ALDENHAM SCHOOL

ANTI CYBER BULLYING POLICY

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by SHW

What is Cyber Bullying?

Cyber bullying can be defined as use of information and communications technology (ICT), particularly mobile phones and the internet, deliberately to upset someone. Cyber bullying is when a person, or a group of people, uses the internet, mobile phones or other digital technologies to threaten, tease or abuse someone. It can be an extension of face to face bullying, with technology providing the bully with another route to harass their target.

However, it differs in several significant ways from other kinds of bullying. The invasion of home and personal space, the difficulty in controlling electronically circulated messages, the size of the audience, perceived anonymity and even the profile of the person doing the bullying and their target. Aldenham School treats cyber bullying, like all bullying, very seriously. Cyber bullying is never acceptable, either in or out of school. There are criminal laws that can apply in terms of harassment and threatening and menacing communications, and schools should contact the police if they feel the law has been broken.

Examples of cyber bullying include:

- Threats and intimidation;
- harassment or 'cyber stalking';
- sending unwanted texts and messages;
- exclusion or peer rejection;
- false impersonation;
- unauthorised publication and distribution of private images.

While some cyber bullying is deliberate and aggressive, it is important to recognise that there may be cases of cyber bullying which are unintentional and the result of simply not knowing about the consequences. The school reserves the right to make judgements about the severity of cyber communications. What may be sent as a joke may not be received as one and indeed the sender may not even see the impact of the message on the receiver. It is easy for bystanders to become perpetrators in cyber bullying by passing on humiliating images, or taking part in online polls or discussion groups, thus compounding the misery for the person targeted. Cyber bullying may take place between children, between adults or also across different age groups. Targets may be adults or pupils.

Cyber Bullying and the Law

Aldenham School will treat all reported incidents of cyber bullying seriously, whether they occur inside or outside of school. The Education and Inspections Act 2006 (EIA 2006) includes legal powers that relate more directly to cyber bullying. It outlines the power of Head teachers to regulate the conduct of pupils when they are off site and provides defence in relation to the confiscation of mobile phones and other items. Head teachers have the power "to such an extent as is reasonable" (digizen.org/cyberbullying) to regulate the conduct of pupils when they are off site or not under the control or charge of a member of staff.

School staff have the right to confiscate mobile phones as a disciplinary penalty and have a legal defence in respect of this in the Education and Inspections Act 2006. Staff cannot, however, search the contents of a pupil's mobile phone without the consent of that pupil. Where a pupil refuses to allow the contents of his/her phone to be searched, the matter can be referred to the police who have more extensive search powers. All pupils at Aldenham School sign the school Acceptable Use policy and are expected to conform to the school E-Safety strategy.

Responding to Cyber Bullying

Any person being bullied using mobile phones or information and communications technology should keep examples of texts or emails received as these may aid in any investigation. Additional reporting routes include contacting mobile phone companies, internet service providers and social networking sites, as well as looking at the school computer system and log on accounts. It is expected that most cases of cyber bullying can be dealt with through the school's existing Anti-Bullying policy and Behaviour policy, though consideration will be given to the scale and scope of cyber bullying, the number of people involved, the location and nature of the cyber bullying and the anonymity of the perpetrator.

Some important tips to protect pupils from being caught up in cyber bullying are as follows:

1. Always respect others.
2. Think before you send.
3. Don't share your password.
4. Block the bully.
5. Don't retaliate or reply.
6. Never send pictures of yourself that you don't want in the public domain.
7. Save the evidence.
8. Make sure you tell.

Extent of School Responsibility

In cases of cyber bullying the school has a responsibility to act in accordance with its Anti Bullying policy. The school also has statutory powers to investigate incidents of bullying which occur outside of school hours and may apply appropriate sanctions, especially if it causes problems in school. The school will treat all cases of cyber bullying seriously but given the nature of modern technology and communication we recognise the limits of our ability to investigate certain areas of cyber bullying. Our duty of care cannot automatically extend beyond the school gates so incidents of cyber bullying which take place entirely off site may not always be matters which come under our jurisdiction. Pupils should be aware that issues of cyber contact can lead to criminal action if guidelines/laws are breached.

It should be noted that in the case of Leah Bradford-Smart v West Sussex County Council (2002), the Lord Justice Judge said "the school does not have the charge of its pupils all the time and so cannot directly protect them from harm all the time. At a day school that charge will usually end at the school gates …". He went on to add "the school cannot owe a general duty to its pupils, or anyone else, to police their (the pupils) activities once they have left its charge. That is principally the duty of parents and, where criminal offences are involved, the police".

(Ref. Education Law Update, Issue 103, September 2010, page 4, author Kerry Trewern)

Reporting Cyber Bullying and taking action

The school community is obliged to protect all its members and provide a safe, healthy environment. All staff have a duty to be vigilant in preventing any form of bullying and reporting any concerns to the Assistant Head (Pastoral) of the Senior School or the Head of the Prep School, who is the designated member of SMT responsible for coordination and implementation of cyber bullying prevention and responding strategies. In cases of cyber bullying, staff should follow the same guidelines for reporting as outlined in the Aldenham School anti bullying policy.

In cases of cyber bullying the school has responsibilities to:

- work with and take steps to change the attitude and behaviour of the bully
- take care to make an informed evaluation of the severity of the incident, taking into account the ways in which cyberbullying differs from other forms of bullying
- deliver appropriate and consistent sanctions, in accordance with the Anti Bullying Policy

For more information on cyber bullying refer to Digizen.org or the DfE 'Safe to Learn' document on cyber bullying. Further information on dealing with bullying may be obtained from websites such as http://www.kidscape.org.uk/