

St. Mary's Secondary School Anti-Bullying Policy

1. 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 St. Mary's Secondary School, Baldoyle, has adopted the following anti-bullying policy within the framework of the school's overall code of behaviour. This policy fully complies with the requirements of the Anti-Bullying Procedures for Primary and Post-Primary Schools, which were published in September 2013.

2. The Board of Management of St. Mary's Secondary School, Baldoyle, adopts the [Anti Bullying Procedures for Primary and Post-Primary Schools](#) issued by the Department of Education and Skills (September 2013) as the basis for the way in which St. Mary's Secondary School community addresses the issue of bullying.

The school reserves the right to apply its bullying policy in respect of bullying that occurs at a location, activity, function or programme that is not school related if, in the opinion of the Principal and/or the Board of Management, the alleged bullying has created a hostile environment at school for the victim, has infringed on the rights of the victim at the school and/or has materially or substantially disrupted the education process or the orderly operation of the school.

3. The Board of Management recognises the very serious nature of bullying and the negative impact that it can have on the lives of students or staff and is therefore fully committed to the following key principles of best practice in preventing and tackling bullying behaviour.
 - (i) A positive school culture and climate which:
 - ✓ is welcoming of difference and diversity and is based on inclusivity;
 - ✓ encourages students and staff to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
 - ✓ promotes respectful relationships across the school community.
 - (ii) Effective leadership.
 - (iii) A school-wide approach.
 - (iv) A shared understanding of what bullying is and its impact.
 - (v) Implementation of education and prevention strategies (including awareness raising measures) that:
 - ✓ build empathy, respect and resilience in students;
 - ✓ Explicitly address the issues of cyber-bullying and identity-based bullying;
 - ✓ including in particular, homophobic and transphobic bullying.

- (vi) Effective supervision and monitoring of students.
- (vii) Supports for staff.
- (viii) Consistent recording, investigation and follow up of bullying behaviour (including use of established intervention strategies).
- (ix) On-going evaluation of the effectiveness of the anti-bullying policy.

4. In accordance with the [Anti-Bullying Procedures for Primary and Post-Primary Schools](#) bullying is defined as follows -

Bullying is 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.
- ✓ 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.

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 school's code of behaviour.

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 school's code of behaviour.

Those who bully others in a non-physical way often do not realise that their actions may have serious legal consequences for them. **The reality, however, is that bullying may constitute a criminal offence.**

For example, bullying may constitute a criminal offence under **Section 10 of the Non-Fatal Offences against the Person Act 1997.**

Section 10 of this act deals with harassment and provides that a person may be guilty of this crime if s/he:

'... without lawful authority or reasonable excuse, by any means including by use of the telephone, harasses another by persistently following, watching, pestering, besetting or communicating with him or her.

For the purpose of this section, a person harasses another where-

- (a) *he or she, by his or her acts intentionally or recklessly, seriously interferes with the other's peace and privacy or causes alarm, distress or harm to the other, and*

(b) his or her acts are such that a reasonable person would realise that the acts would seriously interfere with the other's peace and privacy or cause alarm, distress or harm to the other'.

Section 10 harassment is an arrestable offence and, if convicted on indictment, carries a jail term not exceeding 7 years. On conviction also, a court may make an order that the guilty party may not, for a specified period, communicate by any means, or come within a specified distance of a person's home or workplace.

Section 2 of the Prohibition of Incitement to Hatred Act (1989) makes it a criminal offence for a person *to publish or distribute written material, to use words, behave or display written material ... or to distribute, show or play a recording of visual images or sounds, if the written material, words, behaviour, visual images or sounds, as the case may be, are threatening, abusive or insulting and are intended or, having regard to all the circumstances, are likely to stir up hatred.*

Those convicted on indictment under this provision may be sentenced to a maximum of two years imprisonment and/or a fine of up to £10,000.00 or euro equivalent.

Even where bullying does not amount to a criminal offence, the perpetrator may be held liable for damages in civil court proceedings. For example, **statements made on social media sites are covered by the provisions of the Defamation Act 2009**, which at Section 2 defines a defamatory statement as 'one which tends to injure a person's reputation in the eyes of reasonable members of society'.

Many, young and not so young, seem to feel that by posting anonymously on social networking sites, they can guarantee that their identity is protected. This, however, is not the case. Indeed, in many cases the content of messages makes it easy to identify the perpetrator. In any case, where the Gardaí have grounds for believing that criminal activity may be occurring, applications can be made to the courts requiring the internet service provider or others in possession of relevant information to divulge a perpetrator's identity.

Where it is felt that bullying may amount to a criminal act, the School will seek legal advice and the matter will be reported to the Gardaí.

Examples of Bullying Behaviours

(The list is not exhaustive and any actions similar to those listed will also be considered in this context)

<p>General behaviours which apply to all</p>	<ul style="list-style-type: none"> • Harassment based on any of the nine grounds in the equality legislation i.e.: gender including transgender; civil status; family status; sexual orientation; religion; age; disability; race and membership of the Traveller community. • Sexual harassment • Physical aggression • Damage to property • Name calling • The production, display or circulation of written words, pictures or other materials aimed at intimidating another person • Offensive graffiti • Extortion • Intimidation • Invasion of personal space • Spreading rumours • A combination of any of the types listed.
<p>Cyber</p>	<ul style="list-style-type: none"> • Denigration: Spreading rumors, lies or gossip to hurt a person's reputation • Harassment: Continually sending vicious, mean or disturbing messages to an individual • Impersonation: Posting offensive or aggressive messages under another person's name • Flaming: Using inflammatory or vulgar words to provoke an online fight • Trickery: Fooling someone into sharing personal information which you then post online • Outing: Posting or sharing confidential or compromising information or images • Photographing/Recording: Taking photographs/videos and posting them online without the permission of the subject

	<ul style="list-style-type: none"> • Exclusion: Purposefully excluding someone from an online group • Cyber stalking: Ongoing harassment and denigration that causes a person considerable fear for his/her safety • Silent telephone/mobile phone call • Abusive telephone/mobile phone calls • Abusive text messages • Abusive email • Abusive communication on social networks e.g. Facebook / Ask.fm / Twitter / You Tube or on games consoles • Abusive website comments/Blogs/Pictures • Abusive posts on any form of communication technology • Snapchat • Instagram
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Identity Based Behaviours

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>Homophobic and Transgender</p>	<ul style="list-style-type: none"> • Spreading rumours about a person's sexual orientation • Taunting a person of a different sexual orientation • Name calling e.g. Gay, queer, lesbian...used in a derogatory manner • Physical intimidation or attacks • Threats
<p>Race, Nationality, Ethnic Background and Membership of the Traveller Community</p>	<ul style="list-style-type: none"> • Discrimination, prejudice, comments or insults about colour, nationality, culture, social class, religious beliefs, ethnic or traveller background • Exclusion on the basis of any of the above
<p>Relational</p>	<p>This involves manipulating relationships as a means of bullying.</p> <p>Behaviours include:</p> <ul style="list-style-type: none"> • Malicious gossip

	<ul style="list-style-type: none"> • Isolation & exclusion • Excluding from the group • Spreading rumours
Sexual	<ul style="list-style-type: none"> • Harassment • Unwelcome or inappropriate sexual comments or touching
Special Educational Needs, Disability and Gifted Children	<ul style="list-style-type: none"> • Name calling • Taunting others because of their disability or learning needs • Taking advantage of some pupils' vulnerabilities and limited capacity to recognise and defend themselves against bullying • Taking advantage of some pupils' vulnerabilities and limited capacity to understand social situations and social cues. • Mimicking a person's disability • Setting others up for ridicule

5 To whom should concerns about a student being bullied be reported – relevant teachers for investigating and dealing with bullying?

Students, parents, non-teaching staff or members of the wider community should feel welcome to report their concerns to any member of the teaching staff. Relevant teachers for investigating and dealing with bullying include Form Teachers, Year Heads, Guidance Counsellor and Chaplain, Deputy Principal and Principal. Any member of the teaching staff is deemed to be a relevant teacher in the context of Section 6.8.3 of the [Anti-Bullying Procedures for Primary and Post-Primary Schools](#).

6 Education and prevention strategies to combat bullying

- 6.1 The School makes it clear to all members of the school community that bullying of any kind is unacceptable, irrespective of whether it is a student, a staff member or any other person that is the subject of such behaviour. In this context, all members of the School community have a duty to bring to the attention of the Principal or Deputy Principal any incident of cyberbullying or harassment that they know about or suspect.
- 6.2 The school will promote diversity and foster respect for all members of the school community.
- 6.3 The prevention and awareness of bullying is integral to this policy and students will, through both their curricular and extra-curricular programmes, be provided with opportunities to develop a positive sense of self-worth.
- 6.4 The focus of the School's prevention strategy will be to build empathy, respect and resilience in students.
- 6.5 Students will be provided with opportunities to understand the causes and effects of bullying, the issue of identity-based bullying and in particular

homophobic and trans-phobic bullying. The Lesbian, Gay, Bisexual, Transsexual (L.G.B.T.) issues will be highlighted through a poster campaign at a given week in the school year. This poster campaign will be supported by work in the SPHE classes.

- 6.6 Prevention and awareness raising measures will also deal explicitly with cyber- bullying through educating students about appropriate online behaviour, how to stay safe while on-line and also through developing a culture of reporting any concerns about or incidents of bullying to a member of the teaching staff.
- 6.7 The School will, in all its communications with students and their parents, commencing with the induction of the student into the School, make every effort to highlight the importance of students reporting incidents of or concerns about bullying to a member of the teaching staff on the clear understanding that these matters are being reported in confidence. More than anything else, the combating of bullying will depend on the extent to which students note and report bullying. In this context, the well-being of students is very much dependent on the vigilance of their fellow students and their preparedness to

report concerns about bullying to the teaching staff and/or school management. All teaching staff will reinforce this point to students on an ongoing basis.

- 6.8 We aim to facilitate a culture whereby students, teaching/non-teaching staff and parents are aware of their roles/responsibilities where bullying is concerned. There is advice for students in Appendix 3 of this policy and for parents in Appendix 4.
- 6.9 In accordance with 6.8.9 of the DES Procedures 'parents and students are expected to co-operate with any investigation and assist the school in resolving any issues and restoring, as far as is practicable, the relationships of the parties involved as quickly as possible'
- 6.10 The School will encourage non-teaching staff and others who come in daily contact with its students to assist in countering bullying behaviour by reporting it to parents and/or the School.
- 6.11 Where necessary the School will seek the assistance of and work with NEPS, the TUSLA and the Gardaí, as appropriate, to combat bullying – identify the perpetrators and support the victims.
- 6.12 In combating bullying, the School will take particular account of the needs of pupils with disabilities or with SEN. This will involve improving inclusion, focusing on developing social skills, paying particular attention to student induction and cultivating a school culture that respects everyone and values helping one another.
- 6.13 The School is committed to devoting a continuous professional development session each year to building the capacity of the School to combat bullying.

- 6.14 The School is committed to surveying the student body regularly (at least once every school year) to identify the extent of bullying and, in so far as is possible, the students that are affected by it.
- 6.15 The School's RSE and SPHE programme will specifically address the issue of bullying with each year group, each school year.
- 6.16 The School will, each year, hold a Safe Internet Awareness day and an Anti-bullying awareness week/Friendship Week to highlight the whole issue of bullying and staying safe using modern technology.

7. The school's procedures for investigation follow up and recording of bullying behaviour and the established intervention strategies used by the school for dealing with cases of bullying behaviour are as follows:

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.

7.1 In dealing with bullying, the teacher will exercise his/her professional judgment to determine whether bullying has occurred and how best the situation might be resolved. They should then inform the Principal/Deputy Principal of the

situation.

7.2 All reports will be investigated and dealt with by the relevant teacher.

7.3 Non-teaching staff should report any incidents of bullying witnessed by or mentioned to them to the Principal/Deputy Principal.

7.4 Parents and students are required to co-operate with any investigation and assist the school in resolving the issues.

7.5 Teachers will take a calm, unemotional and problem-solving approach to incidents of alleged bullying.

7.6 Incidents will usually be investigated outside the classroom to ensure the privacy of all concerned.

7.7 If a group is involved, each member will be interviewed individually as far as is practicable.

7.8 In cases where it is determined that bullying has occurred, the parents of the parties involved will be contacted.

7.9 Where the School deems it necessary to impose disciplinary sanctions as per the Code of Behaviour, it will be made clear to all involved (both the bullied and those doing the bullying and their parents) that this is a private matter between the student being disciplined, her parents and the School.

7.10 *Recording of Bullying Behaviour:*

- All staff must keep a factual written record of any incidents witnessed by them or notified to them. All incidents must be reported to the relevant teacher

- If it is established by the relevant teacher that bullying has occurred, the relevant teacher must keep appropriate written records which will assist his/her efforts to resolve the issues and restore, as far as is practicable, the relationships of the parties involved.
- The relevant teacher must inform the Principal of all incidents being investigated.
- The relevant teacher must use the recording template at Appendix 1 (Blue form/Appendix 1) to record the bullying behaviour in the following circumstances:
 - (a) In cases where s/he considers that the bullying behaviour has not been adequately and appropriately addressed within 20 schooldays after s/he has determined that bullying behaviour occurred; and
 - (b) Where the school has decided as part of its anti-bullying policy and in conjunction with the Code of Behaviour, that in certain circumstances bullying behaviour must be recorded and reported immediately to the Principal or deputy Principal, as applicable.
- When the recording template is used, it must be retained by the relevant teacher in question and a copy maintained by the Principal.

- These records will be kept in a locked filing cabinet in a secure location on the school premises.

- Where a parent/guardian or a student who is more than 18 years old is not satisfied that the School has dealt with a bullying case in accordance with the [Anti-Bullying Procedures for Primary and Post-Primary Schools](#), she will be advised of her right to make an appeal to the School Board of Management. Such appeals shall be submitted, in writing setting out the grounds for the appeal, to the Chairperson of the Board within 15 school days of the parent/guardian informing the School principal that she is of the opinion that the School has not dealt with the bullying case in accordance with the [Anti-Bullying Procedures for Primary and Post-Primary Schools](#).
- Where a parent/guardian, having exercised his/her appeal to the Board of Management, is still not satisfied s/he will be advised of his/her right to make a complaint to the Ombudsman for Children.

8. Programme of support for working with students affected by bullying:

All in all school supports and opportunities will be provided for the pupils affected by bullying to participate in activities designed to raise their self-esteem, to develop friendships and social skills and build resilience .e.g.

- The Pastoral Care System
- The Big Sister/Buddy Programme

- Care Team/Student Support Team
- Social Skills Group
- If pupils require counselling or further supports, the school will endeavour to liaise with the appropriate agencies to organise same. This may be for the pupil affected by bullying or involved in the bullying behaviour.
- Students who witnessed bullying are encouraged to discuss it with a teacher and if assistance with a Counsellor is required, their availability will be ascertained.
- **Pupils should understand that there are no innocent bystanders and that all incidents of bullying behaviour must be reported to a teacher.**

9. Supervision and Monitoring of Anti-Bullying in School

The Board of Management confirms that appropriate supervision and monitoring policies and practices are in place to both prevent and deal with bullying behaviour and to facilitate early intervention where possible.

10. Prevention of Harassment

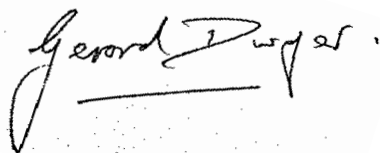
The Board of Management confirms that the School will, in accordance with its obligations under equality legislation, take all such steps that are reasonably

practicable to prevent the sexual harassment of students or staff or the harassment of students 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.

11. Policy Adoption and Review

This policy was adopted and the annual review completed by the Board of Management on 28 May 2024.




Signed:

Signed:

Chairperson of Board of Management

Principal/Secretary to the Board of Management

Date: 28th May 24

Date: 28th May 24

12. Policy Dissemination and Publication

This policy will be made available to school personnel, published on the school website and provided to the Parent School Association. A copy of this policy will be made available to the DES and the Patron if requested.

13. Policy Review

This policy and its implementation will be reviewed by the Board of management once in every school year. Written notification (Appendix 2) will be made available to school personnel, published on the school website and provided to the Parents' Association. A record of its review and its outcome will be made available, if requested to the patron and the DES.