

Laerskool Lorraine Primary School

📍 Adres / Address: Meuselaan / Meuse Avenue, Lorraine, Port Elizabeth

☎ Tel: (041) 367 - 1115 Faks / Fax: (041) 368 - 1812

✉ E-pos / Email: info@lorraineschool.co.za



Revised Bullying policy

1. Introduction

This document is the Bullying Policy of Lorraine Primary, as approved by the school Governing Body on 9 January 2017. The policy has been drafted in accordance with the provisions of the Constitution of South Africa, 1996; the South African Schools Act 84 of 1996 ('SASA'); the National Education Policy Act 27 of 1996; applicable provincial legislation on school education; the Protection from Harassment Act 17 of 2011; the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, and the United Nations Convention on the Rights of the Child, 1989.

All pupils have the right to attend a public school that is a safe and secure learning environment. It is the intent of Lorraine Primary to provide all pupils with an equitable opportunity to learn. To that end, the school has a significant interest in providing a safe, orderly and respectful school environment which is conducive to teaching and learning.

Bullying is detrimental to the school environment and to pupils' learning, achievement and well-being. It interferes with the mission of the school to educate pupils and disrupts school operations. Bullying affects not only pupils who are targets, but also those who participate in and witness such behaviour. It must be addressed to ensure pupil safety and an inclusive learning environment.

This policy must be read in conjunction with the school's Code of Conduct for Pupils, of which it forms an integral part.

2. Definitions

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more pupils, teachers, non-teachers or visitors to the school premises. It is further defined as unwanted and **REPEATED** written, verbal or physical behaviour, including any threatening, insulting or dehumanising gesture, by a pupil or adult, which is severe or



pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interferes with the pupil's school performance or participation, and may involve, but is not limited to:

- (i) teasing
- (ii) threatening
- (iii) intimidation
- (iv) stalking
- (v) theft
- (vi) religious or racial harassment
- (vii) destruction of property
- (viii) Crimen Injuria
- (ix) criminal defamation
- (x) extortion
- (xi) harassment

Types of Bullying

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| Physical | <ul style="list-style-type: none">• hitting, kicking, pushing, punching, forcibly taking possessions or any use of physical violence |
| Verbal | <ul style="list-style-type: none">• name-calling, sarcasm, threatening, insulting, spreading rumours, foul language, racist or sexual slurs |
| Social | <ul style="list-style-type: none">• gossiping, excluding, dominating, influencing others to dislike someone, public humiliation |
| Sexual | <ul style="list-style-type: none">• unwanted physical contact, inappropriate notes, jokes, pictures, sexually abusive comments |
| Non-verbal | <ul style="list-style-type: none">• threatening gestures, hurtful messages or graffiti, distributing harmful pictures or videos |
| Cyber | <ul style="list-style-type: none">• misuse of internet, cell-phone, email or technology with the intention to harm, intimidate or damage reputations, criminal defamation |

Crimen injuria means the unlawful, intentional and serious violation of the dignity or privacy of another person.

Criminal defamation means the unlawful and intentional publication of a matter concerning another, which tends to seriously injure his or her reputation.

Extortion means when a person unlawfully and intentionally obtains some advantage, which may be of either a patrimonial or non-patrimonial nature, from another by subjecting the latter to pressure, which induces him or her to hand over the advantage.

Harassment means directly or indirectly engaging in conduct that the perpetrator knows or ought to know:

- (i) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably:
 - (a) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside or near the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be;
 - (b) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or
 - (c) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person, or leaving them where they will be found by, given to or brought to the attention of the complainant or a related person; or
- (ii) amounts to sexual harassment of the complainant or a related person.

Cyber-bullying means bullying through the use of technology or any electronic communication, including, but not limited to, the transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

It remains the responsibility of the parent to monitor electronic communication utilised by the child.

Electronic communication means any communication through an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager, which communication includes, but is not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

Sexting means sending and sharing nude or semi-nude photos or videos and/or sexually suggestive messages via mobile phone texting or instant messaging to and from other pupils.

Retaliation means an act or gesture against a person for asserting or alleging an act of bullying. 'Retaliation' also includes reporting an act of bullying when it is not made in good faith.

3. Application

3.1 This policy applies to any pupil, teacher and non-teacher employed at the school as well as any visitor or volunteer who engages in conduct that constitutes bullying, all of whom have the responsibility to comply with this policy.

3.2 This policy applies to bullying that:

3.2.1 takes place at the school or on school grounds, meaning a school building; on property on which a school building or facility is located, and in/on property that is owned, leased or used by a school for a school-sponsored activity, function, programme, instruction or training, with 'school grounds' also including vehicles used for school-related transport;

3.2.2 takes place while pupils are being transported to or from schools or school activities events;

3.2.3 takes place at any school-sponsored event, activity, function, programme, instruction or training.

3.3 This policy **does not** apply to bullying that:

3.3.1 takes place outside of the school grounds, for example in the streets or in the park opposite the school;

3.3.2 takes place where it is not an arranged school event.

4. Prohibited activities or behaviour

The following behaviour is prohibited:

- 4.1 bullying
- 4.2 harassment
- 4.3 retaliation against those reporting such defined behaviour
- 4.4 false accusations of bullying behaviour
- 4.5 defamation of the school's good name

Any person who engages in any of these prohibited activities or behaviour shall be subject to consequences.

5. Reporting

- 5.1 Bullying, suspected bullying or any other prohibited action mentioned under paragraph 4 above is reportable in person or in writing (including anonymously) to school staff. Any person aware of bullying, suspected bullying or any other prohibited action mentioned under paragraph 4 is required to report incidents to the class teacher or the anti-bully committee (consisting of the principal, deputy principal and the Grade Head / Phase Head).
- 5.2 **It remains the responsibility of the parent to monitor the electronic communication utilised by the child.** The school does not take responsibility for dealing with Cyber-bullying as cellular phones are not allowed at school. Computer usage is strictly monitored in the computer room and pupils are not allowed to send messages to each other through the use of the school computers.
- 5.3 Parents and other adults who are aware of incidents of bullying are encouraged to report this behaviour to a staff member, who will take the matter further. Parents are asked not to confront any pupil on the school premises.
- 5.4 All other members of the school community, including pupils, parents/legal guardians, volunteers and visitors, are encouraged to report any act that may be a violation of this policy anonymously (posting a complaint into the bully-box) or in person to a staff member or the anti-bully committee (consisting of the principal, deputy principal and the Grade Head / Phase Head).

- 5.5 Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. If it is determined that a pupil has falsely accused another of bullying, such a pupil shall be subject to disciplinary consequences.
- 5.6 In terms of section 54 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, any person who knows that a sexual offence has been committed against a child must report such knowledge immediately to a police official. Failure to report such information is an offence. Therefore, any person involved in sexting or sexual harassment, or who has knowledge of such acts, is obliged to report such knowledge. Lorraine Primary School works closely with the Police Officers designated to our area.
- 5.7 In case of a violation of any provision prescribed in this policy, the disciplinary procedure as set out in part 3, section 2 to 5, of the school's code of conduct is to be followed.

6. Possible procedures in case of reported bullying.

In the case of **once-off incidents** the offence will be recorded in the incident book and will not be regarded as bullying as such.

When a case of bullying is reported to the anti-bully committee, an investigation will take place.

1. An interview with the victim will be done and recorded and the parents will be notified.
2. An interview with the suspected bully will be done and recorded and the parents will be notified. Witnesses may be interviewed additionally.
3. An action plan will be set-up by the anti-bully committee and a date for a follow-up meeting will be decided on. The parents and children involved will be notified of the action plan and date of follow-up.
4. The school will respond to all incidents of bullying with sensitivity and consequences will be determined by the severity of the bullying, age of the learners and history of the problem. Possible consequences as part of an action plan may include:

- reflective activities, such as requiring the pupil to write an essay about the pupil's misbehavior, feelings and how the situation could have been avoided
- verbal or written apology to the victim
- a period of no contact between the pupils involved
- referral to counselling (at school or privately)
- emotional assessment and therapy (clinical / counselling psychologist)
- withdrawal of privileges
- detention
- establishment of a behavioural contract
- verbal or written warning.

Wherever possible, measures will have a rehabilitative component aimed at addressing problem behaviour.

5. If parents do not agree with the suggested disciplinary steps, the Governing Body may be contacted for assistance and possible recommendations.
6. The follow-up meeting will be held. If during this meeting it is decided that there was no progress and the bullying did not stop in the meantime, the parents will be contacted by the Principal or Deputy Principal and disciplinary steps may be taken. A formal disciplinary hearing may be arranged.
7. If the bullying is ongoing or regarded as very serious and no solution has been reached, the Governing Body will be notified and the Department of Education, the relevant Unions or the Police may get involved.

7. Policy amendments

The school Governing Body may from time to time amend, supplement, modify or alter this policy.