

## Anti-Bullying Policy for Learners

### 1. Policy Statement

Dundrum College of Further Education as a constituent of the Dublin and Dun Laoghaire Education and Training Board (DDLETB) is committed to the promotion of a learning environment which upholds the dignity and respect of every learner and which supports their right to learn in an environment which is free of any form of harassment, intimidation and bullying.

In accordance with the requirements of the Education (Welfare) Act 2000 and the code of behaviour guidelines issued by the NEWB, the Board of Management of Dundrum College of Further Education has adopted the following Anti-Bullying Policy within the framework of the College's Code of Conduct. This policy fully complies with the requirements of the *Anti-Bullying Procedures for Primary and Post-Primary Schools* which were published in September 2013.

*Dundrum College of Further Education* recognises the very serious nature of bullying and the negative impact that it can have on the lives of learners and staff and is, therefore, fully committed to the following key principles of best practice in preventing and tackling bullying behaviour:

- A positive college culture and climate which -
  - is welcoming of difference and diversity and is based on inclusivity;
  - encourages learners to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
  - promotes respectful relationships across the college community.
- Effective leadership
- A College-wide approach
- A shared understanding of what bullying is and its impact
- Implementation of education and prevention strategies (including awareness raising measures) that:
  - build empathy, respect and resilience in learners and
  - explicitly address the issues of cyber-bullying and identity-based bullying including in particular, homophobic and transphobic bullying.
- Supports for staff
- Consistent recording, investigation and follow up of bullying behaviour (including use of established intervention strategies)
- On-going evaluation of the effectiveness of the anti-bullying policy.

## 2. Definition of Bullying

In accordance with the *Anti-Bullying Procedures for Primary and Post-Primary Schools* bullying is defined as:

*unwanted negative behaviour, (verbal, psychological or physical) conducted by an individual or group against another person (or persons) and which is repeated over time.*

The following types of bullying behaviour are included in the definition of bullying:

- deliberate exclusion, malicious gossip and other forms of relational bullying,
- cyber-bullying and
- identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person’s membership of the Traveller community and bullying of those with disabilities or special educational needs.

Examples of bullying behaviours include:

<p><b>General behaviours which apply to all</b></p>	<ul style="list-style-type: none"> <li>• Harassment based on any of the nine grounds in the equality legislation e.g. sexual harassment, homophobic bullying, racist bullying etc.</li> <li>• Physical aggression</li> <li>• Damage to property</li> <li>• Name calling</li> <li>• Slagging</li> <li>• The production, display or circulation of written words, pictures or other materials aimed at intimidating another person</li> <li>• Offensive graffiti</li> <li>• Extortion</li> <li>• Intimidation</li> <li>• Insulting or offensive gestures</li> <li>• The “look”</li> <li>• Invasion of personal space</li> <li>• A combination of any of the types listed.</li> </ul>
<p><b>Cyber</b></p>	<ul style="list-style-type: none"> <li>• Denigration: Spreading rumors, lies or gossip to hurt a person’s reputation</li> <li>• Harassment: Continually sending vicious, mean or disturbing messages to an individual</li> <li>• Impersonation: Posting offensive or aggressive messages under another person’s name</li> <li>• Flaming: Using inflammatory or vulgar words to provoke an online fight</li> <li>• Trickery: Fooling someone into sharing personal information which you then post online</li> </ul>

	<ul style="list-style-type: none"> <li>• Outing: Posting or sharing confidential or compromising information or images</li> <li>• Exclusion: Purposefully excluding someone from an online group</li> <li>• Cyber stalking: Ongoing harassment and denigration that causes a person considerable fear for his/her safety</li> <li>• Silent telephone/mobile phone call</li> <li>• Abusive telephone/mobile phone calls</li> <li>• Abusive text messages</li> <li>• Abusive email</li> <li>• Abusive communication on social networks e.g. Facebook/ Twitter/You Tube or on games consoles</li> <li>• Abusive website comments/Blogs/Pictures</li> <li>• Abusive posts on any form of communication technology</li> </ul>
<p><b>Identity Based Behaviours</b> Including any of the nine discriminatory grounds mentioned in Equality Legislation (gender including transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community).</p>	
<p><b>Homophobic and Transgender</b></p>	<ul style="list-style-type: none"> <li>• Spreading rumours about a person’s sexual orientation</li> <li>• Taunting a person of a different sexual orientation</li> <li>• Name calling e.g. Gay, queer, lesbian...used in a derogatory manner</li> <li>• Physical intimidation or attacks</li> <li>• Threats</li> </ul>
<p><b>Race, nationality, ethnic background and membership of the Traveller Community</b></p>	<ul style="list-style-type: none"> <li>• Discrimination, prejudice, comments or insults about colour, nationality, culture, social class, religious beliefs, ethnic or traveller background</li> <li>• Exclusion on the basis of any of the above</li> </ul>
<p><b>Relational</b></p>	<p>This involves manipulating relationships as a means of bullying. Behaviours include:</p> <ul style="list-style-type: none"> <li>• Malicious gossip</li> <li>• Isolation &amp; exclusion</li> <li>• Ignoring</li> <li>• Excluding from the group</li> <li>• Taking someone’s friends away</li> <li>• “Bitching”</li> <li>• Spreading rumours</li> <li>• Breaking confidence</li> <li>• Talking loud enough so that the victim can hear</li> <li>• The “look”</li> </ul>
<p><b>Sexual</b></p>	<ul style="list-style-type: none"> <li>• Unwelcome or inappropriate sexual comments or touching or advances</li> <li>• Sexually suggestive jokes or comments</li> <li>• Innuendo or lewd comments</li> </ul>

	<ul style="list-style-type: none"> <li>• Harassment</li> <li>• Displays of sexually suggestive material</li> </ul>
<b>Special Educational Needs, Disability</b>	<ul style="list-style-type: none"> <li>• Name calling</li> <li>• Taunting others because of their disability or learning needs</li> <li>• Taking advantage of some learners' vulnerabilities and limited capacity to recognise and defend themselves against bullying</li> <li>• Taking advantage of some learners' vulnerabilities and limited capacity to understand social situations and social cues.</li> <li>• Mimicking a person's disability</li> <li>• Setting others up for ridicule</li> </ul>

Isolated or once-off incidents of intentional negative behaviour, including a once-off offensive or hurtful text message or other private messaging, do not fall within the definition of bullying and should be dealt with, as appropriate, in accordance with the College's Code of Conduct.

However, in the context of this policy, placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

Negative behaviour that does not meet this definition of bullying will be dealt with in accordance with the College's Code of Conduct.

### 3. Education and Prevention Strategies

The education and prevention strategies (including strategies specifically aimed at cyber-bullying and identity-based bullying including in particular, homophobic and transphobic bullying) that will be used by Dundrum College of Further Education are as follows:

- A College-wide approach to the fostering of respect for all members of the College Community.
- The promotion of the value of diversity to address issues of prejudice and stereotyping and highlight the unacceptability of bullying behaviour.
- The fostering and enhancing of the self-esteem of all learners through both curricula and extracurricular activities.
- Ensuring that learners know who to report to and how to report bullying behaviours and creating a culture of encouraging learners to report.

### 4. Investigating and Resolving Bullying

The staff who will investigate and deal with bullying in Dundrum College of Further Education are:

- ModuleTeacher
- Programme Lead

- Guidance Counsellor
- Deputy Principal
- Principal
- Any member of staff with whom the learner feels comfortable

**The primary aim in investigating and dealing with bullying is to resolve any issues and to restore, as far as is practicable, the relationships of the parties involved rather than to apportion blame.**

### **5. Reporting Bullying Behaviour**

- Any learner or parent(s)/guardian(s) of a learner aged under 18 may bring a bullying incident to any member of staff in the College. The member of staff should make the learner aware of the Anti-Bullying policy and the procedures therein.
- Dundrum College of Further Education will investigate all bullying reports.
- Teaching and non-teaching staff such as personal assistants, note takers, administration staff, caretakers and cleaners must report any incidents of bullying behaviour witnessed by them, or mentioned to them, to the Programme Lead of the relevant class.

It may also be appropriate/necessary for a learner or a parent(s)/guardian(s) of a learner aged under 18 to report bullying incidents to an Garda Síochána.

### **6. Investigating and Dealing with Incidents**

Learners who feel that they are being bullied can seek to address the issue using the following approaches:

- (1) Informal approach
- (2) Formal approach

The objective of dealing with issues informally is to try and resolve them swiftly and effectively with the minimum amount of distress to all parties. It is good practice that all informal resolution avenues should be considered and where appropriate, exhausted before a formal process is instigated, however, it is acknowledged that there may be instances where informal options may not be appropriate.

#### **Informal Approach**

A learner who feels that they have been subjected to bullying is encouraged to make the person causing the alleged offence aware that their behaviour is unwelcome and request that it stops or changes. If the learner feels unable to contact or approach the person by themselves, they may have someone accompany them as a source of support, such as a classmate/friend in the College.

It may be the case that the person causing the alleged offence does not realise that they are perceived to be behaving in a manner which is negatively affecting someone else and this approach can often resolve the situation. Whilst this is not a defence, the unwelcome behaviour may cease if they are made aware of it.

The learner can use the following as a guide to try and resolve the matter informally:

- Request to meet with the person causing the alleged offence in a location where the conversation can take place confidentially. The learner may wish to bring a support person/friend with them to the meeting.
- Writing down the behaviours/incidents, dates they occurred and the impact they had can help the learner prepare for the meeting.
- At the meeting the learner should give examples of the type of behaviour that is unwelcome and explain how it makes them feel, for example “when you addressed me in that manner in front of other people, I felt embarrassed/uncomfortable”.
- The learner should request that the behaviour stops or changes.
- It is recommended that the learner keep notes including notes of the resolution reached.
- Resolving matters informally can be more successful when having a face-to-face conversation with someone rather than sending an email or text message as sometimes the tone can get lost in the message, however, it may be the case that making contact in writing is the best approach for the learner.

If it is recognised that a form of bullying has taken place and a solution has been agreed by both parties, it is hoped that the issue can be concluded at this stage of the process.

If, however,

- (a) both parties cannot agree a solution  
**or**
- (b) the learner perceives that the solution agreed has not been satisfactorily implemented resulting in the continuation of the alleged bullying behaviour  
**or**
- (c) the learner requires the support of a teacher to help resolve the issue informally,

then they should report the issue to the **Programme Lead**. The Course Programme Lead will assist the learner to reach a resolution to the issue using the guide outlined above.

If, however, the situation is not resolved informally, then the learner may lodge a formal complaint in writing to the Deputy Principal.

The template to formally report an alleged bullying behaviour is provided on the last page of this policy and should be completed by the learner and provided to the Deputy Principal.

## Formal Approach

On receipt of the formal complaint, the Deputy Principal will review the complaint and may recommend, that informal options may be the most appropriate means of resolving the issue(s). If this arises, the Deputy Principal will meet with the parties involved separately to discuss this further.

Where a formal approach is required, the Deputy Principal shall investigate and adjudicate the alleged anti-bullying behavior.

The Deputy Principal must advise the Principal that an investigation is underway. In the case of a complainant under 18 years of age, the Principal will report to the Board of Management as per the child protection oversight reporting requirements.

The investigation will be conducted calmly and professionally in accordance with the principles of natural justice and fair procedures within 12 college days.

- All parties involved in the investigation will be given 5 College days' notice of the requirement to attend any formal investigation meeting and have the right to be accompanied (by a friend or a family member) to the meeting. The accompanying person must be made aware, by the complainant, that they are attending in a supporting capacity only and that it is not their role to make the complaint on behalf of the learner they are supporting.
- All meetings will be conducted sensitively and with due regard to the rights of all concerned. The Deputy Principal may appoint a note-taker to take notes at meetings.
- The Deputy Principal will meet with the complainant in the first instance.
- The respondent will then be provided with a copy of the complainant's statement and will be invited to a meeting to be given an opportunity to respond to the statement.
- Where a group is allegedly involved in bullying behaviour, each respondent will be met separately.
- Both the complainant and respondent will be asked to nominate witnesses that are relevant to the investigation. The Deputy Principal can call any witnesses as deemed appropriate with a view to establishing the facts.
- Statements taken during the investigation process including those of witnesses will be provided to both the complainant and respondent to ensure fairness and transparency.
- Where parties are required to confirm their own statement or respond in writing to another party statement, this should be done within 5 working days.
- The complainant and respondent will be given a fair opportunity to state their position in relation to the allegations made and be given an opportunity to respond to the statements before any conclusions are reached.
- Learners are required to co-operate with any investigation and assist the College in resolving any issues and restoring, as far as is practicable, the relationships of the parties involved as quickly as possible. However, the Deputy Principal may proceed with the investigation notwithstanding the non-attendance or non-cooperation of the complainant, respondent or witness/es.
- The Deputy Principal will objectively consider all material and evidence and make a decision, on the balance of probability, as to whether
  - the behaviour complained of has occurred in whole or in part
  - the behaviour complained of has not occurred or
  - that there was insufficient evidence to make a finding.



- Where the Deputy Principal finds that the behaviour complained of has not occurred or that there was insufficient evidence to reach a conclusion then the Deputy Principal will note this in the findings.
- Where there is a finding that the behaviour complained of has occurred in whole or in part and the Deputy Principal has established that there has been a breach of the Anti-Bullying Policy then:
  - the matter will proceed to consideration under the College's Code of Conduct. The findings may be relied upon during a subsequent disciplinary procedure. Any situation where disciplinary sanctions under the Code of Conduct are required is a private matter between the learner being disciplined and the College.
  - Every effort will be made to resolve the issues and restore, as far as is practicable, the relationships of the parties involved using established intervention strategies including negotiating agreements between learners, the no blame approach and restorative approaches.
  - the College may, in appropriate circumstances and at an appropriate time in the process, take action to support and protect the complainant for example, changing classes, changes to timetables, consideration of steps that could be put in place to seek to ensure that both parties do not come into contact with each other, as well as access to the relevant support services such as the Guidance Service.

### **Withdrawing A Complaint**

From time to time, complainants may seek to withdraw their complaint after initiating a formal investigation. Withdrawal of a complaint must be made in writing. The College reserves the right to investigate a claim that has been withdrawn and/or the reason for which it has been withdrawn.

### **Appeal**

- A complainant or respondent has the right to appeal the outcome of the investigation on the following grounds:
  - there has been a material procedural irregularity which has demonstrably affected the outcome. In this instance, the appeal will focus on the conduct of the investigation in terms of fair process and adherence to procedure. It should be noted that an appeal is not a re-hearing of the original issues.
  - or
  - there is material new information which one of the parties was unable, for valid reasons, to provide when the behaviour was being investigated and which would have significantly affected the outcome.
- The appeal, setting out the grounds for seeking the appeal, must be submitted in writing to the Principal within 5 college days of the notification of the findings of the investigation.
- The appeal will take place in the form of a review of the investigation process, including the Deputy Principal's findings, complainant, respondent and witness/es statements and any other evidence gathered as part of the investigation process.



- The Principal reserves the right to meet with any party they deem necessary for the purpose of considering the grounds of appeal. The Principal will communicate their decision in writing to both the complainant and respondent normally within 12 working days from the commencement of the appeal.
- The Principal can make one of the following decisions:
  - Dismiss the appeal
  - Uphold the appeal in whole or in part
  - Uphold the appeal and direct that a new investigator be appointed to conduct a new investigation
- The decision of the Principal is final and may not be further appealed.

### **Supporting Learners Affected by Bullying**

Support for learners affected by bullying will be provided by: Module Teachers, Programme Leads, members of the Guidance Team, Deputy Principal and Principal.

If learners require counselling or further supports, the College will endeavour to liaise with the appropriate agencies to organise same. This may be for the learner affected by bullying or for those involved in the bullying behaviour.

Learners should understand that there are no innocent bystanders and that all incidents of bullying behaviour must be reported.

### **Prevention of Harassment**

The Board of Management confirms that Dundrum College of Further Education will, in accordance with its obligations under equality legislation, take all such steps that are reasonably practicable to prevent the sexual harassment of learners or staff or the harassment of learners or staff on any of the nine grounds specified i.e., gender including transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

### **Policy Review**

This policy and its implementation will be reviewed by the Board of Management annually.

## Template to Formally Report Alleged Bullying Behaviour

1. Name \_\_\_\_\_ Class \_\_\_\_\_

2. Name(s) and class(es) of learner(s) engaged in alleged bullying behaviour:

3. Name of person(s) who reported the bullying concern:

4. Brief description of bullying behaviour and its impact:

5. Details of actions taken to-date:

Signed \_\_\_\_\_ Date \_\_\_\_\_

Date submitted to Principal Deputy: \_\_\_\_\_