



## Introduction to the ISCT Bullying Policy

Last updated: March 2018 (DH)

- 1.1 ISCT is committed to providing a safe and caring environment for all those who work, play and learn with in it and which fosters respect for others and does not tolerate Bullying.
- 1.2 ISCT remains focussed on restorative justice. The use of demeaning and disempowering labels such as *Bully* or *Victim* do not help any of the Affected Parties concerned during the implementation of the Disciplinary Procedure. In giving effect to this Policy and in relation to the implementation of the Policy and the Disciplinary Procedure, and for record purposes, the student that is reported to have Bullied, shall be referred to as *the student that is reported to have bullied* or by their name. Similarly, the student that is bullied shall be referred to as *the student reported to have been bullied* or by their name, and together, they are referred to as the **Affected Parties**.
- 1.3 In relation to the right, obligation and duty of ISCT to give effect to the Bullying Policy, ISCT shall take the steps set out in this Bullying Policy in relation to Bullying that takes place on the premises of the School and in relation to Bullying that takes place between students of ISCT regardless of where the Bullying occurs.
- 1.4 This Bullying Policy describes the substance of what ISCT regards as Bullying. The Disciplinary Policy is used to assess whether the reported incident is in fact Bullying and if so, what the appropriate sanction should be.

## What is Bullying?

- 1.5 Bullying is unwanted, aggressive behaviours that involve a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time.
- 1.6 Broadly speaking, Bullying is:
  - 1.6.1 Any behaviour, whether an act or an omission, initiated by one or more persons against another which is deliberate and executed with malicious intent.
  - 1.6.2 Repeatedly using physical, verbal, psychological or exclusionary means to hurt, oppress or persecute another person or group of people.
- 1.7 Bullying entails the exploitation of an imbalance of power. Bullies use their power, whether physical strength, access to embarrassing information or popularity, to coerce or harm others. Bullying can take many forms, whether direct or indirect, physical or using intimidation, as well as by electronic means. (Cyber Bullying)
- 1.8 In any of its forms, Bullying usually involves an intention to cause distress. Although the manner in which Bullying takes place is sometimes difficult to demarcate, the following are examples of Bullying:
  - 1.8.1 Direct Physical:
    - 1.8.1.1 hitting, kicking, punching, pushing, shoving, spitting and other instances of direct assault;
    - 1.8.1.2 taking, hiding or damaging property that belongs to someone else;
    - 1.8.1.3 forcing others to hand over food, money or something which belongs to them;
    - 1.8.1.4 coercing a person to do something or engage in any conduct against their will;
  - 1.8.2 Verbal:



- 1.8.2.1 name calling and teasing;
- 1.8.2.2 engaging in conduct which is intended to threaten, ridicule or humiliate a person or group of people;
- 1.8.2.3 making fun of a person or group of people because of their appearance, physical characteristics or cultural background;
- 1.8.2.4 making fun of someone's actions or making inappropriate comments;
- 1.8.2.5 spreading rumours;
- 1.8.3 Social / Emotional Relational Bullying
  - 1.8.3.1 impairing someone's reputation or relationships;
  - 1.8.3.2 intentional exclusion;
  - 1.8.3.3 causing children to exclude other children or avoid befriending them;
  - 1.8.3.4 spreading rumours or embarrassing information about someone;
  - 1.8.3.5 encouraging or inciting taunting and teasing;
  - 1.8.3.6 causing a someone to feel socially isolated;
  - 1.8.3.7 making rude gestures.
- 1.8.4 Cyber-Bullying:
  - 1.8.4.1 using the internet and/or mobile devices as a mechanism to taunt, tease, threaten or humiliate a student, whether by the use of images, direct messages, reported messages or comments posted on a media platforms;

### ISCT's Obligations

- 1.9 In relation to Bullying, ISCT has obligations not only in relation to the Affected Parties, but also to the other students in ISCT's care. The Department of Basic Education has issued regulations that govern the safety of students. These regulations indicate that:
  - 1.9.1 No person may cause any form of violence or disturbance that can negatively impact on any independent school activities.<sup>1</sup>
  - 1.9.2 Every child <sup>2</sup> has the right to be protected from maltreatment, neglect, abuse or degradation.
  - 1.9.3 All appropriate social and educational measures must be taken to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of any person who acts *in loco parentis*.<sup>3</sup>
  - 1.9.4 The principal, as head of the institution in terms of section 16(3) of the Act, has a primary responsibility to ensure that students are not subjected to *crimen iniuria*,<sup>4</sup> assault, harassment, maltreatment, degradation, humiliation or intimidation from educators or students and must protect students from such practices.<sup>5</sup>

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<sup>1</sup> Reg 4.2, Regulations relating to safety measures at independent schools, GG No. 26663, No. 975, 20 August 2004.

<sup>2</sup> Reg 3.4 GG No. 24165, Vol. 450, GN no. 1589, 13 Dec 2002, South African Schools Act 84 of 1996.

<sup>3</sup> Ibid.

<sup>4</sup> An intentional injury to someone's dignity, caused by the use of obscene or racially offensive language or gestures.

<sup>5</sup> Ibid.



- 1.9.5 A principal must also take reasonable steps to ensure that such practices are not caused by peer pressure.<sup>6</sup>
- 1.10 ISCT bears a regulatory duty and a contractual obligation to protect students in its care. In addition, ISCT undertakes in terms of the Parent Contract to exercise reasonable skill and care in respect of students' education and welfare.<sup>7</sup> These duties and obligations are owed by ISCT to all of the parents and students at the school.
- 1.11 Similarly, each parent is bound by the Parent Contract in terms of which the head may, in his discretion require the parent to remove or expel the student if he considers that the student's attendance or behaviour at the school is seriously unsatisfactory and that the student's removal is in the school's best interests or those of other children or the wider school community.<sup>8</sup>
- 1.12 In terms of the Parent Contract, it is clear that ISCT has an overriding discretion to deviate from this Policy as it may be required to do, from time to time. Nevertheless, this is not a discretion that should be exercised lightly. The circumstances of each incidence of Bullying, the circumstances of the students involved ought to be seriously considered before such a discretion is exercised.
- 1.13 In exercising this discretion, ISCT ought to consider at least the following factors:
- 1.13.1 the regulations applicable to it;
  - 1.13.2 the contractual duties owed to the other students and the parents;
  - 1.13.3 the safety and welfare of the wider school community;
  - 1.13.4 the previous conduct of the Student that has been sanctioned;
  - 1.13.5 the nature of the incident in question; and
  - 1.13.6 the likely success of the remedial effects of the prescribed sanction in the context of the success of previous sanctions.

### Identifying Bullies

- 1.14 Bullying may be undertaken by a group. The conduct of each member of the group may not on its own constitute Bullying. However, when the concerted nature of the collective conduct achieves the intended outcome this invites sanction. It follows that each member of the group may nevertheless be deserving of sanction for Bullying, depending on the extent of their common cause.
- 1.15 A Bully may be identified with reference to the following factors:
- 1.15.1 A real or perceived power in relation to the student who is bullied.
  - 1.15.2 A need to dominate and subdue others and to assert their real or perceived power; they may brag about their actual or imagined superiority.
  - 1.15.3 The assertion of the real or perceived power is achieved by engaging in Bullying behaviour, directed towards a person or a group of persons, whether they are weaker or defenceless or perceived to be so.
  - 1.15.4 Students who Bully may be:

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<sup>6</sup> Ibid.

<sup>7</sup> Clause 2.3 of the Parent Contract.

<sup>8</sup> Clause 4.4 of the Parent Contract.



- 1.15.4.1 physically stronger than their classmates and the affected party/parties in particular;
- 1.15.4.2 physically effective in play activities, sports, and fights;
- 1.15.4.3 hot tempered, easily angered, impulsive, and have low frustration tolerance, they have difficulty conforming to rules and tolerating adversities and delays, and may attempt to gain advantage by stealth;
- 1.15.4.4 generally oppositional, defiant, and aggressive towards adults.
- 1.15.4.5 may engage in anti-social behaviour.

### **Strategies ISCT will use to deal with Bullying**

- 1.16 At ISCT we will:
  - 1.16.1 talk openly and honestly about Bullying, what it is, how it affects our community and what we can do about it;
  - 1.16.2 teach our students the skills which will build their self-esteem and empower them to take responsibility for themselves and we will give them the opportunity to practice these skills.
- 1.17 It is the responsibility of staff to:
  - 1.17.1 model appropriate behaviours at all times and to refrain from Bullying behaviour themselves;
  - 1.17.2 identify potential Bullying behaviour and then to proactively and constructively facilitate the remediation of the behaviour in question;
  - 1.17.3 deal with all reported and observed incidences of Bullying as set out in this policy;
  - 1.17.4 ensure that children are properly and age-appropriately supervised and encourage the development of mutual respect and concern for each other;
  - 1.17.5 report incidences of Bullying to the Principal if this is warranted;
  - 1.17.6 be approachable and create an enabling environment for pupils to report instances of Bullying;
  - 1.17.7 raise awareness and knowledge, and in that regard, provide curriculum and pedagogy that enables students to develop an understanding of Bullying and its impact on individuals.
  - 1.17.8 the school has curriculum and pedagogy that supports students to develop an understanding of Bullying and its impact on individuals
  - 1.17.9 the school supports this curriculum and pedagogy by providing students with opportunities to become involved in raising awareness around Bullying among their peers and the wider community.
- 1.18 It is the responsibility of students to:
  - 1.18.1 respect individual differences and diversity and avoid Bullying;
  - 1.18.2 demonstrate a willingness to correct any Bullying that they might exhibit;
  - 1.18.3 report Bullying to their teachers, if they are being bullied or if they see other pupils being bullied, whether at school or within the school community;



- 1.18.4 assist the Affected Parties who are Bullied, through reporting, peer support and mediation;
- 1.18.5 develop a student creed against Bullying which is underpinned by the "Don't Stand By – Stand Up" approach.
- 1.19 We encourage the broader school community to share responsibility with the school and therefore it is the parents' responsibility to:
  - 1.19.1 watch for signs that their child may be Bullied;
  - 1.19.2 watch for signs that their child may display Bullying behaviour;
  - 1.19.3 address any issues they may have to the Principal or School Senior Management Team (SMT) if their child is being bullied, or they suspect that this is happening;
  - 1.19.4 encourage their children to "tell" / "report" if they are bullied, as we adopt the "Don't Stand By – Stand Up" approach;
  - 1.19.5 encourage their children to act appropriately with care and courtesy to everyone who differs from them in any way;
  - 1.19.6 model and promote positive relationships that respect and accept all individuals within the school community;
  - 1.19.7 work collaboratively with the school to resolve incidents of Bullying when they occur;
  - 1.19.8 support the schools anti Bullying policy through words and actions; and
  - 1.19.9 promote pro-social, diversity, integration and responsible behaviour.

### **Reporting of Bullying**

- 1.20 Incidents of Bullying may be reported to any teacher or member of the School SMT by any student or their parents, whether as an affected party or as a witness.
- 1.21 Any Bullying incidents that are pursued by ISCT under or in terms of this Policy will be recorded and this record will be kept on the file of the student concerned in accordance with the Disciplinary Policy.
- 1.22 When an incident of Bullying is reported or observed, the procedure set out below is used to determine whether the reported incident should be subject to the Disciplinary Policy.

### **Procedure for Reported Bullying**

- 1.23 **Interview and allocation**
  - 1.23.1 Each of the Affected Parties will be interviewed by the relevant member of the School SMT ("**the Interview**"). The purpose of the Interview is to determine whether there are grounds to subject the student reported to have Bullied to the Disciplinary Policy.
  - 1.23.2 In the making of this decision the member of the SMT must take into account the various aggravating or mitigating circumstances.
  - 1.23.3 Once the member of the SMT has determined that there may have been an incident of Bullying the incident must be reported to the Principal in writing.
  - 1.23.4 The Principal will review the written report and then either request further information from the Affected Parties and/or implement the Disciplinary Policy.



**Prescribed Levels for various acts of Bullying - Guidelines**

- 1.24 The levels set out below are to be used as a guideline. Nevertheless, the SMT must use their discretion in order to assess the severity of an incident.
- 1.25 It is important to note that the prescribed levels and the forms of Bullying therein are not intended to act as an exhaustive list but rather as an indication of the type of severity of an infringement in general. More importantly, one should recognise that apart from physical Bullying described below, Bullying may be perpetuated via the internet or social media platforms.
- 1.26 In general terms, Level One and Level Two Bullying is non-violent. Level Three Bullying entails physical violence, serious misconduct or repetitive Bullying after a warning or a remedial sanction has previously been given and/or imposed for any other instance of Bullying.

<b>Level One</b>	<b>Consequences to include some, but not necessarily all of the following:</b>
<ul style="list-style-type: none"> <li>● Repeated intentional exclusion;</li> <li>● Repeatedly causing someone to feel socially isolated;</li> <li>● Repeated name calling or making rude gestures;</li> <li>● Repeated threats of violence.</li> </ul>	<ul style="list-style-type: none"> <li>● Letter of warning outlining nature of offence, signed by parents and placed on file.</li> <li>● Internal suspension (Maximum 3 days)</li> <li>● Internal Counselling</li> </ul>
<b>Level Two</b>	<b>Consequence to include some, but not necessarily all of the following:</b>
<ul style="list-style-type: none"> <li>● Repeated Level One infringements;</li> <li>● Coercing a person to do something or engage in any conduct against their will;</li> <li>● Making inappropriate comments, taunting or teasing, spreading rumours or embarrassing information about someone or impairing someone's reputation or relationships, or causing children to exclude others or avoid befriending them;</li> <li>● Forcing others to hand over food, money or something which belongs to them, or taking, hiding or damaging property that belongs to someone else;</li> <li>● Making fun of, threatening, ridiculing or humiliating a person or group of people, whether on the basis of their appearance, physical characteristics, cultural background or otherwise.</li> </ul>	<ul style="list-style-type: none"> <li>● Disciplinary enquiry to be chaired by a member of the School SMT</li> <li>● Further letter of warning, again placed on file and signed by parents.</li> <li>● External suspension (Maximum 3 days)</li> <li>● External counselling</li> <li>● Community service (6 hours)</li> </ul>
<b>Level Three</b>	<b>Consequence to include some, but not necessarily all of the following:</b>
<ul style="list-style-type: none"> <li>● Repeated Level Two infringements</li> <li>● Physical assaults, including hitting, kicking, punching, pushing, shoving and spitting;</li> <li>● Any form of impersonation, identity theft and/or identity fraud;</li> <li>● Any act qualifying as a sexual offence under the Sexual Offences Act;</li> <li>● Any act for which the student could receive criminal charges in the ordinary course.</li> </ul>	<ul style="list-style-type: none"> <li>● Disciplinary enquiry to be chaired by a member of the School SMT</li> <li>● Letter of Final warning.</li> <li>● External suspension (Maximum 5 days)</li> <li>● External counselling</li> <li>● Community service (24 hours)</li> <li>● A second Level 3 infringement will lead to permanent exclusion</li> </ul>

**All Students and their parents are requested to read this policy and acknowledge their agreement to abide by the spirit and terms of this policy as part of the general code of conduct of the school is a fundamental condition for acceptance into the school, for continued attendance and for participation in all its programmes and activities.**

**WRITTEN WARNING: BULLYING**  
**Student name:**

**Date**

The above student was given a written warning by me on the date stipulated with regard to the following incident/s:

- Explanation of transgression.

In terms of the Bullying Policy, (A copy of which has been attached for your reference) this will be treated as a Level ? Offence.

In addition, your attention is drawn to the following previous offences in terms of the Bullying policy:

This will be placed on your file and will be referred to again if there is a further incident in this regard.

Any repetition of such behaviour will result in this record being used as evidence.

**D M Hunter**  
**Principal**

**ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN WARNING:**

I, **[Name]** confirm that I have received a written warning against bullying. I acknowledge receipt of this notification:

..... [Signature]

Date notice received: .....

Witnessed by parent/s: .....[Signature] Date: .....