Scottish Borders Council recognises that bullying is a breach of children's rights and this policy is firmly rooted in the UNCRC, most notably Articles 3,12,13,19,28,29,39.

More information on the UNCRC can be found at the Children and Young People's Commissioner Scotland website [Home - The Children and Young People's Commissioner Scotland \(cypcs.org.uk\)](http://www.cypcs.org.uk)

- European Convention on Human Rights (1950)
- Crime and Disorder Act (1998)

- Criminal Justice Act (2003)
- Anti-Social Behaviour Act (2003)
- The Children Act (2004)
- Racial and Religious Hatred Act (2006)
- Equality Act (Sexual Orientation) Regulations (2007)
- Equality Act (2010)

The Equality Act 2010 act applies to many public sector organisations based in Scotland and sets out rights which include legal protection from discrimination related to any of the nine protected characteristics.

The Act sets out the steps organisations must take to meet their General Public Sector Equality Duty, including planning outcomes to tackle inequality, reporting a variety of equality related information, gathering evidence and using it to improve policy, practice and procurement. These extra legal obligations are called Equality Duties.

Scottish Government

The Additional Support for Learning Act 2004 (as amended 2009)

Additional support is a broad and inclusive term. The Act provides the legal framework to support children and young people who, for whatever reason, including bullying, require additional support, long or short term, in order to help them make the most of their school education and to be included fully in their learning. This is our rights based, child centred and needs led approach.

- Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People (2017)
- Education (Scotland) Act (1980)
- Protection from Harassment(s) Act (1997)
- Protection from Abuse (Scotland) Act (2001)
- Standards in Scottish Schools Act (2000)
- Curriculum for Excellence
- Getting It Right for Every Child (GIRFEC)

The principles of GIRFEC, where each child or young person should be safe, healthy, achieving, nurtured, active, respected, responsible and included are also

reflected in this policy. Health and Wellbeing is a central aspect of the curriculum and is the responsibility of all staff.

- Health Promoting Schools
- Promoting Positive Relationships and Behaviour in Scottish Schools
- Journey to Excellence
- National Care Standards
- Equality and Human Rights
- Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Act 2018

Further Guidance

Supporting transgender young people in schools: guidance for Scottish schools:

<https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/documents/>

LGBT Youth Scotland and RespectMe:

Effectively challenging homophobia, biphobia and transphobia:

<https://respectme.org.uk/wp-content/uploads/2020/07/Addressing-Inclusion-2020.pdf>

RespectMe:

Addressing Inclusion: Effectively challenging racism in schools:

<https://respectme.org.uk/wp-content/uploads/2019/01/Addressing-Inclusion-Effectively-Challenging-Racism-in-Schools.pdf>

<http://www.kidscape.org.uk/parents/mychildisabully.html>

http://www.respectme.org.uk/cyberbullying_intro_txt.html

<http://www.ltscotland.org.uk/supportinglearners/positivelearningenvironments/inclusionandequality/challengingsectarianism/resources/index.asp>

Appendix 7

Acknowledgements

A core group was established in October 2022 who had overall responsibility for the content of the policy. The core group members had representation from Scottish Borders Council Department of Education and Lifelong Learning, primary and secondary head teachers, parents, the Early Year's team, the Inclusion and Wellbeing team, Education Scotland and Mentor's in Violence Prevention (MVP) trained senior pupils. respectme, Scotland's Anti-Bullying Service, provided advice and guidance on the content of the policy.

Throughout the process of writing this policy, a collaborative opportunity was given to a range of stakeholders to participate in focus groups to consult on the content. The focus groups were made up of pupils, parents and teaching staff from both primary and secondary schools across the Scottish Borders as well as elected members of Scottish Borders Council and representation from the following organisations: NHS, Social Work, Quarriers, LGBT Youth Scotland, Youth Borders, BANG, Live Borders and Action for Children.

Thank you to all who gave their valuable time, expertise, thoughts and opinions to aid in the coproduction of this policy.

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