

THE HIGHLAND COUNCIL
EDUCATION, CULTURE AND SPORT COMMITTEE
12 November 2009

Agenda Item	9.
Report No	ECS/53/09

CYBERBULLYING GUIDANCE

Report by Director of Education, Culture and Sport

SUMMARY

This report details the components of the proposed Cyberbullying Guidance, which includes the development of a mechanism to support professionals with the handling of specific incidents where children, young people or staff may have been targeted. The report seeks members' endorsement of Cyberbullying Guidance which will be issued to all ECS establishments. A full copy of the Cyberbullying Guidance is attached in Appendix 1

The development of the Cyberbullying Guidance relates directly to the commitment in **Strengthening the Highlands: 2. People are, and feel safe from crime, disorder and danger.**

1.0 Background

- 1.1 At the Education Culture and Sport Committee of 13th November 2008, members agreed a number of proposed actions relating to the development of an E-Safety Strategy.
- 1.2 The agreed E-Safety Strategy included an action to develop guidance to support the management of cyberbullying across the Service.
- 1.3 Also in November 2008, at a meeting of the informal Local Negotiating Committee for Teachers (LNCT), it was agreed that the needs of teachers and professionals in school communities should be considered in any guidance developed.

2.0 Development of Cyberbullying Guidance

A working group was established to develop the Guidance. Membership of the Cyberbullying Guidance Development Group was agreed in consultation with the LNCT and E-Safety Strategy Group as:

- Parents from primary and secondary schools
- Teachers from primary and secondary schools
- Northern Constabulary
- The Highland Council Legal Service
- Voluntary Sector
- Education, Culture and Sport Service Officers
- NHS Highland
- Youth Convenor

- 2.1 The draft approach and Cyberbullying Guidance attached has been endorsed by the group and LNCT.
- 2.2 Following the production of the draft guidance, advice was sought from the national anti-bullying organisation 'Respectme' who have congratulated the authority on its approach. 'Respectme' are unaware of any other authority in Scotland which has developed support for professionals with the unique issues which cyberbullying can present.

3.0 Summary of Cyberbullying Guidance

The Cyberbullying Guidance has been designed to support staff, children and young people on how to avoid or who may be at the receiving end of cyberbullying behaviour. The Guidance will accompany the newly revised Education, Culture and Sport Service Anti-Bullying and Anti-Racism Guidelines and Procedures.

- 3.1 The Cyberbullying Guidance is comprised of the following component parts:
- Aims and Introduction of the Cyberbullying Guidance
 - What is Cyberbullying?
 - Cyberbullying and the Law
 - Preventing Cyberbullying
 - Responding to Cyberbullying
 - Investigating Incidents
 - Working with the person displaying bullying behaviour
 - Key safety advice
 - Incident flowchart
 - Resources
- 3.2 The Guidance has been developed to support professionals in a balanced way, acknowledging the benefits and opportunities emerging technologies provide for children, young people and professionals to enhance their learning.
- 3.3 The Guidance includes the support that will be provided through the lead professionals involved in developing the guidance. The officers will have the expertise and knowledge to liaise with Internet Service Providers and can ensure that incidents are monitored and recorded. This support will be accessed via a dedicated email address.

4.0 RECOMMENDATIONS

- 4.1 Members are invited to consider the Cyberbullying Guidance and endorse the guidelines for issuing to all Education, Culture and Sport Service establishments.
- 4.2 Members are invited to acknowledge the input from the key agencies and individuals, instrumental in developing the Guidance.

Signature:

Designation: Director of Education, Culture and Sport Service

Date:

Author: Louise Jones, Health Promoting Schools Manager

References: Minute of the Education, Culture & Sport Committee of 13th
November 2008

The Highland Council
Education Culture and Sport
Cyberbullying Guidance

The Highland Council Contacts

Louise Jones

Health Promoting Schools Manager

Jim Henderson

Virtual Learning Co-ordinator

Stewart Fraser

Legal Manager – Litigation and People

Highland Cyberbullying Support

cyberbullying@highland.gov.uk

Forward to be provided by Chair of Highland Protection Committee

Background

This Cyberbullying Guidance has been designed to accompany the revised Highland ECS Anti-Bullying and Anti-Racism Guidelines and Procedures and should be read in conjunction with them.

A facility has been created to support professionals in managing incidents of cyberbullying in Highland, whether children, young people or professionals have been targeted.

The facility will have the capability to;

- monitor the incidence of Cyberbullying across Highland
- to track specific incidents
- to liaise with Internet Service Providers (ISPs) in the removal of material unless there are allegations of a criminal nature, in which case liaison with ISPs will be via the police single point of contact
- to provide advice, guidance and support where internal procedures are insufficient in dealing with high level incidents.

1 Aims of the Cyberbullying Guidance

- To provide ECS establishments and services working with children and young people with guidance on prevention and management of cyberbullying to maintain a safe learning and working environment, free from threats of fear or harassment.
- To provide establishments with a structure which will help them in their efforts to systematically manage incidents of cyberbullying.
- To assist establishments in fulfilling their obligations under the relevant legislation to pupils, parents/carers and professionals.

2 Introduction

2.1 Technology offers fantastic opportunities for children, young people and professionals in Highland. However, technology can be misused, and this can be very painful for those who are the targets of cyberbullying. Professionals need to equip children and young people to prepare for the hazards whilst promoting the many learning and social opportunities available via emerging technologies. Tackling cyberbullying within Highland will be an ongoing process as communication technology continues to develop.

- 2.2 Today's children and young people have grown up in a world that is very different from that of most adults. Many young people experience the internet and mobile phones as a positive, productive and creative part of their activities and development of their identities. Above all, new communication technology supports social activities that allows young people to feel connected to their peers.
- 2.3 Professionals working with children and young people also use technologies to enhance learning and use social media for their own professional and personal use. The Highland Council and partners will continue to provide training, support and will encourage professionals to make best use of these opportunities available.
- 2.4 Unfortunately, technologies are also being used negatively. When children, young people and professionals are the target of bullying behaviour via mobiles phones or the Internet, they can feel alone and very misunderstood. They may not be able to identify that what is happening to them is a form of bullying, or be confident that the adult and colleagues around them will appreciate the severity of the abuse.
- 2.5 Previously safe and enjoyable environments and activities can become threatening and a source of anxiety.
- 2.6 As mobile phone and Internet use become increasingly common, so has the misuse of this technology. Current research in this area indicates that cyberbullying is a feature of many young people's lives. One study carried out for the Anti-Bullying Alliance found that 22% of young people reported being the target of cyberbullying. A recent study carried out by the Association of Teachers and Lecturers found that 15% of teaching staff have experienced bullying behaviour.
- 2.7 This guidance explains how cyberbullying is different from other forms of bullying behaviours, how to respond and combat misuse through a shared responsibility, and how to promote and develop a culture of confident technology users to support innovation, e-safety and digital literacy skills.

3 What is Cyberbullying?

- 3.1 Cyberbullying is the use of Information Communications Technologies (ICT), particularly mobile phones and/or the Internet to upset someone else.
- 3.2 Cyberbullying can take place at any time and can intrude into spaces that have previously been regarded as safe or personal.
- 3.3 The audience can be very large and reached rapidly. The difficulty in controlling electronically circulated messages means the scale and scope of cyberbullying can be greater than for other forms of bullying behaviours. Electronically

forwarded content is hard to control, and the worry of content resurfacing can make it difficult for individuals to recover.

- 3.4 People who cyberbully may attempt to remain anonymous. This can be extremely distressing for those being bullied. The person cyberbullying may never be in the same physical space as their target.
- 3.5 Cyberbullying can take place both between peers and across generations; teachers and professionals have also been targets. Age or size is not important. Bystanders can also become accessories to the bullying, for example, by passing on a humiliating image.
- 3.6 Some instances of cyberbullying can be the result of not thinking (something sent as a joke may be deeply upsetting or offensive to the recipient) or a lack of awareness of the consequences – for example saying something negative online about another pupil, or friend that they don't expect to be forwarded or viewed outside their immediate group.

4 Cyberbullying and the law

- 4.1 Incidents of cyberbullying are not specific criminal offences in Scottish Law. However, there are laws that may be relevant in terms of harassing or threatening behaviour, or indeed menacing and threatening communications.
- 4.2 Some cyberbullying activities may constitute offences under a range of different laws, for example:
 - Protection from Harassment Act 1997, which has both criminal and civil provision.
 - Communications Act 2003, Section 127.
 - Criminal Law (Consolidation) (Scotland) Act 1995, Section 50A.
 - Some aspects of cyberbullying may also constitute a common law breach of the peace.

How these Acts relate to bullying, and specifically to cyberbullying, is outlined on the 'respectme' website. If the bullying behaviour is based on sexual, racial or religious grounds, prosecution could be sought through anti-discriminatory laws.

5 Preventing Cyberbullying Guidance

- 5.1 The best way to deal with cyberbullying is to prevent it happening in the first place. The key first step is deciding who within an establishment will be the lead professional responsible for the coordination and implementation of cyberbullying prevention and response strategies.
- 5.2 This nominated lead person should be a member of the senior management team of the establishment.
- 5.3 ECS establishments will develop a comprehensive policy based on the following principles:
- That everyone must be aware of the impact of cyberbullying and the ways in which it differs from other forms of bullying.
 - All ECS establishments will have an Acceptable Use Policies (AUPs).
 - Children, young people and parents/carers should be made aware of individual's responsibilities in the use of ICT, and the sanctions applicable for misuse.
 - Procedures should be in place that allows establishments to conduct searches of the use of Internet access points.
 - Children, young people and professionals should be encouraged to report any incidents of Cyberbullying if they occur. No one should feel that they have to deal with cyberbullying alone, but reporting any incident of bullying can be particularly difficult for the person being bullied and for bystanders.
 - Schools should provide and publicise the ways of reporting cyberbullying. (see page 5 of the ECS Anti-Bullying and Anti-Racism Guidelines and Procedures (dissemination of the guidelines)).
 - Establishments should evaluate the effectiveness of their management of cyberbullying and activities by canvassing the views of the whole-school community.
 - Opportunities for continuing professional development should be offered to all staff working with children and young people to ensure that there is a sustainable and sufficient in-house knowledge and awareness.

6 Responding to Cyberbullying

6.1 This section outlines key steps to take when responding to cyberbullying. Cyberbullying can often present unique issues from that of historical bullying behaviours, All establishments should already be equipped to deal with the majority of cases through the revised Anti-Bullying and Anti-Racism Guidelines and Procedures.

Establishments should contact The Highland Council via a dedicated email address when the incident is first reported, a team of professionals will be able to provide advice and support where necessary and appropriate.

6.2 Supporting the person being bullied:

- Give reassurance that the person has done the right thing by telling someone, refer to any existing guidance support/procedures and inform parents.
- Make sure the person knows not to retaliate or return the message.
- Ask the person to think about what information they have in the public domain.
- Help the person to keep relevant evidence for any investigation (e.g. by not deleting text messages they've received, keeping chat logs and by taking screen capture shots and noting web addresses of online cyberbullying instances).
- Check the person understands simple ways to prevent it from happening again, e.g. by changing contact details, blocking contacts or leaving a chatroom.
- Take action to contain the incident when content has been circulated.
- If applicable, if you know who the person responsible is, ask them to remove the content, except where the police are involved.
- The Highland Council Cyberbullying Support can request via the Internet Service Provider (ISP) that content be removed, except where police are involved.
- In school settings use disciplinary powers to impound phones that are being used for cyberbullying for investigative purposes.
- Any case, where a child may be at risk must be reported to the designated CP Officer, who will follow Highland CP guidelines.

- Staff who find it difficult, due to the nature of the incident, to report incidences of cyberbullying to their line manager should feel free to seek advice from appropriate agencies outside the establishment – their union, or professional association for example or the Teacher Support Network.
- Where the cyberbullying has serious consequences for individuals appropriate personal support, or information enabling them to access appropriate personal support will be provided.
- In some cases restorative interventions may be used to facilitate resolution of the incident.

6.3 Investigating incidents

- All bullying incidents should be properly recorded and investigated. Cyberbullying can be a very serious matter. Some aspects of conduct reported as cyberbullying may constitute a criminal offence in Scottish law.
- At school level the investigation process should follow the guidance provided in the Highland Anti-Bullying and Anti-Racism Guidelines and Procedures.
- Other ECS establishments must take steps to identify the bully, including looking at ICT systems, and by identifying / interviewing possible witnesses.
- Contact Highland Cyberbullying Support
- Contact the police if you think the incident is of a serious nature and may amount to a criminal offence.

7 Working with the person displaying bullying behaviour and sanctions

7.1 Once the person displaying bullying behaviour is identified, steps should be taken to change their attitude and behaviour as well as ensuring access to any support that is required. Factors to consider when determining the appropriate sanctions include:

- The impact on the person on the receiving end of bullying behaviour: was the person displaying the bullying behaviour acting anonymously, was the material widely circulated and humiliating, how difficult was controlling the spread of the material?
- The motivation: was the incident a case of 'not thinking' or retaliation to bullying behaviour from others or other factors?
- At school level sanctions agreed as per the Anti-Bullying and Anti-Racist Guidelines and Procedures including in the most serious cases exclusion even if the conduct took place outwith school can be applied.

KEY SAFETY ADVICE

Children and Young People

- Always respect others – be careful what you say online and what images you post and send.
- Think before you send – whatever you send can be made public very quickly and could stay online forever.
- Treat your password like your toothbrush – keep it to yourself. Only give your mobile number or personal website address to trusted friends. If you do sever relationships with trusted friends or partners, remember to change your passwords.
- Block the person displaying bullying behaviour – learn how to block or report someone who is behaving badly.
- Don't retaliate or reply!
- Save the evidence – learn how to keep records of offending messages, pictures or online conversations.

Make sure you tell:

- A Parent / Carer or an adult you trust, or call a helpline like ChildLine on 0800 1111 in confidence
- Your school – your Head Teacher or your guidance teacher.
- Outwith school - the appropriate member of staff.

Use the 'Report Abuse' button located on the 'thinkuknow' website or Highland Youth Voice website

Parents and carers

- Be aware, your child may as likely to cyberbully either intentionally or 'without thinking' as be a target of cyberbullying.
- Be alert to your child seeming upset after using the Internet or their mobile phone. This might involve subtle comments or changes in relationships with friends. They might be unwilling to talk or be secretive about their online activities and mobile phone use.
- Talk with your children and understand the ways in which they are using the Internet and their mobile phone.

- Use the tools available on the apparatus to turn on in-built Internet safety features.
- Remind your child not to retaliate.
- Keep the evidence of offending emails, text messages or online conversations.

For detailed advice for parents / carers look at the www.respectme.org.uk website.

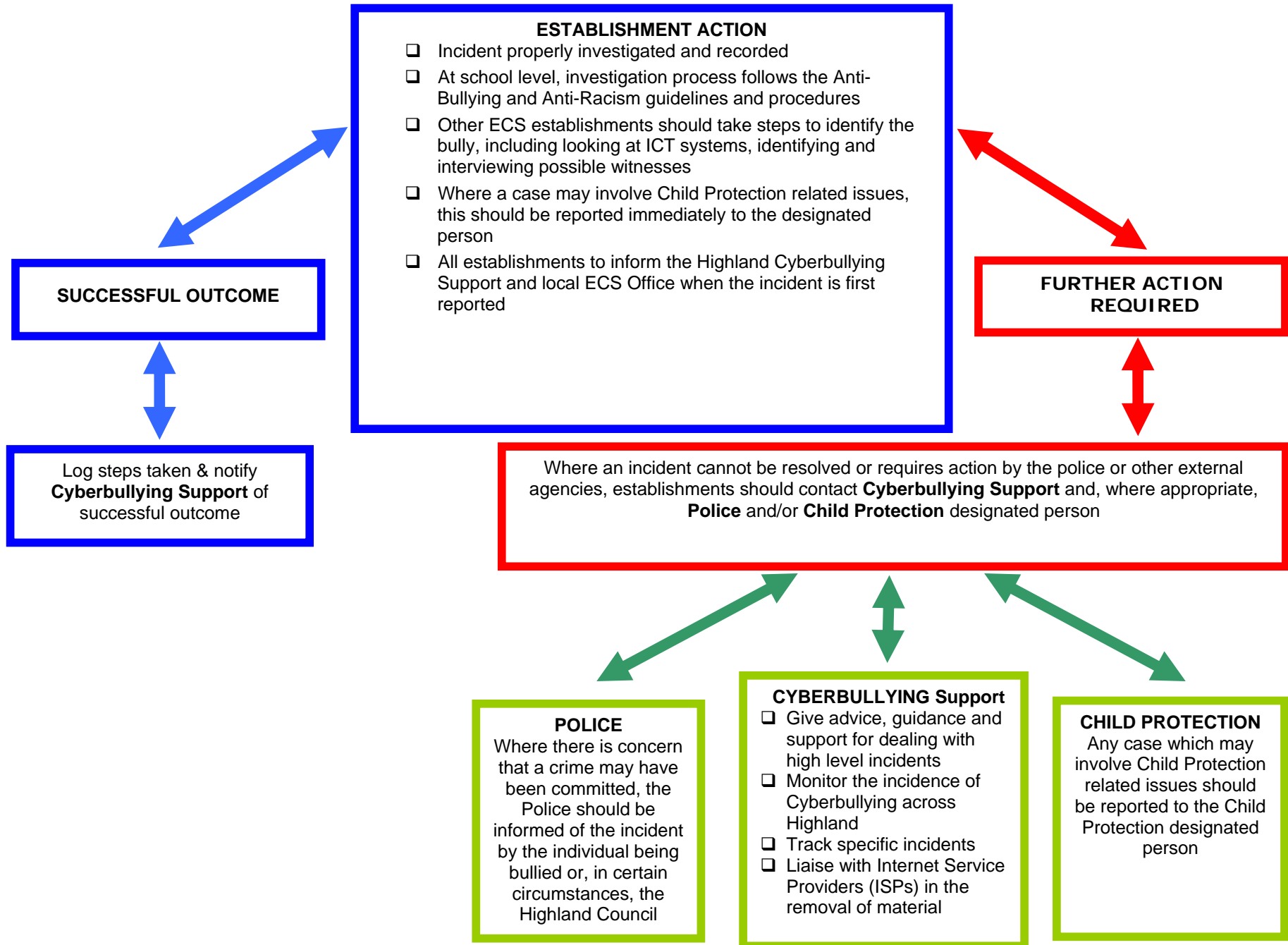
Report cyberbullying:

- Contact your child's school if it involves another pupil, so that they can take appropriate action.
- If the cyberbullying is of a serious nature and you believe that a potential criminal offence has been committed, you should consider contacting your local police office.
- Contact the service provider to remove material except where there is likely to be or is police involvement.

Staff

- Teachers should be aware of GTC Scotland's *Code of Professionalism and Conduct* which sets out the key principles and values for registered teachers in Scotland in relation to the judgements which they will be called upon to make in situations which may occur both within and outwith the classroom.
- Use privacy settings. Most social networking and photo-sharing sites allow you to determine who can access and respond to your content. If you're using a site that doesn't offer privacy settings, find another site.
- Use the privacy setting so that Internet search engines like Google do not gather your activities in social networking sites.
- Don't accept online friendship invites from young people who you may engage within a professional capacity.
- If you are on the receiving end of cyberbullying take action. If you find information about yourself online that is unflattering, embarrassing, or untrue, contact the web site owner or administrator and ask them to remove it. Most sites have policies to deal with such requests. Inform your HT immediately about any such issues.
- If the cyberbullying is of a serious nature and you believe that a potential criminal offence has been committed, you should consider contacting your local police office.
- Save the evidence. Keep records of offending messages, pictures or online conversations.

CYBERBULLYING INCIDENT



Key Resources

Further very helpful information is available through the following.

RESOURCES

www.highlandesafety.wordpress.com

www.respectme.org.uk