



ADDRESSING
BULLYING BEHAVIOUR
IN SCHOOLS
POLICY

OCTOBER 2014



MINISTRY FOR EDUCATION AND EMPLOYMENT

ADDRESSING BULLYING
BEHAVIOUR IN SCHOOLS
POLICY



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TERMINOLOGY

College

refers to a network of schools, within them State boys and girls schools, and which would ensure educational experience and services in a full and continuous process starting from early childhood education, and through the primary and secondary levels. Every College shall be under the responsibility, guidance and administration of a Principal.

Gender Identity

refers to how an individual identifies themselves in terms of gender. Identities may be: male, female, androgynous, bigender, transgender, genderqueer.

Homophobia

refers to a range of negative attitudes and feelings toward homosexuality or people who are identified or perceived as being lesbian, gay, bisexual, transgender or intersex.

Parent

means the father or the mother and includes any person who has the care and custody, whether legal or actual, of a child;

Racism

refers to the belief that all members of each race possess characteristics, abilities and/or rights specific to that race. Also includes prejudice or discrimination directed against someone of a different race based on the above belief.

Sexual Orientation

refers to a person's emotional, physical and sexual attraction and the expression of that attraction.

School Support Staff

refers to all members of staff working in the school including teachers, LSAs, clerical staff, technicians and ancillary staff (caretakers, general hands and watchmen) and other visiting staff.

Students

refers to all students attending the school of the respective College.

School Community

refers to the Senior Management Team, teachers, and staff members who work in a school; the students who attend the school and their parents and families; and local residents and organizations that have a stake in the school's success.

School

means an institution, the resources of which, both of persons and of things, are ordained towards the promotion of the education and training of other persons through the dissemination of knowledge.

Designated member of Staff

refers to the designated key person who is responsible for the implementation of the Addressing Bullying Behaviour in School Policy. S/He is therefore, also responsible for investigating alleged bullying incidents, resolving any issues and restoring as far as possible the relationships between the students using the restorative justice approach. It is being recommended that the designated member of staff is a member of the SMT.

Minority Groups

refer to categories of people who are so identified by race, disability, religion, gender, sexual orientation and gender identity.

Vulnerable Groups

refer to students with disabilities, those pertaining to ethnic minorities, migrant groups and/or other minority groups, religious faiths; lesbian, gay, bisexual, transgender and intersex (LGBTI) students, as well as those students perceived to be LGBTI.

General Note:

- / The use of 'he', 'him' and 'his' shall be used for all genders.
- / Perpetrator and Bully are used interchangeably.
- / Victim and bullied are also used interchangeably.

ABBREVIATIONS

SMT

refers to the Senior Management Team which is composed of Head of School, Assistant Heads and Subject Co-Ordinators.

INCO

refers to the Inclusion Coordinators.

LSZ

refers to Learning Support Zone within the College.

NG

refers to Nurture Group in the Primary Schools within the College.

LGBTI

refers to Lesbian, Gay, Bisexual, Trans and Intersex.

NCF

refers to the National Curriculum Framework (2012).

NGO

refers to Non-Governmental Organization.

01

PHILOSOPHY AND AIMS OF THE POLICY

The Addressing Bullying Behaviour in Schools Policy adopts a whole school approach philosophy. This approach is defined as a unified collective and collaborative action in and by educators, administrators, parents and students that has been strategically constituted to improve student learning behaviour and well being and the conditions that support these.

1.1

Aims of Addressing Bullying Behaviour in Schools Policy

Violence, harassment and bullying are human rights issues that profoundly affect the lives of children (United Nations 1989). Governments, schools and individuals all have a role in safeguarding these rights. Since bullying implies a lack of respect towards other people, it therefore brings about the violation of the following rights amongst others:

- / The right to a safe and supportive educational environment free from violence and aggression both on an emotional and physical level.
- / The right to be safeguarded from physical injuries and emotional distress, taking into account a person's self-worth, dignity and wellbeing.
- / The right to healthy mental, physical, spiritual, moral, sexual and social development.
- / The right to be treated equally, free from discriminatory comments, labelling and stereotyping.
- / The right to adequate access to recreation and play.
- / The right to freedom of expression and involvement.
- / The right to privacy.

1.2

National Objectives

- / Developing child-friendly services.
- / Curtail violence against and amongst children.
- / Ensure that the rights of all children are being safe-guarded.
- / Encourage child participation.
- / Increase student attainment.

02

BACKGROUND

2.1

The role of the school is to provide an appropriate education for all its students. A stable and safe learning environment is an essential requirement to achieve this goal as stated in the Respect for All Framework (MEDE 2014). Respect is a core value which should be embraced within all schools. Bullying behaviour undermines this value and the quality of education.

Research shows that bullying can have short and long-term effects on the physical and mental wellbeing of pupils, on engagement with school, on self-confidence and on the ability to pursue ambitions and interests. Research studies in mental health (Raphael, 2000; Rowling, 2005), anti-bullying programmes (McGrath and Noble, 2006) and school effectiveness and wellbeing initiatives (Zins et al., 2004) have made links between the quality of relationships in schools, prosocial behaviour, resilience and academic outcomes. Schools should promote a positive environment, with an inclination towards acceptance and proactive peer relationships, Roffey (2011). The valuing of cultural diversity with an onus to increase connectedness is also underlined. In order for this to take place it is imperative to develop mindful strategies to increase social capital - "Where there is little sense of connectedness there is little relational trust and few shared goals. This is the atmosphere in which prejudice, intolerance and bullying thrive" (Roffey, 2011:125).

An anti-bullying philosophy is imperative in order to safeguard the children's coping skills (Skrzypiec et al., 2011). No matter how resilient children are, their coping skills may still be affected to some extent by being repeatedly targeted (Kochenderfer-Ladd and Ladd, 2001). Hence the principles of prevention and early intervention are imperative against bullying behaviours in order to help all children involved overcome their difficulties without entering into repetitive habitual bullying behaviour cycles, or denial and avoidance. Schools are to ensure that the relevant stakeholders are involved in whole school initiatives to support students with emotional literacy difficulties. For interventions to be successful they ought to be timely, consistent and applied across the board (Roffrey, 2008).

2.2

The school environment needs to enable students to perceive “themselves to be ‘of’ the school, rather than just in it” (Griffith, 2013). This sense of belonging enhances the inclusion of diverse populations, thus preventing identity-based bullying. Giving students this level of acknowledgement, leads the latter to feel respected and thus be more accountable for their behaviour.

2.3

Furthermore the school environment needs to also embrace the collaboration of parents within the school life. Seeing parents as partners (Griffiths, 2013) from the onset of each scholastic year enables and encourages parents to provide their support and participation in various school activities is considered to be beneficial to the entire school community. Such empowerment increasing the parents' awareness of school dynamics resulting in collaboration.

2.4

The Framework for the Education Strategy for Malta 2014-2024 focuses its attention on supporting the educational achievement of all students including those coming from vulnerable groups. It highlights the conviction that “students develop their personal and social potential and acquire the appropriate knowledge, key skills, competences and attitudes through a value-oriented formation including equity, social justice, diversity, and inclusivity” (p.2).

2.5

The National Curriculum Framework (2012) is tailored on the following major principles, the: Principle of Entitlement, Principle of Diversity, Principle of Continuum, Principle of Learner-Centred Learning, Principle of Quality Assurance and the Principle of Teacher Professional Support. Furthermore, the NCF (2012) sheds light upon the importance of having schools that provide an environment which nurtures wellbeing whilst fostering the adequate opportunities for developing social competence.

“A safe environment which offers children security is one where there is stability and consistency... They can develop individual strategies which help them to cope with new challenges, become autonomous, self-regulating and self-determining individuals who make progress, overcome difficulties and feel satisfied with their endeavours” (Ministry of Education and Employment, 2012: 48).

This environment is developed mainly through the type of relationships that the children have with their peers and teachers as these impact their lives in different ways (Goodenow, 2003; Lantieri, 2009; Cefai and Camilleri, 2011). Children need to feel accepted, valued and respected by their peers as well as by the people caring for them. Inherent within these social ties is the potential to generate the kinds of valuable support and resources necessary to create change in the way behaviours are addressed. This relationship-building can be understood as the development of social capital (Valenzuela, 1999), which will help increase prosocial behaviours in contrast to bullying behaviours.

Bullying can be positively and firmly addressed through a range of school-based measures and strategies which empower all members of the school community to individually and collectively act effectively in dealing with this unacceptable behaviour. Whilst it is recognised that home and societal factors play a substantial role both in the cause and in the resolution of bullying incidents, the role of the school in preventive work and timely interventions is also crucial. School-based initiatives not only serve to reinforce the positive efforts of the major stakeholders but it can actually help to counteract unsuccessful attempts of parents to change the unacceptable behaviour manifested by their children. As key stakeholders parents and students have the responsibility and an important role to help the school to prevent and address bullying behaviour that occurs within the school community as well as to deal with any negative impact within the school as a result of bullying behaviour that occurs elsewhere.

03

RELEVANT LEGISLATION AND LEGAL INSTRUMENTS

3.1

The European Convention on Human Rights (1950) outlines the the right to education and the right to fair procedures are provided for in the European Convention on Human Rights which was transposed into Maltese law.

3.2

The United Nations Convention on the Rights of the Child (1989), ratified by Malta in 1990, provides that the State shall ensure that school discipline is administered in a manner consistent with the dignity of the child. The Convention requires that the voice of the child must be heard on matters that affect them, having regard to the age and maturity of the child.

3.3

The Education Act (1988), Chap. 327 of the Laws of Malta, binds the Directorate of Educational Services with the duty to provide adequate services that can commendably tackle bullying behaviours and other undesirable behaviours.

The Directorate is to “ensure the provision of services required to deal effectively with issues of good conduct and discipline, of child abuse, of bullying and of drug abuse” (Government of Malta, 1988). Furthermore, it stresses the importance of cooperation amongst the primary stakeholders in schools; it brings to the fore that promoting good behaviour is a responsibility that schools share with parents. Parents remain the primary stakeholders in a child’s life and they are legally obliged to discuss and cooperate with the Head of School and the teachers to tackle issues of behaviour. The parents’ involvement to liaise with the school’s staff in the formative education of the child is clearly crucial.

3.4

Article 82A of the Criminal Code identifies certain types of bullying behaviours as constituting a criminal offence. These include harassment behaviours or communications or violence, hate crime and hate messages on the grounds of gender, gender identity, sexual orientation, race, colour, language, ethnic origin, religion or belief or political or other opinion. The Head of School may need to seek the advice of the police should they have any difficulties in this regard.

3.5

The Council of Europe (Council of Europe Strategy for the Rights of the Child (2012-2015) and the United Nations Programme ‘Building a Europe for and with Children’ recognise the need for support systems, including bullying prevention, within schools to be set up. The Early School Leaving Prevention document (2011) for the EU2020 target, together with the Joint Oireachtas Education Committee report on the fact that early school leaving is linked with bullying.

3.6

The Equal Opportunities Act (2000) states that all environments are to work towards the elimination of discrimination against people with disabilities, and that it is expected that schools make reasonable adjustments to accommodate such students, making sure they are not being discriminated against.

3.7

The International Convention on Elimination of All Forms of Racial Discrimination, Article 1, 21st December 1965 – entry into force 4th January, 1969) outlines that racial discrimination often takes the form of bullying and defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedom in the political, economic, social, cultural, or any other field of public life”. Equal treatment of persons order – Subsidiary legislation 460.15 transposes the provisions of council directive 200/43/EC of 29th June, 2000 on the implementation of the principle of equal treatment between persons irrespective of racial or ethnic origin. This order protects from discrimination/harassment on the basis of racial or ethnic origin.

04

ADDRESSING BULLYING BEHAVIOUR IN SCHOOLS

4.1

Defintion of Bullying

Bullying behaviours are those behaviours which are repeated over time by an individual or a group and which are intentionally hurtful (Sharp and Smith, 1994; Rigby, 1996) in a direct or indirect manner (Rivers and Smith, 1994; Sanders and Phye, 2004; Pepler and Craig, 2008) against a person who has difficulty defending himself or herself (Olweus, 2011). Bullying behaviours can be manifested in many different ways and they are often driven by a preconception made about a particular individual or group, with the preconceived idea that there exists a difference in power. The differences which elicit the aforementioned preconceptions might be real or perceived differences. Bullying behaviour therefore is any form of aggressive behaviour that encroaches upon the rights of the victim(s) involved.

4.2

Types of bullying behaviour

Bullying can be divided into a number of categories. The types of bullying include:

4.2.1

Direct Bullying happens when there is face to face interaction with the target. It can be divided into two categories:

1. *Physical bullying* includes any physical act, which results in hurting or injuring the target. Examples include hitting, kicking and punching. Taking something that belongs to someone else and destroying it, is also considered a type of physical bullying. Boys tend to engage more in physical bullying than girls (Wylie & Hopkins, 2006).
2. *Verbal bullying* is the most common form of bullying and includes name calling, insults, teasing, intimidation and racist remarks. Verbal bullying is more common in girls than in boys (The George Washington University, 2004).

4.2.2

Indirect bullying takes place through gossip and the spreading of rumours. It is a more subtle type of bullying and hence it is often harder to identify. This type of bullying is carried out behind the target's back but in the presence of others. It is designed to harm the target's social reputation and/or cause humiliation through isolating/ostracizing, spreading lies and rumours about the target, making humiliating facial or physical gestures and menacing looks, playing nasty jokes meant to embarrass and humiliate, hurtful mimicking and teasing, and encouraging others to ignore or socially exclude the target child. Girls tend to engage in social or relational indirect bullying more than boys (Wylie & Hopkins, 2006).

4.2.3

Cyberbullying is harassment through the use of technology and/or online media. Cyberbullying can be either overt or covert. Although most cyberbullying incidents occur within the home environment, however, the repercussions of these acts often spill over into the school context. Examples of cyberbullying include using electronic means to intimidate, harm, exclude or ruin the reputation of the target child through the use of emails and instant messaging, texting, or digital imaging sent on cell phones, web pages and weblogs (blogs), chat rooms and discussion groups. The misuse of social media leads to the breach of an individual's human rights and therefore is illegal.

4.2.4

Racial and Religious Discrimination

Schools are duty bound to promote equality of opportunity and good relations among members of different racial and religious groups. Therefore they need to be aware of any possible discrimination occurring between students and actively tackle all instances of discrimination. Examples of these types of bullying include: physical assault because of colour, ethnicity, nationality or religious beliefs, use of derogatory names, insults or racist jokes, bringing racist materials into the school, verbal abuse or threats, incitement of others to behave in a racist way, racist comments in the course of a discussion, ridicule of an individual for cultural and religious differences (e.g. dress, food, music, ways of praying).

4.2.5

Sexual Bullying (referred in legislation as sexual harassment)

4.2.5.1 Schools are duty bound to provide a safe and accepting environment for all. Therefore any type of sexual bullying behaviour is unacceptable. Sexual bullying is when sexuality or gender is used as a weapon by children towards other boys or girls. It is “any bullying behaviour, whether physical or non-physical, that is based on a person’s sexuality or gender. Very often this type of bullying is more commonly directed at girls. It can be carried out to a person’s face, behind their back or through the use of technology” (NSPCC). Examples of sexual harassment include: inappropriate touching, use of derogatory names, sexist insults, jokes and graffiti, bringing sexist materials into the school, sexist comments or innuendo through any medium,

ridicule of an individual on the basis of stereotypes, and inappropriate comments of a sexual nature. Most students refuse to report sexual bullying due to feelings of embarrassment (Pepler and Craig, 2008). Sexual matters, sexual bullying and cyberbullying are to be appropriately discussed within schools.

4.2.5.2 There is an overlap between sexual bullying and homophobic and transphobic bullying. Homophobic and transphobic bullying is present in schools. One of the principal messages is that “schools need to appreciate how difficult it can be for an LGBT child or young person to speak up about homophobic or transphobic bullying if the issue of homophobia or transphobia is never discussed or they perceive the culture within their school to be homophobic or tolerant of homophobic attitudes and behaviours” (Ombudsman for Children, 2012, p. 22). The perceptions of safety affect not just the reporting of bullying but also the disclosure of one’s sexual orientation or gender identity and the ability to question and explore this aspect of one’s identity. Examples of homophobic bullying include: use of derogatory names, homophobic or transphobic insults, jokes or graffiti, bringing homophobic or transphobic materials into the school, homophobic or transphobic comments or innuendo through any medium, ridicule of an individual on the basis of stereotypes, spreading rumours about the person’s perceived sexual orientation or gender identity, and ostracizing/isolating children on account of their sexual orientation or gender identity.

05

VULNERABLE STUDENTS

5.1

In the two decades since the Ministry for Education (1999) Guidelines were published, a greater understanding has been gained of how a significant proportion of bullying in schools is rooted in the lack of respect for diversity and in social inequalities, so called “identity-based bullying”. This term takes into account the extent to which students may be more vulnerable to bullying because of prejudices, stereotyping and stigma against people with particular identities. Students with learning difficulties are more likely to report being victims of all types of bullying (Green et al, 2010). Students with SEBD and learning difficulties, students from ethnic minority and migrant groups and/or minority religious faiths, lesbian, gay, bisexual, transgender and intersex (LGBTI) students, as well as those students perceived to be LGBTI are more susceptible to bullying.

5.2

Students with SEBD and/or Learning Difficulties

Students who have been diagnosed with the above difficulties are often victims of bullying. In particular, there can be a greater vulnerability for students who do not understand social cues and have difficulty communicating. Some students with complex needs do not understand the concept of friendship and boundaries, whilst others do not know how to make judgments about what is safe information to share. Due to difficulties with their social skills, these students are often rejected by their peers, and are also often teased and ridiculed.

5.3

Other reasons for bullying

Other common reasons for bullying may include physical attributes such as hair colour, weight or even the fact that someone wears glasses and jealousy. Intelligent and gifted students are quite often picked on as well. It is also important to remember that children and young people can be bullied for no apparent reason.

06



RESTORATIVE JUSTICE FOR SCHOOLS

Schools are to create a learning environment in which students acquire the necessary skills to regulate their behaviour which enables them to function properly in the school community. When their behaviour becomes unacceptable students must be allowed to take responsibility for their behaviour, change their behaviour to a manner that is acceptable, and be required to make proper amends. All this can be facilitated in a context where restorative justice is promoted; where the needs of victims and bullies are addressed. Restorative justice, when implemented correctly, “improves the school environment, enhances learning and encourages young people to become more responsible and empathetic” (Bitel, 2005). “Restorative justice is a positive discipline approach towards the search for a long term solution to the problems” (Basar and Akan, 2013: 26).

Restorative justice will fit in within a wider context of empowerment, whole school community involvement and towards a commitment to zero tolerance to bullying.

07

RELATED DOCUMENTS

Other related documents to this policy include:

Respect for All Policy Framework (MEDE 2014)

Managing Behaviour in Schools Policy (MEDE 2014)

L-Imġiba tajba fl-iskejjel: Il-Politika Nazzjonali u l-Pjan ta' Azzjoni dwar l-Ibbuljar (1999)

Addressing Attendance in Schools Policy (MEDE 2014)

08



OWNER

Director General, Directorate for Educational Services

Director of Student Services

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REVIEW DATE

This document will be reviewed during August 2015.
You are encouraged to submit your feedback by the 30th April 2015,
via email on **r4af.mede@gov.mt**

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