



# **Anti-Bullying and Harassment Policy**

# Version History

Version	Date	Responsible	Changes
2020/01	Jan 2020	JMB	Rebrand and incorporate changes from STEP
2021/05	May 2021	JMB	reflect changes from EYS noting legislation etc

# Cambusbarron Village Nursery

## Anti-Bullying and Harassment Policy

### Statement of Purpose

Cambusbarron Village Nursery is committed to developing a working environment in which bullying and harassment are known to be unacceptable and are not tolerated at any level.

We recognise the problems associated with bullying and harassment of both children and adults and are committed to providing an environment in which all individuals can operate effectively, confidently, and competently. Harassment and/or bullying of children or adults, including members of staff, is not acceptable under any circumstances. The focus of this policy is to promote good relationships and positive behaviours that engender mutual respect and esteem among staff, children, and parents.

Throughout this guidance the term 'parents' is used to include all main caregivers.

### Definitions

Young children tend to be egocentric by nature and are still learning to appreciate the feelings of others and develop their sense of appropriate behaviours and fairness. It would be wrong to label every incident between children as bullying. The following definitions provide staff with descriptors which can be considered in each situation and will be useful in assessing allegations of bullying in the adult context also. **The impact an incident has had on a child is, however, more important than whether it is classified as bullying. Appropriate responses should be made by staff as set out in this policy.**

Bullying/Physical Behaviours are the use of aggression with the intention of hurting another person which causes pain and distress for the victim. Bullying is an unacceptable form of behaviour through which an individual or group of individuals feel threatened, abused or undermined by another individual or group of individuals.

Harassment is defined as any conduct which is unwanted by the recipient, or any such conduct based on the grounds of bias or discrimination that affects the dignity of any individual, or group of individuals at work. Harassment may be repetitive, or an isolated occurrence against one or more individuals.

### When is it not bullying behaviour?

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 are able to bounce back from this type of behaviour.

Early intervention and prevention are key elements of an approach focused on ensuring we get it right for all of our children and young people, as per ['Respect for All: The National Approach to Anti-Bullying'](#).

## **Complying with the Law**

The [Equality Act 2010](#) makes it illegal to discriminate against a person on the grounds of their race or ethnicity, their disability, their gender or sexual orientation, their age or religion. Behaviour that does not comply with the Act will be challenged and in the case of staff could lead to disciplinary procedures being invoked.

### [Scottish Social Services Council \(SSSC\) Codes of Practice](#)

These codes of practice describe the standards of conduct and practice within which both social services employers and workers should operate. The two codes for employers and workers are complementary and mirror the joint responsibilities of employers and workers in ensuring high standards. The SSSC Codes of Practice Standard 4 stipulates that:

- A social service employer must put into place and implement written policies and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice.
- A social service worker must respect the rights of service users, while seeking to ensure that their behaviour does not harm themselves or other people.

## **Forms of Bullying and Harassment**

Bullying and harassment can take many forms – it may be emotional, physical, verbal, non-verbal, racist, sexual, homophobic or cyberbullying and staff should be alert to indicators that this may be happening. (See Appendix 1 for descriptors and indicators.)

## **Expectations**

Within the setting we aim to develop an inclusive and positive ethos and climate of respect, responsibility and positive relationships, creating a culture where bullying and discrimination is unacceptable. All service users will be made aware of this policy and expected to adhere to it.

## **Children**

Bullying of any kind is unacceptable and must be addressed quickly. Bullying should never be seen as a typical part of growing up. Through curricular activities and daily routines, we will promote and reinforce positive behaviour, ensuring that all children are aware of acceptable codes of behaviour and staff expectations. Children will be made aware that they can approach any member of staff should an incident occur or if they feel intimidated or threatened in any way. Staff should always respond in a supportive and sensitive manner, trying to establish facts. Children should be enabled to talk about the incident and be confident it will be dealt with promptly and effectively.

If allegations are found to be true then staff should endeavour to establish why the bullying/harassment took place, as well as encouraging the child involved to appreciate how their actions have made the other child feel. They should also be made aware of what the possible consequences of their action might be, both for themselves and for others. It is not the purpose of this process to humiliate any child and they should be spoken to on their own, outwith the group. The child accused of bullying should also be invited to apologise for their actions, but this should not be forced.

Developing respect for others and acceptable behaviours is an integral part of the early years curriculum and as such, staff will not be required to inform parents every time a child is reminded of appropriate behaviour. Staff will, however, inform the parents of children involved in any incidences of bullying, letting them know what action has been taken. Their co-operation and support will be sought to prevent future incidences.

Incidences of bullying and harassment should be recorded and monitored and will contain the following information:

- Who was involved.
- Where and when the bullying took place.
- Any identified aspects of discrimination underlying the bullying.
- Action taken or resolution at an individual organisational level.
- Consideration of personal or additional support needs.

In serious cases and when bullying persists, the manager will work with the child's parents to try to resolve the situation. This may include agreeing sanctions should incidents continue. In a very small number of children, where challenging behaviour persists and gives cause for concern, consideration may be given, in consultation with the parents, to referring the child to a specialist such as a child psychologist. We will ensure every child and young person who requires help will know who can help them and what support is available.

## **Staff**

Staff are expected to model behaviour that promotes health and wellbeing and to promote the setting's development of a positive ethos. Observations of children's behaviour are crucial in determining whether bullying and harassment is taking place and in helping to prevent it. It is our fundamental role to ensure that all of us working with children and young people fulfil our responsibility to support their health and wellbeing. This can be achieved through embedding positive relationships and behaviour approaches to prevent bullying in and across our learning environment. (As per the terms of ['Respect for All', Scotland's national approach to anti-bullying.](#))

Cambusbarron Village Nursery seeks to ensure that every individual can work effectively in comfort and dignity. CVN will provide any employee who suffers bullying or harassment with an appropriate form of redress and seeks to guarantee that complainants will not encounter any form of reprisal or victimisation as a result of their complaint.

Staff are expected to abide by the SSSC's codes of practice (set out above) and have a responsibility to make themselves aware of the contents of this and other related policies. Management will provide training and awareness raising related to these policies. Staff also have responsibilities noted within the Whistleblowing Policy to report any concerns of malpractice or wrongdoing by other members of staff. This would include any instances of bullying and harassment of colleagues or children.

This policy covers harassment or bullying which occurs both in and out of the workplace, such as on business trips or at events or work-related social functions. It covers bullying and harassment by staff and also by third parties such as customers, suppliers or visitors to our premises. It covers harassment where employees are not directly targeted. Any complaint will be thoroughly investigated and prompt corrective action taken.

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

No one in CVN should have to put up with harassment or bullying within their employment. This may include the use of CVN's disciplinary procedure.

Any incidences of bullying and harassment of staff by other members of staff, including management, or by parents, will be fully investigated. Staff should have confidence that any concerns they bring will be listened to sympathetically and resolution sought. Concerns should

be reported directly to the manager, but where the accusation involves the manager, then another staff member (usually a senior manager / member of the management committee / setting owner) should be contacted.

Where possible, informal resolutions will be sought and agreed between the parties concerned. If, however, this is not possible due to the seriousness of the incident(s), then staff can raise a grievance or disciplinary action may need to be taken. Where bullying of a child by an adult is proven, disciplinary action will ensue. Any disciplinary action taken against a member of staff requires to be reported to the Care Inspectorate.

Should a member of staff feel that a pattern of bullying or harassment towards them is emerging, they should keep a personal record of any incidents that they may need to refer to in a future complaint with details of date, time, place, persons involved and any witnesses.

If you think you are being bullied or harassed, you should, where possible, first make it clear to the person that their behaviour is unwelcome and you want it to stop. Once the person concerned understands that their behaviour is unwelcome, this may be enough to stop it.

If the bullying or harassment continues you should take your complaint through the Grievance Procedure. All complaints will be handled in a timely and confidential manner. You will be guaranteed a fair and impartial hearing and the matter will be investigated thoroughly.

You will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about bullying or harassment is a disciplinary offence.

Whilst this procedure is designed to assist genuine victims of bullying or harassment, you should be aware that if you raise complaints which are proven to be deliberately vexatious, you will become subject to disciplinary proceedings.

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Developing respect for others and acceptable behaviours is an integral part of the early years curriculum and as such, staff will not be required to inform parents every time a child is reminded of appropriate behaviour. Staff will, however, inform the parents of children involved in any incidences of bullying, letting them know what action has been taken. Their co-operation and support will be sought to prevent future incidences.

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## **Parents**

Parents will be informed of the setting's Anti-Bullying and Harassment and Promoting Positive Behaviour policies when they enrol their child. Reminders of these policies will be made available to parents throughout their child's time in the setting, and generally at their request. Parents' support will be sought in promoting the positive ethos of the setting and in dealing with incidents related to their child.

Where a child is displaying continuing behavioural problems, we will endeavour to work closely with the parents, involving them in any decisions made and seeking their support for a consistency of approach both within the setting and at home.

We will reflect [GIRFEC and the SHANARRI wellbeing indicators](#) at all times.

A range of experiences can have negative effects on young people. This might be one of the 10 recognised Adverse Childhood Experiences (ACEs) or other adversities such as bereavement or bullying, or where a family is affected by illness, disability or poverty. Each child should be helped to reach their full potential as an individual.

See also:

Whistleblowing Policy  
Equal Opportunities Policy  
Confidentiality and Privacy Policy  
Behaviour Management Policy  
Recruitment Policy  
Complaints Policy  
GDPR Policy

Links to national policy:

[Health and Social Care Standards My Support, My Life](#) (Scottish Government 2017)

[Respect Me, Scotland's Anti-Bullying Service](#)

[Better relationships, better learning, better behaviour](#)

[GIRFEC](#)



## Appendix 1

### Forms of Bullying/Physical Behaviours

There are several main forms of bullying:

- Emotional - Being unfriendly, excluding, tormenting, ridiculing, humiliation
- Physical - Pushing, kicking, hitting, punching, pinching, violence, threats
- Verbal - Name-calling, sarcasm, spreading rumours, teasing
- Racist - Racial taunts, graffiti, gestures
- Sexual - Unwanted physical contact, sexually abusive comments
- Homophobic - Because of, or focusing on the issue of sexuality
- Mobile/Internet (Cyberbullying) - Abusive e-mails, telephone calls, text messages.

### Forms of Harassment

- Physical - Contact, assault or gestures, intimidation, aggressive behaviour
- Verbal - Unwelcome remarks, suggestions, and propositions, malicious gossip, jokes and banter
- Non-verbal - Offensive literature or pictures, graffiti and computer imagery, isolation or non-cooperation and exclusion from social activities
- Bullying - Persistent, offensive, abusive, intimidating or insulting behaviour. Abuse of power or unfair sanctions that:
  - Make the recipient feel upset, threatened, humiliated or vulnerable
  - Undermine an individual's self confidence
  - May cause an individual to suffer stress.

### Recognition of Bullying

The following list highlights some of the indicators of bullying that a child might display. Just because a child is displaying some of these signs or behaviours, that does not necessarily mean that the child is being bullied. These signs could indicate that the child has other problems, but bullying should be considered a possibility.

- Unwillingness to attend group
- Withdrawn, isolated behaviour
- Refuses to talk about the problem
- Easily distressed
- Lacking confidence, low self-esteem, anxious
- Becomes aggressive, disruptive and unreasonable
- Begins to bully other children
- Changes in eating and sleeping patterns, stomach upset
- Starts stammering
- Has unexplained cuts and bruises.

Within pre-school groups the most common forms of bullying are biting, hitting, pushing, kicking, and ridiculing by adults. Biting is often a cry for attention by a child who is feeling abandoned, frustrated or afraid. Children whose language is not yet fluent or finding themselves in a situation where they cannot do things very effectively, may well bite or hit out, as they are full of feelings that threaten to overwhelm them.