

Members' Library Service Request Form

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Originator	Jennifer Boyle
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Document Title	Respect for All - A Positive Approach to Preventing Bullying, December 2025 - Policy Update

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Education Committee

Additional information:

Authorised By	Nicola Mcdowell
Designation	Head of Education
Date	18/12/2025

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COMMITTEE:	Members' Library Service
MEETING DATE:	December 2025
BY:	Head of Education
REPORT TITLE:	Update to Policy – Respect for All: A Positive Approach to Prevent Bullying
REPORT STATUS:	Public

1 PURPOSE OF REPORT

- 1.1 To inform Members of the updates to the policy *Included, Engaged & Involved Respect for All: A Positive Approach to Prevent Bullying*, January 2022.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Note the changes to the policy and rationale for this.

3 BACKGROUND

- 3.1 In light of the United Nations Convention on the Rights of the Child (UNCRC) becoming part of Scots law through the UNCRC (Incorporation) (Scotland) Act 2024, this policy been reviewed and updated to ensure compliance with the new legal framework. This reflects our commitment to upholding children's rights.
- 3.2 The policy update demonstrates alignment to specific UNCRC articles and increased emphasis on the importance of meaningful collaboration with children and young people.
- 3.3 Updates reflect best practice across the local authority and reinforce our commitment to promoting, protecting, and fulfilling children's rights in all aspects of service delivery. By embedding a rights-based approach, the update underpins a consistent, child-centred policy that upholds the dignity and wellbeing of every child.

- 3.4 The updates align with national guidance and policy.

4 POLICY IMPLICATIONS

- 4.1 The updated policy has a stronger alignment with children’s rights, equity and UNCRC incorporation and as such reflects newer legislation and updates to the Getting it Right for Every Child (GIRFEC) Child Planning Framework.
- 4.2 The policy update has expanded the definition of bullying to include online bullying, intersectionality and mental health impacts. This has resulted in an associated reference to relevant supports.
- 4.3 The procedures for recording, monitoring and responding to bullying have been made clearer in the updated policy.
- 4.4 The updated policy has a stronger focus on data collection, evaluation of the impact of prevention and intervention strategies which is aligned to the National Improvement Framework and Scottish Attainment Challenge.
- 4.5 The updated policy is underpinned by Scottish Government guidance – Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People, update 2024.
- 4.6 The name of the policy will remain unchanged.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: None
- 5.2 Human Resources: None
- 5.3 Other (e.g. Legal/IT): None
- 5.4 Risk: None

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 **Select the statement that is appropriate to your report by placing an ‘X’ in the relevant box.**

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council’s role as a



corporate parent; or the storage/collection of personal data.

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

[Enter information on impacts that have been identified]

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

- 7.1 *Included, Engaged & Involved Respect for All: A Positive Approach to Prevent Bullying, January 2022.*
- 7.2 *Included, Engaged & Involved Respect for All: A Positive Approach to Prevent Bullying, December 2025.*

8 BACKGROUND PAPERS

- 8.1 None

9 AUTHOR AND APPROVAL DETAILS

Report Author(s)

Name	Jennnifer Boyle
Designation	Quality Improvement Manager for Equity & Inclusion
Tel/Email	jboyle@eastlothian.gov.uk
Date	11 December 2025

Head of Service Approval

Name	Nicola McDowell
Designation	Head of Education
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	Yes
Approval Date	11 December 2025

Respect for All

A Positive Approach to Preventing Bullying

POLICY: JANUARY 2022

Preface

Versions of this guidance can be supplied in Braille, large print, audiotape or your own language. Please phone the Public Information Officer on 01620 827199.

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1 Introduction

“Bullying is both behaviour and impact; the impact is on a person’s capacity to feel in control of themselves. This is what we term as their sense of ‘agency’. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face-to-face and online” (Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People, 2017)

East Lothian Council is committed to providing the best education service in Scotland driven by a relentless focus on inclusion, achievement, ambition and progress for all. We know that the most successful anti-bullying interventions are embedded within a positive ethos and inclusive culture rather than just focusing on individual incidents as and when they occur, and are committed to creating and sustaining a safe, positive and inclusive learning environment. All children, young people, staff, parents, carers and partners should feel welcomed and supported within a school which is inclusive and respectful for all.

It is important that schools develop a culture of co-operation between teachers, support staff, parents, carers, children and young people and the wider learning community. East Lothian Council’s aim is to create safe and secure environments where bullying is openly acknowledged, discussed and challenged as unacceptable behaviour, resulting in the reduction of incidents. The strengths and assets of children and young people should be recognised by staff, and an ethos of participation in decision making by young people should be seen as a core part of how the school is managed.

This commitment is consistent with every child and young person’s right to feel safe and to be listened to, as stated in the UN Convention on the Rights of the Child (UNCRC, 1989). It is informed by the Scottish Government’s policy as outlined in *Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People (2017)* which is supported by the work of **respectme**, Scotland’s national anti-bullying service. Further information regarding **respectme** can be accessed at <https://respectme.org.uk/>

In addition to ensuring this document is in line with National Policy, the views of children and young people, parents/carers and staff across East Lothian have been sought, throughout this policy’s development, to identify and act on key issues. This policy details the actions required by all learning establishments, and aspires to ensure the ongoing development of relational practices within East Lothian Council. It complements and is integrated within a suite of policies and guidance (see Appendix 1) which align with the local authority’s vision for all its children and young people – *Living and Learning in East Lothian*.

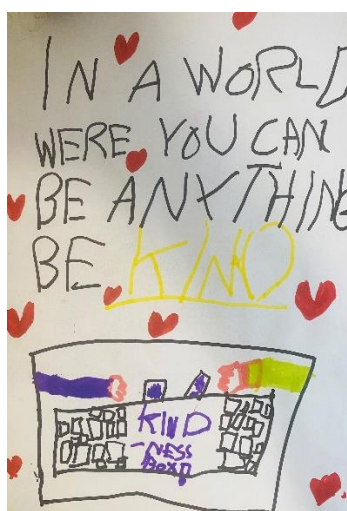
This policy will enable schools to support East Lothian Council's commitment by:

- Reducing and wherever possible, preventing the instances of bullying behaviour in all our educational establishments through evidence-based practice.
- Ensuring that all those who play a role in the lives of children and young people are enabled to promote positive relationships and respond effectively to all forms of bullying behaviour.
- Promoting inclusive practice through effective learning and teaching and a positive learning environment for all children and young people.
- Ensuring that the wellbeing of all our children and young people is integral to everything that we do.
- Embedding the rights and voices of children and young people, e.g.
Article 2: The convention applies to every child without discrimination, whatever their ethnicity, sex, religion, languages, abilities, or any other status.....
Article 28: Every child has the right to an education..... Discipline in schools must respect children's dignity and their rights.
- Ensuring electronic recording on SEEMiS Module (Bullying and Equalities section) is used to report and record all alleged bullying incidents. Children and young people can report incidents in the knowledge that they will be dealt with promptly and effectively.
- Actively seeking the involvement of children, young people, parents/carers and staff in the continuing development of social behaviour and emotional literacy which supports the growth of a positive ethos.
- Using information concerning bullying incidents to monitor, evaluate and report on the effectiveness of this policy.
- Ensuring compliance with all legislation which supports the holistic wellbeing and safety of all children and young people.

2 Key Principles

In response to the policy context and the priorities of National and Local Government, this policy is based on the following key principles:

- Everyone in a school or learning establishment should feel they are in a safe and nurturing environment. The UNICEF Rights Respecting Schools Award Programme (RRSA) supports this. All East Lothian schools are encouraged to be part of this.
- A consistent and well-maintained commitment to a whole school ethos of prevention, early intervention and support as the context for the promotion of positive relationships, learning and behaviour.
- All children and young people need to be included, engaged and involved in their learning.
- All parents and carers have the right to, and should be involved in, the support of the learning and wellbeing of their children and young people. Unless there is a legal reason for no involvement.
- All children and young people have the right to get the support they need to benefit fully from their education.
- All children and young people should have access to an environment that promotes respect, celebrates difference, and promotes positive relationships and behaviours.
- A commitment to the United Nations Convention on the Rights of the Child should be demonstrated and developed at all times.



Willow, S1, Ross High School

3 What is Bullying?

Bullying is both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. It affects families and relationships as well as a child or young person's education and participation. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour can happen face-to-face and/or online.

3.1 Prejudice-based Bullying

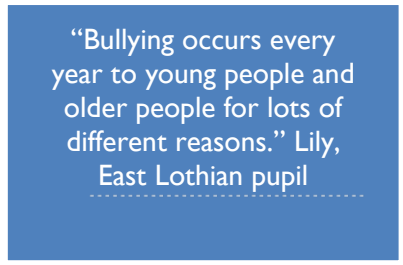
Under the Equality Act 2010, certain types of prejudiced behaviour and attitudes are deemed to be unlawful. Bullying behaviour may be a result of prejudice that relates to a perceived and/or actual difference. Prejudice-based bullying can be motivated by any characteristics unique to an individual's actual or perceived identity or circumstances. Examples of this could include their appearance, their sexual orientation, being care experienced, their additional support needs, their socio-economic background or being a young carer.

The Equality Act 2010 sets out that it is unlawful to discriminate against a person because of the following Protected Characteristics and no characteristic has more weight than any other. They are of equal importance and any prejudice-based bullying incidents should be treated with the same level of seriousness.

The Nine Protected Characteristics are:

1. Age
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Marriage and civil partnership
6. Race: this includes colour, ethnic/national origin or nationality
7. Sex
8. Religion or belief: The Act covers any religion, religious or non-religious beliefs
9. Sexual orientation

A child or young person can be bullied because of certain real or pre-judged circumstances over which they have no control. Steps must be taken to support their needs. This can take a number of forms including: adjusting their environment; their learning; offering emotional support; the teaching and learning of, and celebration of differences; the promotion of respect and positive relationships. This can all be done through a clear anti-bullying policy and information which is age appropriate to the learning establishment, as well as regular training for all adults who work with children and young people. Information should be available to parents/carers and the wider community.



“Bullying occurs every year to young people and older people for lots of different reasons.” Lily, East Lothian pupil

One example of policy and training can be found with the '*Addressing Inclusion - Effectively challenging Homophobia, Biphobia and Transphobia*' guidance. Homophobic, biphobic and

transphobic bullying is when a young person’s actual or perceived sexual orientation/transgender identity is used to exclude, threaten, hurt or humiliate them.

This guidance advises educational establishments on how to create inclusive learning environments through the use of appropriate language, the curriculum, knowledge and understanding of the values of inclusion and respect, and that these are applied to all learners and their families.

It supports the principles of the UNCRC and The Children & Young People (Scotland) Act 2014. Also, the Standards for Registration with the General Teaching Council in Scotland support and shows a clear commitment to respect for young people and to improving social justice.

3.2 Online Bullying

“Online bullying shouldn’t be treated differently. Online bullying, or ‘cyberbullying’ as it is often referred to, is the same type of bullying behaviour but it takes place online, usually on social networking sites and online gaming platforms. A person can be called names, threatened or have rumours spread about them and this can (like other behaviours) happen in person and online. Online is where the bullying is happening, it is not what is happening. We address online bullying effectively when we address it as part of our whole anti-bullying approach, not as a separate area of work or policy.” (respectme, 2016)

East Lothian Council recognises that digital technologies (such as smart phones, computers and tablets) and online applications (such as gaming and social networks) are constantly being developed. Therefore, the authority wants to see all appropriate policies and practice include advice on online bullying. East Lothian is committed to:

- Supporting children and young people to use electronic technology and the internet, safely and responsibly.
<https://www.gov.scot/publications/national-action-plan-internet-safety-children-young-people/pages/9/>
- Helping children and young people understand the implications and potential criminality of displaying bullying behaviour and/or images via social media or electronic communication.
- Providing training and support to children and young people on what to do if they experience bullying behaviour online. This is carried out via programmes on the safe and positive use of digital technologies in schools. Similar programmes are also available to parents in East Lothian. Is there a link or more information for this?
- Remaining up to date with the latest changes and trends of how digital technology is being used by children and young people, in order to be able to provide relevant support.
- Working with and supporting parents/carers to learn about, and have an understanding of the opportunities and risks which exist in the online world.

“I don’t think it’s just calling other people names and threats online that’s the problem. It could be sending links to inappropriate websites and pictures.” Struan, East Lothian pupil

4 Strategic Approaches for Developing Positive Relationships

East Lothian Council continues to invest significantly in a wide range of evidence-based approaches that focus on improving positive relationships. These include the development of whole school solution oriented approaches, restorative approaches and nurture approaches; and programmes aimed to develop social, emotional and behavioural skills.

4.1 Recognising and Realising Children's Rights

The United Nations Convention on the Rights of the Child (UNCRC) is a comprehensive and internationally binding agreement on the rights of children. It is based on equality, dignity, respect, non-discrimination and participation. <https://beta.gov.scot/publications/un-convention-rights-child-guide-children-young-people/>

A rights respecting school is an environment where children's rights are taught, observed, respected, protected and promoted. Our ambition is to ensure that every child and young person in our learning communities experiences this.

All of East Lothian's schools are being encouraged to register with of UNICEF's Rights Respecting School Award (RRSA) programme. <https://www.unicef.org.uk/rights-respecting-schools/>.

4.2 Seven Golden Rules for Participation

To ensure that we actively involve children and young people in the recording of and subsequent restorative conversations following a bullying incident, we should refer to the 7 Golden Rules for Participation which is a resource developed by The Children and Young People's Commissioner Scotland. They provide advice on how best to plan and deliver participation rights for children and young people. A core principle of the United Nations Convention on the Rights of Children is the ongoing information sharing and dialogue between children and young people, built on mutual respect where their views are taken into account and help shape processes.

Each East Lothian school has a set of 7 Golden Rules of Participation and they are encouraged to use them to facilitate engagement and discussion with learners. They are accessible at <https://www.cypcs.org.uk/ufiles/Golden-Rules-young-people.pdf>

“[The bully] might be doing it because they have something going on at home that they don't want other people to know about.” Ellie, East Lothian pupil

4.3 Nurturing Schools

*At the heart of nurture is a focus on wellbeing and relationships and a drive to support the growth and development of children and young people.
(Education Scotland, 2017)*

Nurturing approaches are underpinned by an understanding of attachment theory, which recognises the importance of early experiences in shaping children’s social, emotional and cognitive development (Golding et al, 2016). When children and young people experience consistent safety, security and comfort from key adults, they develop the skills and desire to explore their environment and engage in learning opportunities.

Children develop cognitive models of how relationships work (called internal working models) based on their earliest attachment experiences. Internal working models guide behaviour and development in all future relationships. They help children to evaluate, predict and choose (what they think are) appropriate behaviours based on their previous expectations. These models are not consciously available to the child – the child may not know that this is how they feel about themselves, the world and others but they demonstrate their experience through behaviours.

In addition to Education Scotland’s [Applying Nurture as a Whole School Approach](#) which provides a key framework to support schools to embed whole school nurture through a set of quality indicators and challenge questions, East Lothian’s Educational Psychology Service has produced their own suite of materials [Nurture, Recovery and Reconnection](#). These provide support to school staff and professionals. It also informs parents/carers, children and young people on the approach using the six nurture principles:



4.4 Restorative Approaches

‘Restorative Approaches have come to be used in education to mean restoring good relationships where there has been conflict or harm; and developing school ethos, policies and procedures that reduce the possibilities of such conflict and harm occurring.’

(McCluskey et al, 2011)

Restorative approaches are *values* led and *needs* based. They can be seen as part of a broader ethos or culture that identifies strong, respectful relationships and a cohesive community as the foundation on which good learning and teaching can take place. In such a community, the rights of children and young people are paramount, and they are given responsibility for decision-making in issues that affect their lives, their learning and their experience of school.

Restorative Approaches can be viewed as a whole school ethos and culture, underpinned by the following principles and values:

- Strong, mutually respectful relationships and a cohesive community provide the foundations for good learning and teaching
- Children and young people’s rights are paramount, and they should be involved in making decisions
- Children and young people change – and their behaviour can change
- The way adults work with and relate to children and young people can influence their thoughts, feelings, and actions
- Mistakes are an important learning tool
- All pupils should be viewed with positive regard – it’s the person that counts, not the behaviour.

4.5 Solution Oriented Approaches

If communities are genuinely involved in shaping solutions to their own problems, those solutions will be enduring and effective.

(Sir Harry Burns)

Solution oriented approaches provide staff with opportunities to explore aspects of their working environment and relationships within it, by visualising the desired outcome rather than focusing on the problem. When difficulties arise, solution oriented approaches enable an individual or group of people to identify the skills, strengths and resources that they already have which can help them to reach a solution.

The solution oriented approach can often be seen in other methodology widely used in schools, such as visual planning. It can be used as a framework for meetings including Child’s Planning Meetings; pre and post-exclusion meetings; and professional development reviews. Some schools use this

approach for discussions regarding distressed behaviour, describing the behaviour they would like to see (the outcome), rather than the distressed and challenging behaviour. This has been found to be a more facilitative and encouraging way to support successful change. It is also more in keeping with the maintenance of positive relationships between staff and learners.

Solution oriented approaches have been used in schools for a number of years with regards to supporting day-to-day practice and can also be used to support whole school strategic change. More recently, solution oriented practice has been used effectively to actively support positive relationships and culture at the classroom level. Within East Lothian's Children's Services, the Signs of Safety framework, to assess safeguarding and child protection issues, is based on a solution oriented approach.



Hamish, P5, Cockenzie Primary School

5 Our Responsibilities

Being able to recognise and meet the social and emotional needs of our children and young people is a core responsibility of all staff and a duty of care. It is vital that staff develop the necessary skills and approaches to support a child or young person who is vulnerable, at risk or distressed in some way, and appropriate professional development is essential for these interventions to be successful.

For further detail regarding this core responsibility, learning establishments should refer to the professional registration codes of practice:

- the GTCS Code of Professionalism and Conduct <https://www.gtcs.org.uk/professional-standards/Standard-full-registration.aspx> (for teachers)
- the SSSC Code of Practice <http://www.sssc.uk.com/> (for early years practitioners)

However, it should be noted that it is the responsibility of *all* to ensure that every child in East Lothian feels safe and secure. (See Appendix 5 for wider roles and responsibilities.)

5.1 Recording Bullying (including alleged) Incidents Using the Bullying & Equalities Module on SEEMiS

The recording and monitoring of bullying incidents within an educational establishment is essential and can provide valuable information on the scope and scale of the issue. This process is vital to be able to guide improvements in policy and practice, and inform anti-bullying interventions.

East Lothian Council uses the electronic system, SEEMiS Click & Go - *Recording and Monitoring Bullying Incidents in Schools*, to record all incidents of bullying. This now includes recording alleged incidents which should be investigated and concluded, even if unfounded.

Click & Go uses a step-by-step guide to record:

1. the children and young people involved, as well as staff or other adults
2. where and when the bullying has taken place
3. the type of bullying experienced e.g. name-calling, rumours, threats etc.
4. any underlying prejudice including details of any Protected Characteristic/s
5. the impact of the bullying incident, including consideration of personal or additional support needs and wellbeing concerns
6. actions taken including resolution at an individual or organisational level

It should be noted that this system is for recording and monitoring pupil-to-pupil and pupil-to-adult incidents only. Adult-to-adult and adult-to-pupil incidents can be logged on Sphera.

The recording of this data can help identify numeric trends, specific issues around equality and diversity, and other relevant data/patterns which may help schools and local authorities address bullying incidents efficiently. It can also help individual schools identify trends or patterns which could inform future planning. As part of their annual census, the Scottish Government may ask for data on bullying. (See Appendix 7 for further guidance on recording.)

5.2 Supporting Those Affected by Bullying Behaviour

It is important to consider the effect bullying behaviour may have on individuals and to offer support. Ways in which we can offer support in addition to continual improvement of the wider school ethos and following the 'Dealing with a Bullying Incident' flowchart (see Appendix 6) are detailed below:

We can support those affected by bullying behaviour/s by:	We can support alleged perpetrators of bullying behaviour/s by:
<p>Immediate acknowledgment of how they are feeling</p> <ul style="list-style-type: none"> • <i>Find a safe and quiet place to listen</i> • <i>Try to ensure there will be no interruptions</i> 	<p>Using active listening skills</p> <ul style="list-style-type: none"> • <i>Take time to uncover the bigger picture for the child/young person</i> <p>Addressing any potential prejudiced-based actions</p>

Using active listening skills

- *Acknowledge what has been happening and help them regain their sense of self, balance and control*

Involving the young person fully in any actions which will be taken

- *Gently suggest and offer ideas and strategies to support and resolve the situation*
- *Explore options – ask what they think would happen if you follow a certain course of action and explore alternatives*
- *Give the child/young person some control over the situation and involve them in the decision-making process*
- *Put an agreed support strategy in place*

- *Children/young people may not be aware of the impact of their behaviour and language, or of the Equality Act 2010*
- *Threatening or prejudice-based language or behaviour must always be challenged even if there is no impact on the person or group it is aimed at*

Clearly outlining why the behaviour described (if founded) was unacceptable

- *Help them to identify the feelings that may have caused them to act this way and explore more appropriate alternatives*

Supporting the child/young person to repair relationships

- *Model the language of restorative conversations and solution oriented approaches*
- *Discuss alternative ways to repair*
- *Consider the impact of the relationship if the alleged incident is found to be unsubstantiated*



Appendix 1: Relevant Legislation and National Guidance

[The Education \(Additional Support for Learning\) \(Scotland\) Act 2009 amendment](#)

[The Children \(Scotland\) Act 1995](#)

[The Standards in Scotland's Schools etc. \(Scotland\) Act 2000](#)

[The Education \(Disability Strategies and Pupil Records\) \(Scotland\) Act 2002](#)

[The Equality Act \(2010\)](#)

[The Children and Young People Act \(2014\)](#)

[The Carers \(Scotland\) Act 2016](#)

[The Education \(Scotland\) Act 1980](#)

[The Education \(Scotland\) Act 2016](#)

[Supporting Children's Learning: Code of Practice \(third edition\) 2017](#)

The National Guidance for Child Protection in Scotland (2014)

<https://www.gov.scot/publications/national-guidance-child-protection-scotland/>

The [National Improvement Framework for Scottish Education](#)

GTCS Standards for Registration <https://www.gtcs.org.uk/professional-standards/Standard-full-registration.aspx>

How Good Is Our School? 4

https://education.gov.scot/improvement/Documents/Frameworks_SelfEvaluation/FRWK2_NIHeditH_GIOS/FRWK2_HGIOS4.pdf

How Good is Our Early Learning and Childcare?

<https://education.gov.scot/improvement/Pages/frwk1hgioearlyyears.aspx>

We Can and Must Do Better

<http://www.wecanandmustdobetter.org/>

Building the Ambition

<https://education.gov.scot/improvement/Pages/elc1buildingtheambition.aspx>

United Nations Convention on the Rights of a Child

<https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

Scottish Government National Approach to Anti-bullying

<http://www.gov.scot/Publications/2010/11/12120420/0>

Curriculum for Excellence

[https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-\(building-from-the-statement-appendix-incl-btc1-5\)/What%20is%20Curriculum%20for%20Excellence](https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-(building-from-the-statement-appendix-incl-btc1-5)/What%20is%20Curriculum%20for%20Excellence)

Included Engaged and Involved Part 2 2017
<http://www.gov.scot/Publications/2017/06/8877>

Respectme: Scotland's Anti-bullying Service offers information and advice to children and young people, professionals and parent/carers <http://respectme.org.uk/>

Appendix 2: Relevant East Lothian Council Policy and Guidance

- Child's Planning Framework guidance (2020)
- Included, Engaged & Involved: Identifying, Assessing and Providing for Additional Support Needs of Children and Young People (2018)
- Included, Engaged and Involved: A Positive Approach to Preventing and Managing School Exclusions (2018)
- Included, Engaged and Involved: Managing Distressed and Challenging Behaviour (2018)
- Included, Engaged and Involved: Safeguarding Policy (2018)
- Included, Engaged & Involved: Inclusion, Equality and Accessibility for All (2020)
- Attendance policy (due 2021)
- Nurture, Recovery and Reconnection (2020)

Appendix 3: Examples of Reasons for Bullying (as listed in alphabetical order on SEEMiS Bullying & Equalities Module)

Actual or perceived sexual orientation (e.g. homophobic, bi-phobic)
Additional Support Needs
Asylum seekers or refugee status
Body Image and Physical appearance
Disability
Gender identity or Trans identity
Gypsy/travellers
Care Experienced
Marriage/civil partnership of parents/carers or other family members
Mental Health
Pregnancy and maternity
Race and racism including culture
Religion or belief
Sectarianism
Sexism and gender
Socio-economic prejudice
Young Carer
Not known
Other: please specify

Appendix 4: Protected Characteristics

The Equality Act 2010 sets out that it is unlawful to discriminate against a person because of the following personal characteristics –

10. Age *
11. Disability
12. Gender reassignment
13. Pregnancy and maternity
14. Marriage and civil partnership *
15. Race: this includes colour, ethnic/national origin or nationality.
16. Sex
17. Religion or belief. The Act covers any religion, religious or non-religious beliefs
18. Sexual orientation

*Not relevant to school settings.

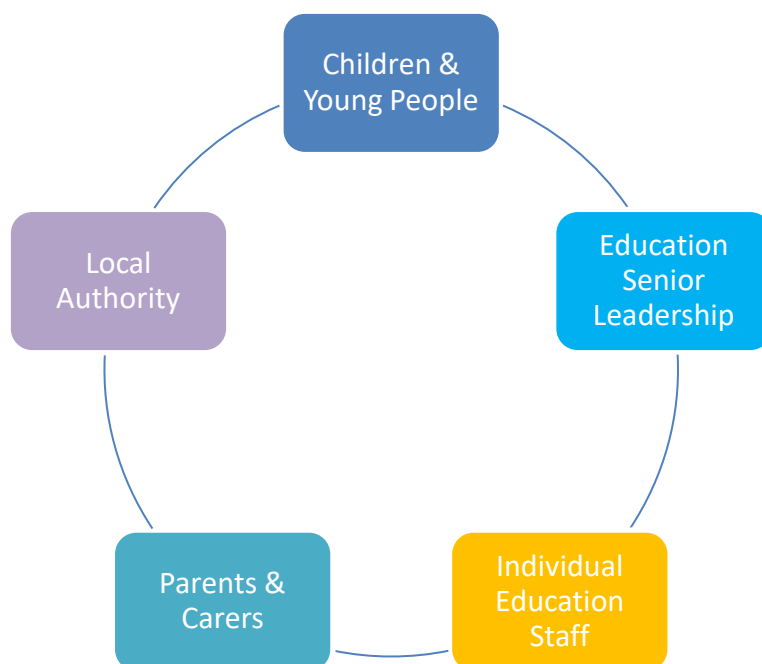
Respectme.org.uk describes prejudice-based bullying as follows (some details have been summarised):

Additional Support Needs (ASN)	ASN can be short or long term. They can arise from the learning environment, health or disability, family circumstances, social or emotional factors. Bullying itself can lead to a child or young person having an ASN.
Age (PC)	Unwanted behaviours towards a child or young person (or adult) which has the purpose or effect of violating their dignity or intimidating them. It can lead to their environment becoming hostile, degrading, humiliating or offensive for the person.
Asylum Seekers and Refugees	A child or young person whose family are asylum seekers or refugees may be at greater risk of bullying behaviours both directly and indirectly. The stigma due to lack of knowledge and understanding of the child, young person or family or a reluctance to burden their parents with extra worries, can allow bullying to go undetected and become ongoing.
Body Image and Physical appearance	Body image can be hugely important to children and young people. This is an easy target for bullying behaviours and can have a serious effect on young people's wellbeing.
Disability (PC)	A child or young person who is disabled can be an easy target for bullying behaviours as they are perceived to be less able to defend themselves and/or less able to tell an adult about it. The bullying is likely to focus on their particular disability.
Gypsy/Travellers	This group of children and young people are often discriminated against and marginalised by other children or young people particularly in secondary schools. As a result and due to their parents' own experience, many young travellers do not enrol or exit early from formal education.
Gender Identity and Transphobic Bullying	The term 'transgender' is an 'umbrella term' for those whose 'gender identity' or expression differs in some way from the gender that was assigned to them at birth. Gender identity

	<p>reflects an individual's internal sense of self as being male, female, or an identity between or outside the two.</p> <p>Transgender people face significant social prejudice and bullying because they do not conform to gender stereotypes, expectations and norms. Transgender children and young people are particularly vulnerable to bullying behaviours. This can result in homophobic name calling or deliberately 'mis-gendering' them. Children and young people whose parent or relative is transgender are also vulnerable to bullying.</p>
Intersectionality	<p>A lack of understanding of differences and unequal social and economic outcomes based on interactions between race, class, gender, sexual orientation, disability, age and ethnicity can lead to children and young people being bullied, as well as inequality in attainment and wellbeing.</p>
Care experienced Children and Young People	<p>Children and young people who are care experienced at home or accommodated are more vulnerable to bullying. They may have moved school often because of care placements which then creates challenges in forming peer friendships and relationships with adults due to earlier adversities.</p>
Marriage/Civil Partnership (PC)	<p>Although this might not affect children and young children directly, marriage and civil partnership discrimination and prejudice can affect family in a variety of other settings, for example, in workplaces, further and higher education and in wider society.</p>
Racism & Race (PC)	<p>Children and young people from minority ethnic groups often experience bullying behaviour based on perceived differences in dress, communication, appearance, beliefs and/or culture as well as their skin colour and accent. The status of the ethnic group a child belongs to (or people assume they belong to) in a school, community or organisation can often lead to a child or young person experiencing bullying behaviour. This can arise from a misguided and/or learned belief that they are less valued and 'deserve' to be treated differently, or with less respect.</p>
Religion and Belief (PC)	<p>Lack of knowledge and understanding about the traditions, beliefs and etiquette of different faiths can lead to religious intolerance. Lack of awareness about the differences in practices of religions such as prayer times, dietary requirements, fasting and the wearing of religious clothing or articles of faith can result in misunderstandings and stereotyping, which may lead to bullying behaviour. People who have no religion or belief are also protected under the Equality Act.</p>
Sectarianism	<p>Sectarianism is sometimes associated with religion. Family background, the football team supported, the community lived in, the school attended and even the colour of clothing can mark a child or young person out for sectarian abuse - whatever their beliefs. In Scotland, sectarianism is most often related to Protestant and Roman Catholic divisions within Christianity but can also relate to other religions, for example Sunni and Shia Muslims within Islam, and Orthodox and Reform Jews within Judaism.</p>
Sexism and Gender	<p>Derogatory language and the spreading of malicious rumours can be used to regulate children and young people's behaviour</p>

	<p>e.g. suggesting that they are not being a real man or a real woman. These terms can be of an explicit sexual nature and can involve using terms for people who are gay and lesbian as a negative towards a person's masculinity or femininity. Sexism and gender stereotypes feed into homophobia, biphobia and transphobia. Gender stereotyping, based on the notion of acceptable and unacceptable male and female behaviour, can leave children and young people, who are not perceived to conform to these notions, vulnerable to indirect and direct bullying behaviour.</p> <p>Personality traits that do not fit into the unwritten rules of 'appropriate' male and female behaviour can lead to bullying behaviour because of their perceived difference.</p>
<p>Sexual Orientation & Homophobic, Biphobic and Transphobic Bullying (PC)</p>	<p>This is motivated by a prejudice against lesbian, gay or bisexual (LGBT) people. It is commonly referred to as 'homophobic bullying' and takes place when a child or young person's actual or perceived sexual orientation is used to exclude, threaten, hurt or humiliate them.</p> <p>Any young person can be homophobic bullied whether they are LGBT or not. It could be because they have a family member or friend, or because they seem different or not conforming to traditional gender stereotypes. Transgender children and young people can also experience homophobic bullying.</p>
<p>Young Carers</p>	<p>The lives of young carers can be significantly affected by their responsibility to care for a family member who has a physical illness or disability, mental health problem, sensory or learning disability or issues with the misuse of drugs or alcohol. Young carers are at risk of bullying behaviour for a variety of reasons. Depending on responsibilities at home, they may find themselves being unable to fully participate in school or after-school activities or 'fun stuff'. This can make it difficult for them to form relationships; it can hinder successful transitions or lead to educational difficulties.</p>
<p>Socio-economic Prejudice</p>	<p>Bullying behaviour due to socio-economic status can take place in any community. Small differences in perceived family income/family living arrangements/social circumstances or values can be used as a basis for bullying behaviours. These behaviours, such as mocking speech patterns, accents, belongings and clothing, etc. can become widespread through those considering themselves to be in the dominant social economic group. Bullying behaviour towards children who endure parental substance misuse can also be prevalent.</p>

Appendix 5: Roles and Responsibilities



Responsibilities for Key Stakeholders	Local Authority	Education Senior Leadership	Individual Education Staff	Children & Young People	Parents & Carers
Listen to concerns and explore thoughts and feelings.	x	x	x	x	x
Embed this policy through training and monitoring.	x	x			
Consult with stakeholders about the effectiveness and further development of the policy.	x				
Share good practice.	x	x			
Ensure initial training for Senior Leadership.	x	x			
Provide advice to Senior Leadership.	x	x			
Work with partner agencies to support the prevention and reduction of bullying behaviour and prejudice-based bullying.	x	x	x		
Provide clear guidelines on recording and reporting of incidents.	x				
Regularly review the policy to take into account new developments in	x	x			

technology or legislation at a minimum of every 3 years.					
Ensure the policy is implemented and is communicated to all staff, students, parents/carers and partners.	x	x			
Ensure the policy is embedded and reviewed in the School Improvement Plan and is linked with targets for the school's Health and Wellbeing framework.		x			
Ensure staff development activities are available.	x	x			
Ensure staff are fully aware of the importance of the policy and create a climate of respect and positive relationships and a culture where bullying behaviour is not accepted.		x			
Ensure bullying incidents are recorded and monitored in line with council policy.		x	x		
Provide appropriate training and support on anti-bullying to all staff, students, parents/carers and partners.	x	x	x		
Contribute to a positive school ethos through modelling appropriate behaviour (online and offline) and actively supporting and celebrating diversity.		x	x	x	
Be aware of the policy and understand the procedures for managing incidents and supporting and managing children and young people who have been involved in bullying incidents.		x	x		
Keep relevant colleagues informed of significant information concerning individual pupils as appropriate.		x	x		
Deal promptly and effectively with all allegations of bullying.		x	x		
Promote digital citizenship and the appropriate, responsible and positive use of digital technologies as an integral part of maintaining positive relationships.		x	x		

Self-evaluate practice in relation to the anti-bullying policy within the Professional Review and Development process.		x	x		
Communicate with parents/carers promptly where possible and appropriate.		x	x		
Through the curriculum and related activities, build the capacity of children and young people to understand and challenge bullying behaviour.		x	x		
Continue to learn about and develop positive relationships and attitudes and challenge bullying behaviour and prejudice-based bullying if they feel able to do so.				x	
Tell a trusted person if they have any worries about bullying behaviour.				x	
Keep themselves and others safe with the support of adults if needed.				x	
Actively engage in learning about bullying behaviour and prejudice-based bullying and consider the role they can play in preventing it and supporting those who may be impacted by it.				x	x
Engage in safe, responsible use of social media and digital technologies such as smart phones, computers and tablets to build a clear understanding of how we should act online.				x	x
Continue to promote and model positive social skills and emotional literacy for their children and young people.		x	x		x
Encourage and model safe and responsible use of social media and digital technologies such as smart phones, computers and tablets.			x		x

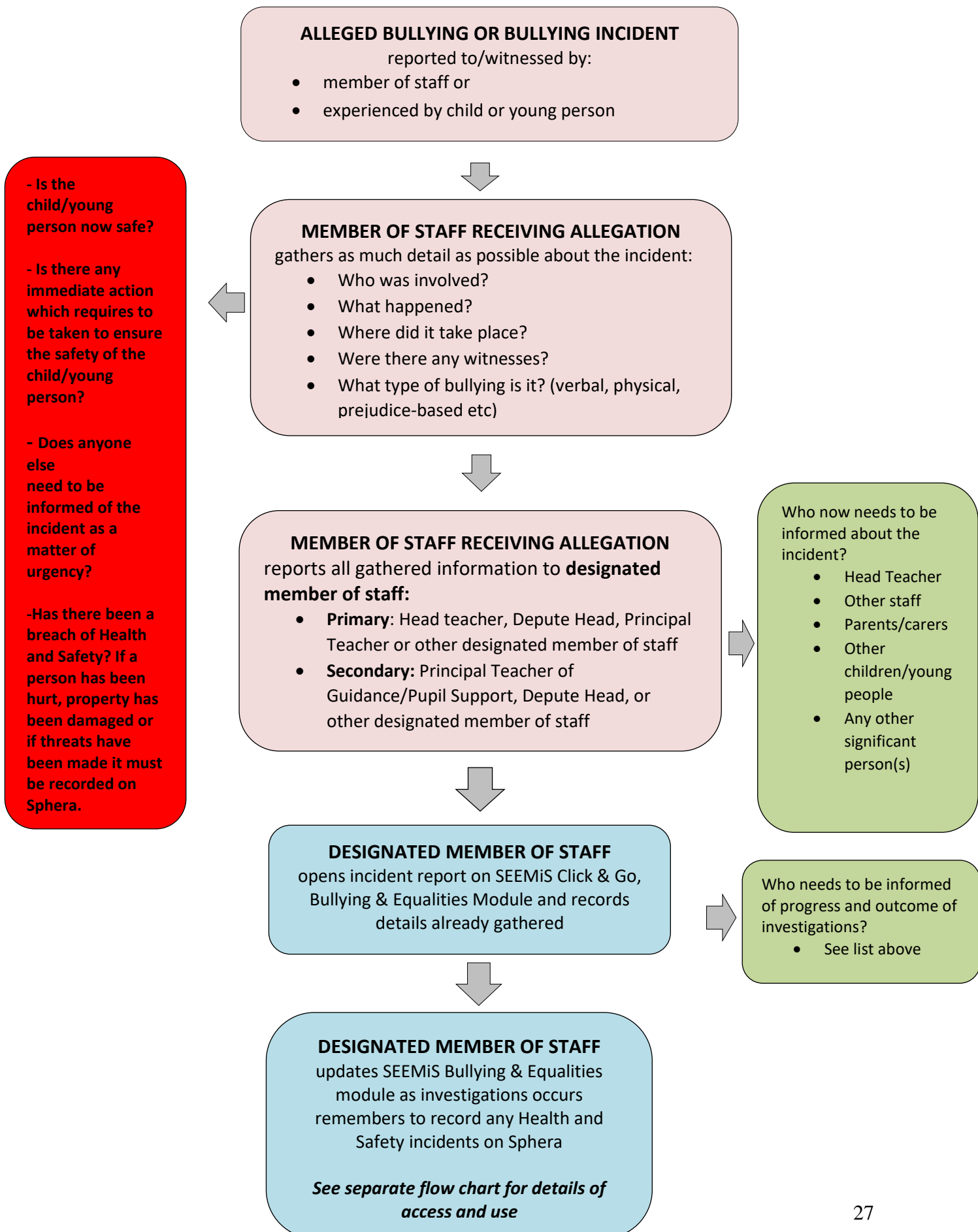
Communicate respectfully any concerns to relevant staff.					x
Work in partnership with other stakeholders to implement policy.	x	x			x

Appendix 6: Temporary Exclusion

In rare cases we recognise that it might be necessary to temporarily exclude a child or young person in order to facilitate effective planning and restorative practice. Please note that this should not be utilised as a punitive measure but as a way to allow for multi-agency reflection and planning.

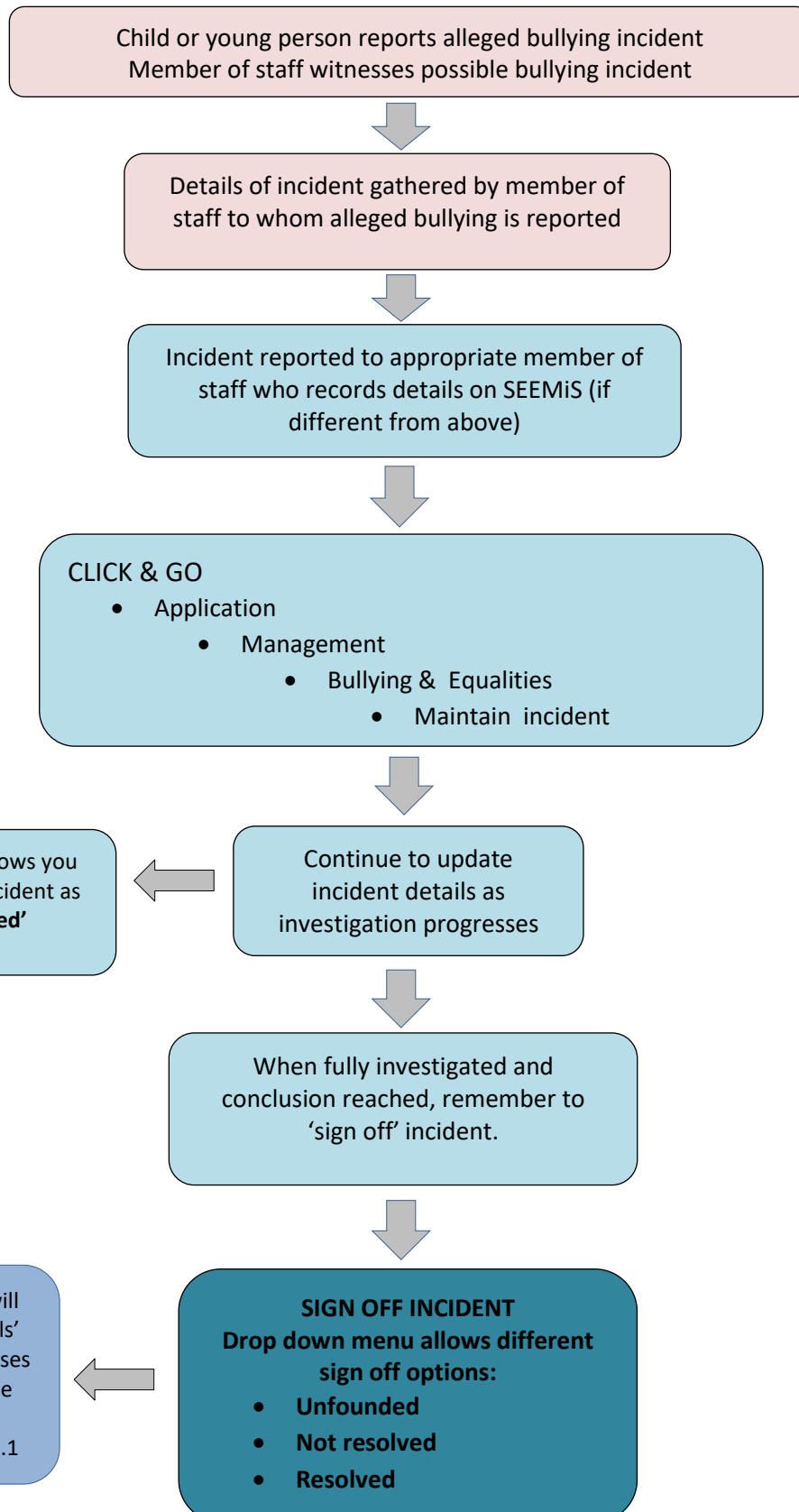
For further guidance on the ELC exclusion policy please see *Included, Engaged & Involved; A Positive Approach to Preventing and Managing School Exclusions*.

Appendix 7: Flowchart for Dealing with a Bullying Incident



Appendix 8: Using SEEMiS Click & Go Recording & Monitoring Bullying Flowchart

PLEASE REFER TO SHORT TRAINING VIDEO IF REQUIRED
CLICK & GO OPENING PAGE/SEEMIS HELP PAGES/LOG IN DETAILS



Appendix 9: Additional Guidance and References

Developing a positive whole-school ethos and culture – Relationships, Learning and Behaviour (2018)

<https://www.gov.scot/publications/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/>

Toolkit for Teachers: Dealing with Homophobia and Homophobic Bullying Behaviour in Scottish Schools <https://www.lgbtyouth.org.uk/files/documents/Toolkitforteachers.pdf>

Guidance on developing policies to promote the safe and responsible use of mobile technology in school <http://www.gov.scot/Resource/0043/00438214.pdf>

Advice on keeping children and young people safe online <https://www.internetmatters.org>

Digital Parenting Magazine <https://parentzone.org.uk/Digital-Parenting-Magazine-order-here>

Guide to internet safety for children and young people <https://www.thinkuknow.co.uk>

Addressing Inclusion: Effectively challenging homophobia, biphobia and transphobia <https://www.education.gov.scot/nih/Documents/inc65AddressingInclusion.pdf>

Appendix 9: Useful Organisations

respectme

<http://respectme.org.uk/>

0844 800 8600

Childline

<https://childline.org.uk>

0800 1111

LGBT Youth Scotland

<https://www.lgbtyouth.org.uk>

National Society for the Prevention of Cruelty to Children

<https://www.nspcc.org.uk/>

Respect for All

East Lothian Council's Approach to Anti-Bullying

POLICY: December 2025

Versions of this publication can be provided in Braille, large print, audiotape, or your own language.

For assistance please call: **01620 827 827**

British Sign Language (BSL) users can contact us via **www.contactscotland-bsl.org**

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Introduction

Across East Lothian we are ambitious for our children and young people and working together, we will support them to be confident, resilient and to achieve within their schools and wider communities. Working in partnership with Children's Services, we aim to ensure everything we do starts with the child and family and builds the right support and services around them.

Working together, we:

- share common values, approaches, behaviour and a strong commitment to do the very best for East Lothian's children and young people*
- are ambitious for our children and young people*
- promote and prioritise early intervention and prevention*
- take a relationship-based approach with each other, our children, young people and their families promote creativity and innovation*
- want East Lothian to be an inclusive place to live and learn.*

Education Progress and Improvement Plan

Bullying is not a normal part of growing up and East Lothian Council believe that children and young people have the right to be protected, supported and respected.

Bullying is never acceptable as is a violation of rights set out in the UN Convention on the Rights of the Child, notably Articles:



East Lothian Council has a relentless focus on Inclusion, Achievement, Ambition and Progress for All and work together to Get it Right for Every Child and to ensure that all our children and young people are Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included.

East Lothian Council's approaches ensure that we support our children and young people to have the very best start in life and that they can go on to have fulfilling lives, better health and living longer.

Sections Overview:

Section 1: [Legislation, Policy and East Lothian's Approach](#)

Section 2: [Understanding Bullying And Its Impacts](#)

Section 3: [What Is Not Bullying?](#)

Section 4: [Developing School Guidance.](#)

Section 5: [Implementing School Guidance.](#)

Section 6: [Training Resources and Support](#)

Section 7: [Appendices](#)

Use of terminology

Parent

Throughout this policy the term parent(s) will be used to apply to anyone with parental rights and responsibility, those providing a foster or residential placement, or the local authority where full parental responsibility rests with them as corporate parents. In the case of care experienced children and young people and those in kinship care, this is also taken to mean 'carer'.

Child

Statutory guidance which supports the Children and Young People (Scotland) Act 2014, includes all children and young people up to the age of 18

Eligible child: a child in school education who has attained the age of 12 but not 16 and who has been assessed as having capacity (sufficient maturity and understanding) to exercise their rights under the Act, and that the education authority

(or Tribunal) considers the wellbeing of the child would not be adversely affected by the child exercising their rights.
See chapter 10

Young Person

A person who is aged 16 years or over, who is a pupil at a school, and has, since attaining the age of 16 years or over, remained a pupil at that or another school

Consent and information/data sharing

When referring to consent or data sharing within this document, the following should be considered.

Any disclosure of information must be in accordance with the law on data protection, human rights, confidentiality and other relevant law.

Children have specific rights to own their own data from age 12. There may be specific circumstances, however, such as ensuring the safety of a child or young person or a Child Protection responsibility that overbalances an instruction made by the child. The specific situation must be considered carefully to ensure that any decision taken does not act incompatibly with the child or young person's rights.

In the event of a request for information, check:

- Who is asking for information?
- What information are they asking for?
- Do they have the basic right to that information?
- Is that right currently modified by a court or Children's Hearing system?
- What is the data subject's (the pupil's) view (essential in over 12s, very important in those younger)?
- Are there any other rights holders who will be impacted by this request?
- Are there any safety concerns?

1

Section One:

Legislation, Policy and East Lothian's Approach

Legislation and Policy

The legislative and policy landscape includes, but is not limited to, the following:

International Conventions and Goals

- The *United Nations Convention on the Rights of the Child (UNCRC)* was incorporated into Scots Law, effective from July 16, 2024. The rights within the Convention apply to everyone under 18 in Scotland. The UNCRC covers all aspects of children's lives, including civil, political, economic, and cultural rights.

Legislation

- The *Equality Act (2010)* simplified and strengthened previous protections for children and young people with 'protected characteristics' (e.g. age, race, disability and sexual orientation) from discrimination. This strengthened inclusion in education, including school trips and activities, for all children and young people regardless of their additional support needs or disability.
- The *Education (Disability Strategies and Educational Records) (Scotland) Act 2002* requires schools to make reasonable adjustments for the needs of disabled children and ensure they must not discriminate against disabled children. The Education Authority must prepare and implement an accessibility strategy to increase the access of its disabled pupils to the curriculum, extra-curricular activities, to school buildings and to information.
- The *Children (Scotland) Act 1995* represented a fundamental shift in emphasis from parents having rights over children to the principle that parents have responsibilities towards their children. The Act also made it essential that local authorities, NHS Health Boards and all professionals and agencies work in collaboration to provide integrated services for children and families.

School Education

- The *Education (Additional Support for Learning) (Scotland) Act 2004* (and subsequent amendment in 2009) outlines the concept of additional support needs and the functions and duties that are placed on education authorities to identify and support those needs.
- *Early Learning and Childcare Statutory Guidance (July 2021)* issued under section 34 of the Standards in Scotland's Schools Act 2000 (the 2000 Act) which empowers Scottish Ministers to issue guidance to education authorities on the exercise of their functions in relation to the delivery of early learning and childcare.
- Under the *Education (Scotland) Act 1980* education authorities must provide adequate and efficient school education for children of school age within their area. The *Standards in Scotland's Schools etc. (Scotland) Act*

2000 requires education authorities to provide education for all children and young people in mainstream schools, except under certain circumstances. In addition, it placed a new duty: to secure that the education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential and to involve them in decisions, which will affect them significantly.

- *The Education (Scotland) Act 2016*. The Act extends certain rights to certain children (referred to as “eligible children” in this Code), in relation to any support needs they may have in order to make the most of their learning while at school. The 2016 Act also amends section 70 of the Education (Scotland) Act 1980 to ensure that there is a clear process for parents to make complaints to the Scottish Ministers. Parents, under the 1980 Act, must ensure that their children of school age receive adequate education.
- *The Scottish Schools (Parental Involvement) Act 2006* places duties on Scottish Ministers, local authorities and Head Teachers in relation to the provision of information to, and the involvement of, parents in their child’s education

Other Legislation

- “The *Children and Young People Act (2014)* is a key part of the Scottish Government’s strategy for making Scotland the best place in the world for children to grow up. It made several changes to the law covering lots of different areas. These include changes to early learning and childcare, and extra support for looked after children and care leavers. It also puts responsibilities on Scottish Ministers and public bodies to consider how they can promote children’s rights.”¹
- The *Carers (Scotland) Act 2016* (implemented in April 2018) states that each Local Authority has a duty to prepare an overarching young carer statement plus prepare for each young carer an individual statement which identifies personal outcomes, identified needs and any support to be provided to meet those needs.
- *Schools (Health Promotion and Nutrition) Act (Scotland) 2007* amended the Education (Scotland) Act 1980 and the Standards in Scotland’s Schools etc. Act 2000 to place a number of duties on education authorities including ensuring that schools are health promoting. This includes promoting physical, social, mental and emotional wellbeing by supporting children and young people to make positive lifestyle choices in relation to their health and wellbeing. Bullying, whether linked to prejudicial attitudes or not, can sometimes create additional support needs for children and young people. There is specific legislation in this area in the *Education (Additional Support for Learning) (Scotland) Act 2004* (as amended)
- *Health and Social Care Standards (2017)* The Standards direct attention to the child’s experience.

Policy and Practice Guidelines

- *Supporting Children’s Learning: Code of Practice (third edition) 2017* explains the duties placed on Education Authorities and other agencies to support children and young people’s learning. It provides guidance on the ASL

¹ <https://enquire.org.uk/links/children-young-people-scotland-act-2014/>

Act's provisions as well as on the supporting framework of secondary legislation.

- *Curriculum for Excellence* aims to provide a coherent, flexible curriculum for all children and young people aged 3-18 years. The curriculum comprises of the totality of experiences which are planned for children and young people wherever they are being educated. Entitlement includes: a coherent curriculum from 3-18 years; a broad general education until S3; a senior phase after S3 and personal support to enable them to gain as much as possible from the curriculum and support in moving into a positive and sustained destination beyond school.
- *Realising the Ambition: Being Me–National practice guidance for early years in Scotland (February 2020)* This guidance increases expectations of high quality but still provides the necessary support for all who work within the sector and beyond.
- The *National Improvement Framework* for Scottish Education sets out the Scottish Government's vision and priorities for our children and young people's progress in learning. The Framework, part of the Education (Scotland) Act 2016, is key in driving work to continually improve Scottish education and close the attainment gap, delivering both excellence and equity.²

Education authorities need to:

- Make provision that is directed toward the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential;³
- Have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities, prevent discrimination against children and young people with disabilities and make reasonable adjustments for individual children and young people to ensure equality of opportunity in learning. The technical guidance for Schools in Scotland provides guidance on the requirements under the Equality Act 2010;^{4 5}
- Plan for accessibility of the curriculum, school information and physical access;⁶

² References to Legislation, Policy and Practice Guidelines adapted from 'Supporting Children's Learning: Statutory Guidance on the Education (Additional Support for Learning) Scotland Act 2004 (as amended) Code of Practice (Third Edition) 2017'

³ Standards in Scotland's Schools etc. Act 2000

⁴ Equality Act 2010

⁵ Technical guidance for Schools in Scotland

⁶ Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002

- Identify and provide the support required to enable individual children and young people to overcome barriers to their learning, including looked after children and young people⁷
- Consider the wellbeing of children and young people.⁸⁹

The legal framework and policy landscape specific to preventing and responding to bullying.

There are a number of legal obligations on East Lothian Council and schools that must be considered as part of our approach to preventing and responding to bullying.

Legal framework:

The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 (the “UNCRC Act”)

Following the introduction of the UNCRC Act, it is now unlawful for a public authority in Scotland, which is likely to include education authorities and some schools, to act (or fail to act) in connection with a relevant function, in a way which is incompatible with the UNCRC requirements. Although there is not an express right not to be bullied within the UNCRC, a number of rights are upheld through the furtherance of anti-bullying work. This includes the right of every child to live free from violence, abuse, and neglect, which includes protection from violence committed by other children, and places emphasis on their rights to education, health, and participation in decisions affecting their lives. Grounding anti-bullying efforts in this framework of rights ensures a holistic approach that respects and protects the dignity and wellbeing of every child, and reinforces the importance of creating safe, inclusive, and supportive environments where children can thrive. The UNCRC requirements as incorporated by the UNCRC Act, should be considered by all public authorities in Scotland who are carrying out a relevant function, as set out in the Act. However, public authorities are encouraged to take a children’s rights approach regardless of the legal source of their duties. The UK has been a signatory to the UNCRC since 1991 and regardless of the scope of the legal duties in the UNCRC Act, the UNCRC is at the heart of GIRFEC and the Scottish Government’s commitment to ensuring that all children and young people have the best possible start in life.

Schools and education authorities should avoid basing policies on a single UNCRC article without considering broader implications. The UNCRC supports taking effective action against bullying to protect children’s health and safety, and education authorities should take all appropriate measures to protect children from violence, including peer violence.

Equality Act 2010

The Equality Act 2010 protects individuals with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) from discrimination,

⁷ Education (Additional Support for Learning) (Scotland) Act 2004 (as amended)

⁸ Children and Young People (Scotland) Act 2014

⁹ Guidance on the presumption to provide education in a mainstream setting, March 2019, Scottish Government

victimisation and harassment and supports progress on equality. The Equality and Human Rights Commission has published guidance on the Equality Act 2010. Discussion of the applicability of the Equality Act 2010 in relation to prejudiced-based bullying is contained at Appendix 2.

Online bullying

There are various legal provisions designed to protect individuals from online harassment, abuse, and harm. Some online behaviour may be illegal under the following legislation:

1. **The Equality Act 2010**: this Act prohibits discrimination, harassment, and victimisation based on protected characteristics, such as race, disability, and sexual orientation, which can encompass certain forms of online bullying.
2. **The Communications Act 2003**: Section 127 of this Act makes it an offence to send grossly offensive, obscene, or menacing messages through public electronic communications networks.
3. **The Malicious Communications Act 1988**: this Act covers the sending of letters or other articles with the intent to cause distress or anxiety, including online communications.
4. **The Protection from Harassment Act 1997**: this Act provides protection against a course of conduct amounting to harassment, which can include repeated online bullying incidents.
5. **The Defamation and Malicious Publication (Scotland) Act 2021**: this Act modernises the law on defamation, allowing individuals to seek redress for harm caused by false and damaging online statements.
6. **The Abusive Behaviour and Sexual Harm (Scotland) Act 2016**:¹⁰ criminalises the nonconsensual sharing of intimate images.
7. **The Online Safety Act 2023**: creates a number of new offences, including encouraging or assisting serious self-harm, cyberflashing, sending false information intended to cause non-trivial harm, threatening communications, intimate image abuse.

These legal provisions can empower parents, children and young people, schools, authorities, and Police Scotland to take action against online bullying. Understanding that these laws exist can help adults working with, or caring for, children and young people to recognise when behaviour crosses legal boundaries and to take appropriate steps to protect them.

Legislation relevant to aspects of online safety, including the safe and responsible use of mobile phones, can be found in Appendix C5 of the Scottish version of the online safety policy tool for schools, 360 Degree Safe Scotland. The 360 Degree Safe Scotland self review tool is free to use and is intended to help schools review their online safety policy and practice.

¹⁰ [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#)

Hate crime

Hate crime is the term used to describe behaviour which is both criminal and rooted in prejudice or which is intended (or can be considered) to stir up hatred. In Scotland, the **Hate Crime and Public Order (Scotland) Act 2021** criminalises behaviour based on prejudice towards those with the following characteristics:

- age
- disability
- race
- religion
- sexual orientation
- transgender identity
- variations in sex characteristics.

Where bullying occurs that is also linked to prejudice towards one of the above groups, this could also constitute a hate crime, under certain circumstances based on conduct and motivation.

Bullying can be motivated by prejudice similar to hate crime. The distinction between bullying and hate crime is that the behaviour motivated in prejudice must be criminal in nature, such as assault, graffiti or a breach of the peace. For example, damage to property through graffiti may constitute a crime and this may be aggravated by prejudice towards a relevant characteristic. Sharing of discriminatory materials may, in some cases, constitute an offence of stirring up hatred.

The [Lord Advocate](#) has issued guidelines about which category of offence will be reported to the Procurator Fiscal for consideration of prosecution. Children and young people who do not lie within these guidelines may be referred to the Children's Reporter or made subject to police direct measures, depending on the circumstances. The Procurator Fiscal and the Children's Reporter discuss cases which are subject to joint referral and the Procurator Fiscal will decide where the case is best dealt with.

Age of Criminal Responsibility

Some behaviour displayed by a child or young person may constitute a criminal offence. School staff should have a awareness of the **Age of Criminal Responsibility (Scotland) Act 2019 which increased the age at which a child is considered to have the capacity to commit a crime from age 8 to 12**. This means that children younger than 12 cannot accrue convictions or criminal records. The 2019 Act removes the ability to refer a child to a children's hearing on offence grounds and makes it possible to only refer a child under 12 to a children's hearing on welfare and protection grounds. It provides specific investigatory powers for the police, to enable incidents of seriously harmful behaviour by under-12s to be investigated.¹¹

¹¹ [Information note on hate crime](#)

Key Principles

In response to the policy context and the priorities of National and Local Government, this guidance is based on the following key principles:

- Everyone in a school or learning establishment should feel they are in a safe and nurturing environment. All East Lothian schools are within a Rights Respecting recognition and award process.
- A consistent and well-maintained commitment to a whole school ethos of prevention, early intervention and support as the context for the promotion of positive relationships, learning and behaviour.
- All children and young people need to be included, engaged and involved in their learning.
- All parents and carers have the right to, and should be involved in, the support of the learning and wellbeing of their children and young people unless there is a legal reason for no involvement.
- All children and young people have the right to get the support they need to benefit fully from their education.
- All children and young people should have access to an environment that promotes respect, celebrates difference, and promotes positive relationships and behaviours.
- A commitment to the United Nations Convention on the Rights of the Child should be demonstrated and developed at all times.

Legal status of guidance

This framework is non-statutory and is designed to assist East Lothian schools and organisations in making decisions relating to bullying.

This framework is not prescriptive, and each situation should be assessed on a case-by-case basis. Schools are responsible for ensuring that their context specific guidelines, practices and information take full account of the relevant legal requirements as set out in Section 1

Additionally, there is a broader policy landscape that underpins the duty of all organisations working with children and young people to prevent and respond to bullying. Many practitioners are also governed by a set of professional standards. These are set out in Section 2 and Appendix ii

2

Section Two: Understanding Bullying And Its Impacts

Preventing and Reducing

This section provides further details to support understanding of bullying behaviour and how in East Lothian we aim to reduce and prevent instances of bullying through an authority wide approach which is underpinned by the values of **Leading, Enabling** and **Caring**. In line with these East Lothian Council’s values, [the East Lothian Way](#) and our commitment to upholding children’s rights we recognise that **bullying is never acceptable**.

Definition of Bullying

East Lothian has adopted the National definition of bullying, (as updated October 2024).

“Bullying is face-to-face and/or online behaviour which impacts on a person’s sense of physical and emotional safety, their capacity to feel in control of their life and their ability to respond effectively to the situation they are in.

“The behaviour does not need to be repeated, or intended to cause harm, for it to have an impact. Bullying behaviour can be physical, emotional or verbal and can cause people to feel hurt, threatened, frightened and left out.”

Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

- ‘This behaviour can harm people mentally, emotionally, socially and physically.
- The actual behaviour (for example, actions, looks, messages, confrontations or physical interventions) does not always need to be repeated for it to have an ongoing impact. The fear of behaviour reoccurring may have a lasting impact.
- Bullying is more likely to take place in the context of an existing imbalanced relationship but may also occur where no previous or current relationship exists.
- Bullying may be carried out by an individual or can sometimes involve a group of people.

Bullying behaviour can include the following.

- Being called names, teased, put down or threatened (face to face and/or online).
- Being hit, tripped, pushed or kicked¹².
- Having belongings taken or damaged.

¹² Further discussion of physical behaviour is contained at Section 3.

- Being ignored, left out or having rumours spread about you (face-to-face and/or online).
- Sending abusive messages, pictures or images on social media, online gaming platforms or phones/tablets.
- Behaviour which makes people feel like they are not in control of themselves or their lives (face-to-face and/or online).
- Being targeted because of who you are or who you are perceived to be (face to face and/or online)
- Increasing the reach and impact of bullying or prejudice through the recruitment and/ or involvement of a wider group.¹³

Power Imbalances And Prejudices Underpinning Bullying

‘Whilst there can be a number of factors which create aspects of difference amongst children and young people – for example, popularity, physicality or economic advantage¹⁴ – these systemic, societal and structural inequalities often support unequal relationships that can generate and intensify bullying behaviours, making certain groups more vulnerable.

Such structural inequalities can manifest themselves in prejudice-based bullying.¹⁵

Note: Not all incidents where prejudice-based behaviour occurs will be bullying incidents; further details of behaviour which is not bullying can be found in Section 3

Under the Equality Act 2010, certain types of prejudiced behaviour and attitudes are deemed to be unlawful. Bullying behaviour may be a result of prejudice that relates to a perceived and/or actual difference. Prejudice-based bullying can be motivated by any characteristics unique to an individual’s actual or perceived identity or circumstances. Prejudice is escalatory by nature and can be both targeted and non-targeted. Examples of this could include appearance, sexual orientation, being care experienced, additional support needs, socio-economic background or being a young carer.

The Equality Act 2010 sets out that it is unlawful to discriminate against a person because of the following Protected Characteristics and no characteristic has more weight than any other. They are of equal importance and any prejudice-based bullying incidents should be treated with the same level of seriousness.

The equality obligations placed on education authorities and some schools are outlined in [Section 1](#).

¹³ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

¹⁴ Report on the 7th Annual Child and Family Poverty Surveys 2023 Karen McFarlane | October 2023

¹⁵ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024 page 8&9

The Nine Protected Characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership
- Race: this includes colour, ethnic/national origin or nationality
- Sex
- Religion or belief: The Act covers any religion, religious or non-religious beliefs
- Sexual orientation

A child or young person can be bullied because of certain real or pre-judged circumstances over which they have no control.

Steps must be taken to support their needs. This can take several forms including adjusting their environment, their learning; offering emotional support; the teaching and learning of, and celebration of differences; the promotion of respect and positive relationships. This can all be done through clear anti-bullying guidance and information which is age appropriate to the school, as well as regular training for all adults who work with children and young people. Information should be available to parents and the wider community.

This guidance provides information about responding to different form of prejudice based incident and bullying behaviour.

Other sources of information and support can be found here.

[Section Six: Support for Schools](#)

One example of policy and training can be found with the '*Addressing Inclusion - Effectively challenging Homophobia, Biphobia and Transphobia*' guidance. Homophobic, biphobic and transphobic bullying is when a young person's actual or perceived sexual orientation/transgender identity is used to exclude, threaten, hurt or humiliate them.

This guidance advises schools on how to create inclusive learning environments through the use of appropriate language, the curriculum, knowledge and understanding of the values of inclusion and respect, and that these are applied to all learners and their families.

It supports the principles of the UNCRC and The Children & Young People (Scotland) Act 2014. Also, the Standards for Registration with the General Teaching Council in Scotland support and shows a clear commitment to respect for young people and to improving social justice.

Intersectionality and prejudice-based bullying

Intersectionality recognises that peoples' identities are multifaceted and that overlapping aspects—such as **race, gender, disability, socioeconomic status, sexual orientation, religion**, and more— interact to create unique identities and experiences for individual children and young people.

It is important to recognise that a child or young person who is affected by more than one inequality or discrimination may experience bullying behaviours which are the result of multiple prejudices. This must be considered when school staff are responding to bullying behaviour.

Further information of prejudice can be found on page 10 of [Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024](#) including internalised and intergroup prejudice.

The Digital World: Online Bullying

“Online bullying shouldn’t be treated differently. Online bullying, or ‘cyberbullying’ as it is often referred to, is the same type of bullying behaviour but it takes place online, usually on social networking sites and online gaming platforms. A person can be called names, threatened or have rumours spread about them and this can (like other behaviours) happen in person and online. Online is where the bullying is happening, it is not what is happening. We address online bullying effectively when we address it as part of our whole anti-bullying approach, not as a separate area of work or policy.” (respectme, 2016)

As in every bullying incident, online bullying should be considered through the lens of relationships. It is not solely a technology issue and due to evolving technologies not only are some bullying behaviours such as threats or spreading rumours experienced online but other online-specific ones such as non-consensual image sharing, transient messaging and fake accounts.

These also require careful, informed responses.¹⁶

¹⁶ Some behaviours, when conducted online, may constitute criminal offences; information on the legal framework can be found at [Section 1: Online Bullying](#)

East Lothian Council is committed to supporting children and young people to use electronic technology and the internet, safely and responsibly by:

CYP	Schools	Parents
<p>Curriculum: Learning pathways, Curriculum for Excellence, ELC Curricular frameworks e.g.</p> <ul style="list-style-type: none"> • Relationships: Sexual Health and Parenthood Pathway • Technologies: Digital Literacy: Cyber Resilience and internet safety <p>To support children and young people by raising awareness, developing knowledge and skills required for a range of experiences e.g. <i>understand the implications and potential criminality of displaying bullying behaviour and/or images via social media or electronic communication, consent, seeking help/reporting inappropriate content etc.</i></p>	<p>To provide appropriate support undertaking relevant professional learning in order to be aware of latest changes and trends of how digital technology is being used by children and young people.</p>	<p>Working with and supporting parents to learn about and have an understanding of the opportunities and risks which exist in the online world. e.g. Signposting to appropriate supports and sources of reputable advice.</p>

Bullying, Mental Health And Trauma

Consequences of bullying for children and young people are well documented. In addition, children and young people can be exposed to experiences which impacts on the likelihood of them displaying or experiencing bullying behaviour. ([Adverse Childhood Experiences](#), ACEs)

‘Trauma leaves a lasting, harmful impact on how individuals perceive themselves and the world, making it crucial to respond to trauma in anti-bullying efforts. Creating inclusive environments helps practitioners understand and address the external stressors that can lead to bullying, enabling proactive prevention and effective responses.’¹⁷

East Lothian Council staff should therefore adopt trauma informed practice.

“A trauma-informed recovery-oriented approach is person centred and involves sensitivity to individuals’ particular needs, preferences, safety, vulnerabilities and wellbeing, recognises lived experience and empowers people with lived experience to genuinely participate in decision-making.”¹⁸

Principles Of Trauma Informed Practice

- Safety;
- Choice;
- Collaboration;
- Trust;
- Empowerment and
- Cultural consideration¹⁹

The principles of trauma informed practice align with GIRFEC, the Code of Practice and the UNCRC and should be adopted in response to all interactions.

Further supports and information can be accessed via [East Lothian Council’s Mental Health and Wellbeing](#) information point.

It has specific sections for children, young people, parents and school staff.

It provides information, support and guidance on topics such as anxiety, anger, self-harm, low mood, suicidal ideation etc.

¹⁷ Page 16 of Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

¹⁸Mental Health Coordinating Council 2022, Recovery Oriented Language Guide: Third Edition, Sydney, Australia.

https://mhcc.org.au/wp-content/uploads/2019/08/Recovery-Oriented-Language-Guide_2019ed_v1_20190809-Web.pdf

¹⁹ Further exemplification of each of the principles: <https://www.gov.uk/government/publications/working-definition-of-trauma-informed-practice/working-definition-of-trauma-informed-practice>

East Lothian’s Approach: Inclusive Environments, Prevention and Response

East Lothian Council is committed to providing the best education service in Scotland driven by a relentless focus on inclusion, achievement, ambition and progress for all. The most successful anti-bullying interventions are embedded within a positive ethos and inclusive culture rather than just focusing on individual incidents as and when they occur, and are committed to creating and sustaining a safe, positive and inclusive learning environment.

All children, young people, staff, parents and partners should feel welcomed and supported within a school which is inclusive and respectful of all.

Schools should continue to develop a culture of collaboration between school staff, parents, children and young people and the wider learning community.

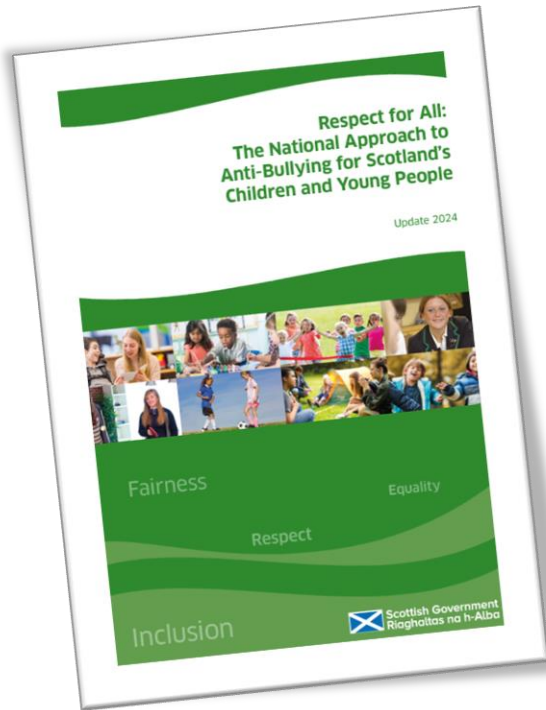
East Lothian Council’s aim is to create **safe and secure environments** where **bullying is openly acknowledged, discussed and challenged as unacceptable behaviour**, resulting in the reduction of incidents. All schools should promote an ethos of participation in decision making by children and young people and build on their strengths and assets.

This commitment is consistent with every child and young person’s right to feel safe and to be listened to, as stated in the UN Convention on the Rights of the Child (UNCRC, 1989). It is informed by the Scottish Government’s policy as outlined in *Respect for All: The National Approach to Anti Bullying for Scotland’s Children and Young People (2017)* which is supported by the work of **respectme**²⁰, Scotland’s national anti-bullying service.

This guidance details the actions required by all schools and Early Learning and Childcare settings and aspires to build on relational practices within East Lothian Council and to support all sectors and communities to ‘consistently and coherently contributing to a holistic approach to anti-bullying, including prejudice-based bullying.’²¹ It complements and is integrated within a suite of policies and guidance ([see Section 1](#)) which align with the local authority’s vision for all its children and young people – *Living and Learning in East Lothian*.

²⁰ Link to [respectme](#) website.

²¹ *Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024*



It is essential that [Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024](#) should be read alongside this guidance, as it provides further detail and exemplification of specific topics. Doing so will support a deeper understanding of the overall approach and the roles of stakeholders in preventing and responding to bullying in a sensitive and appropriate manner.

National Guidance Vision and East Lothian Council's approach

National Guidance ²² Vision	This guidance will enable schools to support East Lothian Council's commitment by:
Every child and young person in Scotland will grow up free from bullying and will develop respectful, responsible and confident relationships with other children, young people and adults.	<ul style="list-style-type: none"> • Ensuring that the wellbeing of all our children and young people is integral to everything that we do. • Actively seeking the involvement of children, young people, parents/carers and staff in the continuing development of prosocial behaviour and emotional literacy which supports the growth of a positive ethos. • Promoting inclusive practice through effective learning and teaching and a positive learning environment for all children and young people. • Reducing and, wherever possible, preventing the instances of bullying behaviour in all our educational establishments through evidence-based practice.
Children and young people and their parent(s), will have the skills and knowledge to prevent and/or respond appropriately to bullying.	<ul style="list-style-type: none"> • Ensuring that all those who play a role in the lives of children and young people are enabled to promote positive relationships to prevent bullying behaviour, and to respond effectively to all forms of bullying behaviour.
Every child and young person who requires help will know who can help them and what support is available.	<ul style="list-style-type: none"> • Providing children and young people with safe, simple and clearly publicised pathways to report. Children and young people know that schools will aim to provide a prompt and effective response. • Embedding the rights and voices of children and young people, e.g. <ul style="list-style-type: none"> ○ <i>Article 2: The convention applies to every child without discrimination, whatever their ethnicity, sex, religion, languages, abilities, or any other status.</i> ○ <i>Article 28: Every child has the right to an education..... Discipline in schools must respect children's dignity and their rights.</i>
Adults working with, or caring for, children and young people will follow a consistent and coherent approach in preventing and responding to bullying from Early Learning and Childcare onwards.	<ul style="list-style-type: none"> • Implementing this guidance (and where developed, their school specific response.) • Ensuring electronic recording on SEEMiS Module (Bullying and Equalities module) is used to report and record all alleged bullying incidents. • Undertaking quality assurance processes which makes effective use of the data to monitor, evaluate, respond and report • Ensuring compliance with all legislation which supports the holistic wellbeing and safety of all children and young people.

²² Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024

Culture and Ethos

The Importance Of Relationships



Deeply rooted in our values of Enabling, Leading and Caring is the fundamental importance East Lothian Council places on positive relationships.

“Relationships are simply the interactions and connections between people.

Positive relationships support:

- everyone in the learning community - learners, parents, and staff
- behaviour, wellbeing, attendance, inclusion, achievement and attainment, equity, equality and rights resilience and the ability to deal with difficulties.”²³

‘Creating an inclusive, safe culture and ethos where the promotion of respectful relationships, development of the skills required to repair relationships where appropriate, and assurance of a meaningful response to all forms of prejudice will help drive a climate where bullying cannot thrive.’²⁴

All East Lothian schools should implement ‘Included, Engaged and Involved 3: Promoting positive relationships and a rights-based approach to ensure safe and consistent environments for all.’ And have a (or be in the process of creating,) a school-specific Promoting Positive Relationships Practice Statement.

HM Inspectors identify five practices that contribute to creating an inclusive, safe and consistent learning environment. One of them is:

‘Whole-school universal measures and targeted approaches help to prevent bullying.’

²³ [Education Scotland: Guidance for developing a Local Relationships and Behaviour Policy](#)

²⁴ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

Recognising and Realising Children’s Rights

The **United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024** was incorporated into Scots Law, effective from July 16, 2024. The rights within the Convention apply to everyone under 18 in Scotland. The UNCRC covers all aspects of children’s lives, including civil, political, economic, and cultural rights.

As Duty Bearers, all adults have a responsibility to ensure that The UNCRC informs every aspect of East Lothian’s approach.

All rights apply without discrimination of any kind.

All East Lothian schools should be in the process of accreditation/recognition for the rights respecting work being undertaken.

Bullying is a violation of children’s rights and is incompatible with the **United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024**



All responses developed and agreed should be rights-based, fair, respectful and align with East Lothian’s principles of equality and inclusion.

Nurture	Wellbeing	Inclusion
<ul style="list-style-type: none"> • We recognise the importance of early relationships. • We believe that everyone should be valued, respected and heard. • We model and promote positive relationships through a balance of care and challenge, • Focus on achievement and attainment. • It is the responsibility of all to understand and develop nurturing and restorative approaches. • We use nurture and restorative approaches to build and maintain positive relationships and repair harm. 	<ul style="list-style-type: none"> • We respect the rights of children and young people • We support and value the wellbeing of everyone in the school community. • We respond to wellbeing needs through assessment and planning. • We promote resilience. • We work proactively and collaboratively to ensure appropriate safeguarding and child protection measures. 	<ul style="list-style-type: none"> • It is the responsibility of all to respect and celebrate diversity and difference. • We foster a sense of belonging and safety. • We ensure presence, participation, achievement and support for all learners. • We ensure learners who may be most at risk are carefully monitored and given the support they need.

Tools To Support Meaningful Collaboration



A core principle of the United Nations Convention on the Rights of Children is the ongoing information sharing and dialogue between children and young people, built on mutual respect where their views are considered, help shape processes and inform next steps/actions when it affects them.

We must ensure that we actively involve children and young people in aspects of what is recorded²⁵ of and subsequent restorative conversations following a bullying incident.

A range of tools are available to facilitate ways in which the views and experiences of children and young people are listened to, recorded and acted upon.

[Documents to gather views](#)

A collection of documents suitable for a range of ages and stages to support effective participation.

[7 Golden Rules for Participation](#)

East Lothian schools are encouraged to follow the 7 Golden Rules for Participation, to facilitate engagement and discussion with learners.

Appropriate support should be given to all children who need it to communicate, and specific arrangements made for children and young people with complex needs.

In seeking and taking account of children and young person's views the Act does not require parental consent. See Section 1.5.1 for guidance on determining a child's capacity to exercise the right they are intending to use.

East Lothian Council must consider the views of the child but does not have to consent to and implement everything a child or young person asks for.²⁶

²⁵ See [Responding and Recording to Bullying Incident](#)

²⁶ *Supporting Children's Learning: Statutory Guidance on the Education (Additional Support for Learning) Scotland Act 2004 (as amended) Code of Practice (Third Edition) 2017 Chapter 7 Section 16*

Applying Nurture Principles



Positive relationships and a nurturing approach are at the heart of our core values, vision and ethos. They are the hallmark of engagement within our communities and crucial for learning and wellbeing.

- We recognise the importance of childhood experiences in shaping future outcomes.
- We believe that everyone should be valued, respected and heard.
- We model and promote positive relationships through a balance of care and challenge, with focus on achievement and attainment.
- It is the responsibility of all to understand and develop nurturing and restorative approaches.
- We understand that whole school nurture is characterised by the combination of high expectation and attuned support (sensitive, empathic and responsive support).

We know that good teaching and learning begins with positive relationships.

Relationships fulfil our most fundamental needs as humans – social connectedness.

A nurturing approach recognises that positive relationships are central to both learning and wellbeing.

In addition to Education Scotland's [Applying Nurture as a Whole School Approach](#) which provides a key framework to support schools to embed whole school nurture through a set of quality indicators and challenge questions, East Lothian's Educational Psychology Service has produced their own suite of materials [Nurture, Recovery and Reconnection](#).

These provide support to school staff and professionals. It also informs parents, children and young people on the approach using the six nurture principles:



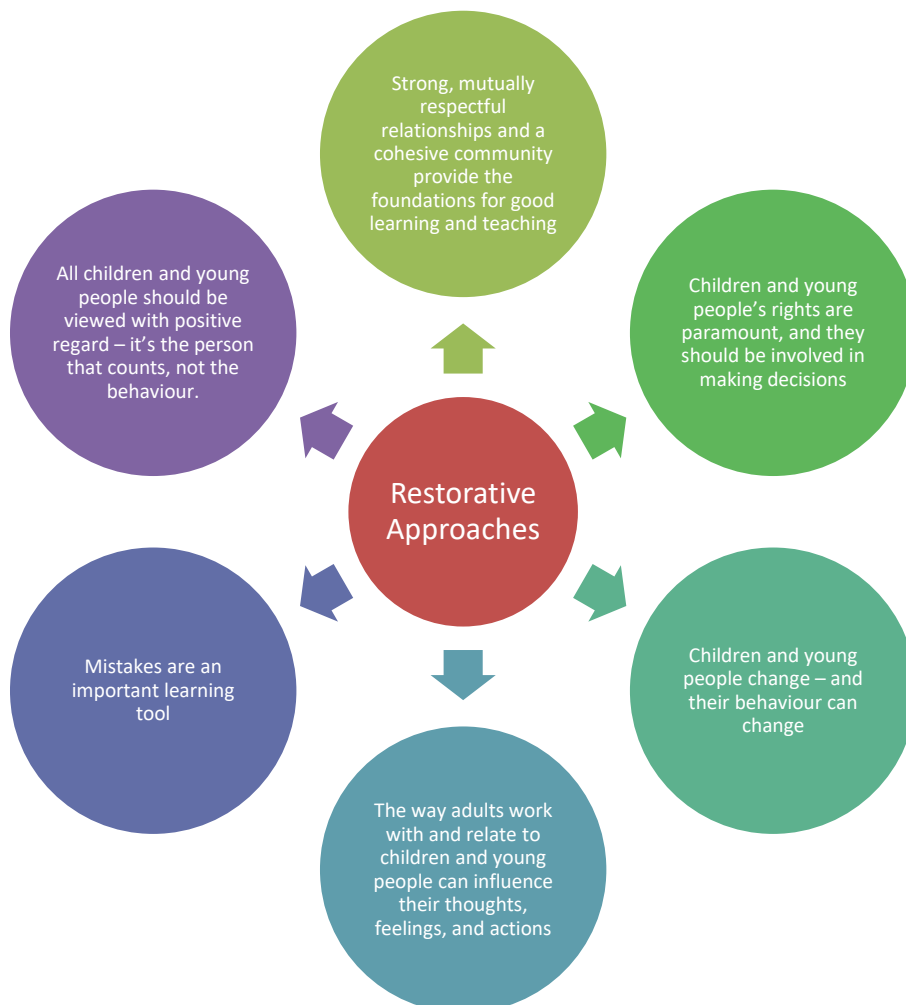
Restorative Approaches

'Restorative Approaches have come to be used in education to mean restoring good relationships where there has been conflict or harm; and developing school ethos, policies and procedures that reduce the possibilities of such conflict and harm occurring.'

(McCluskey et al, 2011)

Restorative approaches are values led, and needs based. They can be seen as part of a broader ethos or culture that identifies strong, respectful relationships and a cohesive community as the foundation on which good learning and teaching can take place. In such a community, the rights of children and young people are paramount, and they are given responsibility for decision-making in issues that affect their lives, their learning and their experience of school.

Restorative Approaches can be viewed as a whole-school ethos and culture, underpinned by the following principles and values:



Solution Oriented Approaches

If communities are genuinely involved in shaping solutions to their own problems, those solutions will be enduring and effective.

(Sir Harry Burns)

Solution-oriented approaches explore an aspect and relationships, by visualising the desired outcome rather than focusing on the problem. When difficulties arise, solution-oriented approaches enable an individual or group of people to identify the skills, strengths and resources that they already have which can help them to reach a solution.

The solution-oriented approach can often be seen in other methodology widely used in schools, such as visual planning. It facilitates and encourages successful change and supports positive relationships between staff and learners.

Professional Responsibilities

It is the responsibility of *all* to ensure that every child in East Lothian feels safe and secure.

All East Lothian Council staff have a duty of care to recognise and meet the social and emotional needs of our children and young people. It is vital that staff develop the necessary skills and approaches to support a child or young person who is vulnerable, at risk or distressed in some way, and appropriate professional development is essential for these interventions to be successful.

See [Appendix ii Roles and Expectations](#) for greater detail of wider roles and responsibilities.

Section 3: What is not bullying?

Educational institutions and organisations routinely manage a broad spectrum of behaviours. While some of these may be reported or perceived by children, young people, or their families as bullying, it is essential to acknowledge that not all such behaviours constitute bullying, nor should they necessarily be addressed as such.

School staff should ensure that all incidents are considered within the context and on a case-by-case basis. Professional judgement is required to identify the 'the nuanced differences between types of behaviour.'²⁷



Note: When alleged bullying has been reported the process detailed in [Section 5: Responding to Bullying](#) must be completed. Therefore the decision that the alleged bullying is/is not bullying should only be made on completion of **Stage 3: Investigate**. This ensures that all alleged bullying is recorded, and that due process has been followed.

Distinguishing Bullying From Interpersonal Conflict

It is essential to support children and young people in articulating their emotions and developing the social and communication skills necessary to navigate relationships effectively. Disagreements and fall outs are a natural part of forming and maintaining relationships and, in most cases, should not be classified as bullying. These interactions are considered a normal aspect of growing up.

²⁷ Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024 p13

A clear distinction can often be made between conflict and bullying by examining the nature of the relationships and the dynamics involved e.g.

Conflict	Bullying
<p>Typically arises within healthy, balanced relationships and is often characterised by a mutual desire to resolve the issue and preserve the connection.</p> <p>In such cases, at least one party usually seeks to repair the relationship and restore harmony.</p> <p>Healthy relationship conflict is not the same as bullying.</p>	<p>Involves a power imbalance, may intend to cause harm, and often a lack of remorse or effort to resolve the situation.</p>

Supporting Children And Young People Experiencing Conflict

Early intervention and prevention are key. Where it is recognised that a child or young person is involved in conflict schools should employ strategies and supports as outlined in the School Positive Relationships Practice Guidance/Statement.

Differentiating Bullying From Potentially Criminal Behaviour

There is no legal definition of bullying in Scotland.

It may be however the nature of the bullying could be perceived as or reported as criminal behaviour.

As outlined above. It is crucial that the individual facts and circumstances are understood to distinguish between bullying and a potentially bullying offence. Key legislation can be found in section one.

Examples²⁸ include the following:

Physical behaviour	Peer-on-peer violence can be verbal abuse, physical aggression and/or physical violence, which can have both short and long-term impacts on the mental and physical health and wellbeing of all involved. If there is an intent to cause harm, regardless of whether or not an injury occurs, this may amount to an assault.
Sexual behaviour:	When someone is coerced or pressurised to do something sexual or is touched inappropriately, this is not bullying. This is <u>sexual assault or abuse</u> and a form of gender-based violence (GBV). More information about the legal framework surrounding GBV, and guidance for schools for responding to GBV incidents, can be accessed here: Preventing and responding to gender-based violence: a whole school framework
Online behaviour:	There are various legal provisions designed to protect individuals from online harassment, abuse, and harm. Some online behaviour may therefore be illegal; further guidance on supporting pupils' awareness of safe and secure use of mobile technology is contained within the Scottish Government's guidance on mobile phones in Scotland's schools .
Hate Crime:	Bullying can be motivated by prejudice similar to hate crime. The distinction between bullying and hate crime is that for hate crime, the behaviour aggravated by prejudice must be motivated by malice and ill-will towards a group of people due to a relevant characteristic or intended to stir up hatred, and be criminal in nature, such as assault, graffiti or a breach of the peace. For example, damage to property through graffiti may constitute a crime and this may be aggravated by prejudice towards an individual who possesses or appears to possess a relevant characteristic protected under the Hate Crime and Public Order (Scotland) Act 2021.

Adults should seek immediate support from Police Scotland if they have reason to believe that a crime may have occurred or that a child or young person has been seriously harmed. Schools should follow national child protection procedures in these cases and should work closely with East Lothian Council and colleagues in core agencies (Social Work, Health and Police Scotland) to ensure the safety and wellbeing of children, young people, and staff.²⁹

²⁸ Examples quoted from: Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024

²⁹ Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024 page 19

Under The Age of Criminal Responsibility (Scotland) Act 2019, a child under the age of 12 cannot be arrested, charged or prosecuted for a crime. However, Police Scotland may still be involved.

See page 20 of Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024 for further guidance on differentiating between conflict, bullying and criminal behaviour.

Differentiating Bullying From Structural And Social Inequalities

‘It is important that the umbrella term “prejudice-based bullying” should not lead to the dilution or avoidance of the issue of structural inequalities, such as racism, sexism, homophobia, biphobia or transphobia, or prejudice and discrimination towards disability or faith. These can manifest themselves in many subtle and implicit behaviours, including microaggressions, misrecognition, implicit bias and othering³⁰, as well as structural and social inequalities.³¹’

Schools should take particular care in the recording of incidents relating to prejudice and structural inequalities. The reporting of ‘bullying’ can lead to the under-reporting of incidents such as racism or homophobia taking place in education³².

Prejudice based behaviours may be linked to deeper issues such as social and structural inequalities.

Although the response and support given by schools may be similar, it is important not to confuse the two.

A Note On Reporting/Recording

SEEMiS supports the recording of incidents related to prejudice and structural inequalities using the Bullying and Inequalities module.

³⁰ Othering is a process whereby individuals and groups are treated and marked as different and inferior from the dominant social group.

³¹ Page 20 Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

³² [Responding to Racist Incidents – Promoting Anti-Racist Education in Scotland \(glowscotland.org.uk\)](https://www.glowscotland.org.uk)

4

Section Four: Developing School Anti-bullying Guidance.

This policy complies with the minimum recommended requirements as set out in ‘Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People.’

Therefore school guidance should align with national and East Lothian’s policy and **provide details which are specific to the school’s unique context.**

It is crucial that it emphasises and promotes the key message that **bullying is never acceptable.**

It should, in conjunction with the school’s Promoting Positive Relationships Practice guidance/statement state how safe and secure environments which are conducive to positive relationships, learning, teaching and play is promoted through everyday practice which is focussed on prevention, response and inclusive environments for all.

respectme have produced a [Model Anti-Bullying](#) template which can be used to support the development of the above.



The template highlights important considerations in the creation or updating of school guidance including how the statement should:



Set out a clear commitment to developing a respectful, equitable and inclusive climate, culture and ethos.



Be focused towards prevention, response and inclusivity.



Be produced through consultation, using a rights-based lens. Have response to online bullying woven throughout, with a detailed section to support school staff, children and young people and parents.

In creating or updating a school statement, reference should be made to:

- [Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024 Section 4 Developing your policy](#) which provides additional advice and guidance on the development and co-creation of school Antbullying guidance including ‘Engaging with children and young people’, ‘Engaging with parents’ and ‘Communicating your policy’. See also Appendices 1,2 and 3 of the above document.

See [Appendix iv](#) for a school anti-bullying guidance checklist and action plan.

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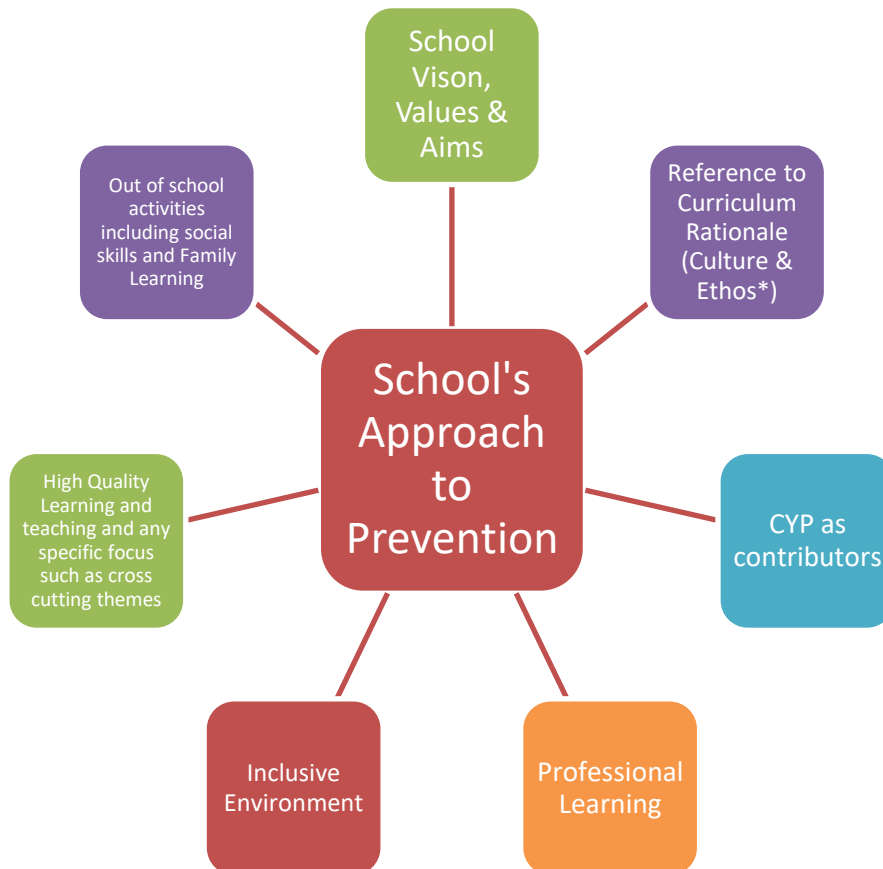
Section Five: Implementing school guidance.

East Lothian Council recognise that strong engagement and active involvement from all stakeholders is crucial to successful implementation. This success also depends on all relevant staff having the capacity, confidence, and competence to proactively prevent bullying and to respond effectively and appropriately when it occurs.

See [Appendix i](#) which details collective responsibilities.

Preventing Bullying: Inclusion, Diversity And Human Rights

All school guidelines should include recognised strategies used in East Lothian to prevent bullying and provide school specific detail of how these will be implemented.



*The most successful anti-bullying interventions are embedded within a positive climate, ethos and culture that clearly articulates and embeds inclusion, diversity and human rights. By creating inclusive, safe and consistent environments, bullying can be openly acknowledged, candidly discussed and universally challenged as a form of unacceptable behaviour. Organisational cultures that promote respect, recognise, celebrate and normalise difference, highlight the importance of equalities, social justice and rights, and encourage positive relationships serve as both protective and preventative interventions in anti-bullying work.³³

³³ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

Additional Considerations

Policy and Practice

- Responses to bullying should sit in the wider context of a school's approach to Promoting Positive Relationships as this is critical in having a shared understanding of expectation and how situations will be managed.

Professional Learning and Development

- To ensure confidence in preventing, recognising and responding to bullying due consideration should be given to what professional learning is undertaken. *See Section Six.*

Curriculum

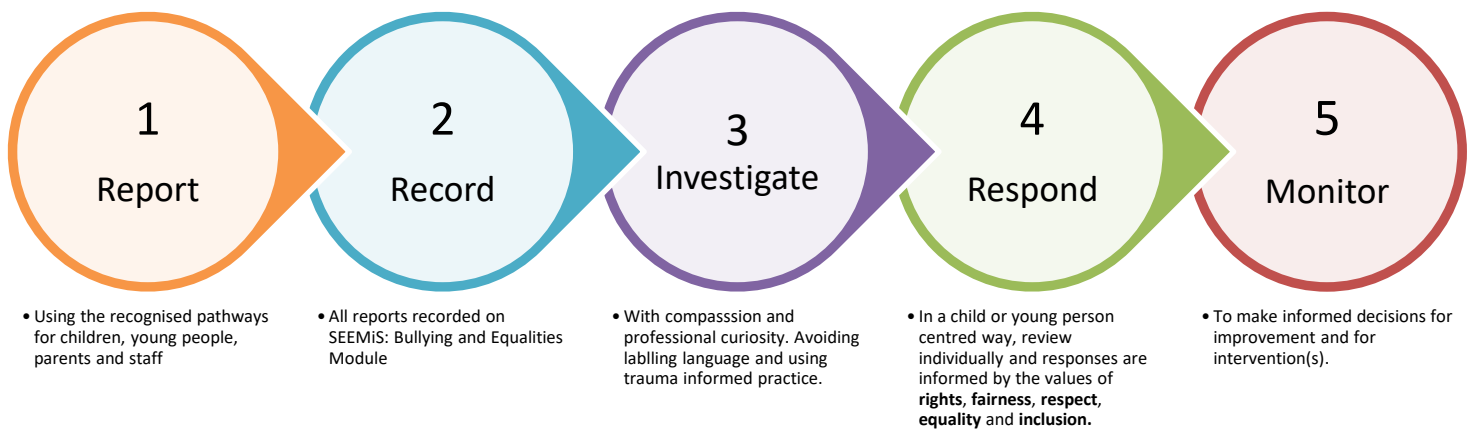
- Curriculum for Excellence (CfE) is underpinned by the values of wisdom, justice compassion and integrity. East Lothian Council Curriculum (and school) pathways (including RSHP) should support children and young people to build positive relationships, understand the law, stay safe online and and to address forms of prejudice.

Responding to Bullying

See also [Responding and Recording to Bullying Incident Flowchart](#)

A school must have a consistent approach. This will help instil confidence that bullying is taken seriously.

It sits within a five-step process:



1 Report

It is important that everyone feels empowered to report allegations of bullying. The school Anti-bullying Guidance should detail the mechanisms for reporting. There should be several ways in which this can be done. They should be 'safe and simple'. Consideration should also be given to systems which provide discreet and anonymous reporting.

School staff should be aware of the information they should gather if a report is made to them. ([See Responding and Recording Flowchart](#) and details below.)

All data recording, monitoring and responding should comply with current data protection legislation.

Child Or Young Person Discloses They Are Being Bullied In Multiple Settings.

'If a child or young person discloses that they are being bullied in multiple settings (at school and an after-school club, for example), staff should follow agreed local processes and procedures regarding confidentiality and sharing of information, respecting the child and young person's right to privacy, and in line with Getting it right for every child GIRFEC information sharing guidance, relevant data protection legislation and National Guidance for Child Protection. Data protection law allows relevant personal data to be shared lawfully if it is to keep a child or young person at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional wellbeing.

³⁴

³⁴ Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024: page 35

2 Record

All alleged bullying incidents³⁵ should be recorded on SEEMiS as soon as possible and within three working days.

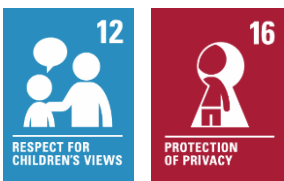
The recording and monitoring of bullying incidents is essential and provides valuable information on the scope and scale of the issue. This process is vital to be able to guide improvements in policy and practice and to inform anti-bullying interventions. This data can help identify numeric trends, specific issues around equality and diversity, and other relevant data/patterns which may help schools and East Lothian Council address bullying incidents efficiently and inform future planning.

East Lothian Council uses the electronic system, SEEMiS Click & Go - *Recording and Monitoring Bullying Incidents in Schools*, to record all incidents of bullying **including recording alleged incidents** which should be investigated and concluded, even if unfounded.

Information to be recorded*:

- the children and young people involved, as well as staff/volunteers or any other adults who witnessed the incident or were involved in the initial response;
- where and when bullying has taken place;
- the type of bullying experienced, e.g. name-calling, rumours, threats;
- any prejudice-based attitudes or behaviour presenting;
- details of any protected characteristic(s);
- consideration of personal or additional support needs and wellbeing concerns;
- the outcome, including if the issue was resolved, not resolved or unfounded;
- the impact of the incident, including consideration of personal or additional support needs and wellbeing concerns; and
- actions taken including resolution at an individual or organisational level

It should be noted that this system is for recording and monitoring pupil-to-pupil and pupil-to-adult incidents only.



In line with Articles 12 and 16 of the UNCRC where possible, the content of this record should be agreed with the child or young person.

³⁵ A decision as to whether the alleged bullying is/is not bullying should not be made until [Stage Three: Investigation](#).

3 Investigate

Bullying is a combination of behaviour and impact.

The National Guidance for Child Protection in Scotland 2021 (updated 2023) makes clear that individual agencies are responsible for ensuring that their staff are competent and confident in carrying out their responsibilities for safeguarding and promoting children's wellbeing.

Suggested prompts:

What was the behaviour?

What impact did it have?

What does the child or young person want to happen?

What do I need to do about it – for example, is there a child protection concern, are there others affected by this?

What attitudes, prejudices or other factors may have influenced the behaviour?

Once an investigation is complete, the open record should be updated with the outcome. Where the decision is 'Founded', the agreed supports and interventions should also be recorded.

Where the decision is 'unfounded' e.g. due to interpersonal conflict the school should communicate what actions will be taken to support with a view to improving the situation.

4 Respond

A school's promoting positive relationships statement or guidance should clearly articulate expectations of behaviour and how situations will be managed.

The school guidance should outline how responses will be communicated to all relevant parties³⁶.

³⁶ 'There may be instances where privacy concerns relating to the other child or young person involved means information cannot be shared with the person affected. This lack of information may make the child or young person affected, or their family members, feel that nothing has been done in response to the incident. In such instances the need to respect privacy should be explained and reassurance given that corrective action has been taken.' Extract from p34 Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024

THE RESPONSIBILITY TO RESPOND

‘While schools and organisations have a role in outlining appropriate standards of behaviour in their setting, outwith the setting and online it must be clear in any policies that no one party is, by default, the responsible party to investigate pupil to pupil interactions which take place online and outwith the school day.’³⁷

Schools have limitations to investigate incidents which have taken place away from the school premises, out of hours or online. They should, detail how wellbeing needs will be met when a child or young person is within their care.

See page 38 of Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024 for further clarification of this aspect.

³⁷ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024

SUPPORTING THE CHILD OR YOUNG PERSON

<p>Experiencing bullying</p>	<ul style="list-style-type: none"> ✓ Getting it right for every child (GIRFEC) and the National Practice Model, including the wellbeing assessment, should guide the support offered. ✓ Listen to them, take them seriously, understand the impact the behaviour is having on them, and reassure them that the bullying taking place is not their fault. ✓ Where there is not a child protection concern, staff should gain consent from children and inform them, where possible, before contacting families. <i>Where there is not a child protection concern, the child is over the age of 12, has sufficient maturity and understanding and no criminal offence has been committed, they may decide that they do not wish for their parent(s) or families to be informed.</i> <p>Examples of possible support:</p> <ul style="list-style-type: none"> ✓ Active listening, counselling, talking ✓ Peer support ✓ Developing a wellbeing plan
<p>Displaying bullying behaviours</p>	<p>‘Children and young people who exhibit bullying behaviour need adult support to understand the underlying thoughts and feelings driving their actions, and to develop healthier responses and relationships. It is crucial to help them recognise the harm their behaviour causes, repair relationships when possible and desired, and challenge prejudicial attitudes through education and building empathy.’³⁸</p> <p>Although each response is specific to the child or young person and the situation, there should be consistency in approach e.g.</p> <p>Discussions should:</p> <ul style="list-style-type: none"> ✓ Challenge the behaviour ✓ Encourage reflection ✓ Explore prevention of reoccurrence <p>Other supports may include:</p> <ul style="list-style-type: none"> ✓ Active listening ✓ Further learning ✓ Parental involvement ✓ Restorative actions ✓ Developing a wellbeing plan.
<p>Witness to bullying</p>	<p>Possible supports:</p> <ul style="list-style-type: none"> ✓ Pastoral support ✓ Peer support ✓ Restorative practice

³⁸ Respect for All: The National Approach to Anti-Bullying for Scotland’s Children and Young People Update 2024: page 39

Guidance on approaches such as restorative practice and solution-focused approaches can be found in [Included, Engaged and Involved 2](#)

Further considerations:

ADDITIONAL SUPPORT NEEDS

Children and young people with additional support needs may be more vulnerable to bullying and face challenges in understanding or communicating their experience. All staff should consider these needs, especially how they intersect, and ensure inclusive practice which provides sensitive, holistic support. As in all decisions affecting children and young people it is important to involve fully involve them in decisions about next steps and to communicate outcomes in ways that is appropriate and respectful of individual needs.³⁹

Consideration should be given to the circumstances that may give rise to Additional Support Needs e.g.

- learning environment - communication support needs, English as an additional language;
- family circumstances – family breakdown, young mother, young carer, looked after*, housing issues, poverty, children and young people from armed forces and veteran families;
- disability or health need – Neuro Diversity, mental health concern, temporary or longer-term physical condition;

³⁹ The Education (Additional Support for Learning) (Scotland) Act 2004 provides a comprehensive legal framework for the provision of additional, targeted support for children and young people who face barriers to learning. Social emotional or behavioural needs which can arise from bullying, may be considered an additional support need if the bullying is having an impact on the child's or young person's learning. This includes children and young people who are demonstrating bullying behaviour as well as those who may be on the receiving end of it.' page 40 of Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024

PREJUDICE BASED BULLYING

To prevent and respond to prejudice based bullying an investigation will need to directly address and challenge the prejudice(s) that led to the bullying behaviour.

Schools need to have **responsive** and **proactive** measures and be aware that some forms of prejudice may require a targeted intervention.

Responsive approaches in response to prejudice-based bullying	<p>Tools and information that staff have which lead to an informed response when a prejudice based bullying incident occurs.</p> <ul style="list-style-type: none">• Anti-bullying guidance that includes the seven protected characteristics in the Equality Act 2010 relevant to school education and provides clear information about recording procedures, next steps for staff, and processes for child led family engagement.• Provision of pastoral care for those who have reported that they are experiencing prejudice-based bullying.• Staff consistently responding to manifestations of prejudice, such as pejorative and derogatory language use, or harmful stereotypes.• Well-planned mechanisms for responding to prejudice-based incidents and ensuring they are not repeated.
Proactive or preventative	<ul style="list-style-type: none">• Consider patterns of behaviour within school and/or wider community• Consider the four contexts and structural aspects of school culture/ethos and mitigate against the development of prejudices.• Curricular opportunities to promote deeper understanding or learning as apposed to one off events/assemblies which may risk exacerbating prejudice - based behaviour.

ONLINE BULLYING

Managing incidents of concern which take place online.

If staff suspect an electronic device contains bullying material, they should inform the Head Teacher or someone from the Senior Leadership Team, who will then manage the situation with parents or Police Scotland.

In Scotland, teachers do not have the statutory right to search students, and should not investigate the content of devices, as this could raise safeguarding, data protection and potentially other legal issues.

More guidance is available for school staff in the [Scottish Government's guidance on mobile phones](#) in Scotland's schools

In addition as detailed in East Lothian Council's : [Included, Engaged & Involved: Child Protection and Safeguarding POLICY: August 2025](#)

'Schools should consider their guidance to parents around the use of mobile devices within the school environment and ensure this is in the best interests of East Lothian Council. ELC take no responsibility for nor are liable for any damage to personal devices. **For this reason, staff should not confiscate the personal devices of children / young people.**'

[This should be viewed as a behaviour and not simply a technology issue.](#)

Responding to online bullying:

- Advise the child or young person that they are able to use the platform safety settings to reduce the volume of content and messages they are receiving
- Signpost to sources of assistance (see [Support for Children and Young People](#))
- Provide pastoral support
- Contact relevant people as appropriate (see above [Supporting the Child or Young Person](#))

Schools should make reference within their positive relationship guidance that inappropriate online behaviour, including bullying, the use of inappropriate language etc. are subject to the same principles as offline behaviour.

CHILD PROTECTION

When managing incidents of concern which take place online, staff should follow East Lothian Council's Child [Protection and Safeguarding policy](#), and ensure they have contacted the Designated Senior Manager (DSM) when an incident raises a safeguarding concern, with the DSM contacting Police Scotland as necessary.

5 Monitor

Quality Assurance processes should use data to provide insight into the scope and scale of the issue.

School may consider how more granular data can support the identification of improvement priorities and used to evidence the impact of such responses and interventions .

Suggested data may include (but not limited to) analysis of aspects such numeric trends or specific issues relating to equality or diversity.

e.g.

- number, type, location, year group and timing of bullying incidents and whether there is change over time.
- incidents of prejudice-based bullying and whether there is a change over time

High level data of recorded incidents are reflected in the Equity Profile Tracker which is also reviewed by the Equity and Inclusion Team

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Section Six: Training, Resources And Support Support for children and young people

respectme	Scotland's Anti-Bullying Service, has information available for children and young people to help them understand what bullying is, and what their options are if they are being bullied.
Childline	Offers direct emotional and practical support for children and young people about bullying at school or any other issues. Childline can also be contacted free on 0800 11 11. Children and young people (under 18) can report nude images and videos of themselves online and get them removed through the Report Remove tool on the Childline website
Young Scot	Provides a range of information to build young people's understanding of what they can do if they are being bullied, including support for online bullying .
Reach	Information and advice to children and young people on their rights who have, or might have, an additional support need.
Take it Down	Children and young people can also use this tool to remove images and videos or to stop images from being shared online.

Support for parents

respectme	A range of information , resources and training opportunities to increase parent awareness of bullying behaviour and to consider the different ways they can respond if their child is being bullied or is involved in the bullying of others. An eLearning course aimed primarily at parents of children and young people ' School Transitions (Relationships and Bullying) ' These resources also offer guidance on how schools and parents can work together to create inclusive environments and provide effective support for children and young people.
ParentLine Scotland (Children First)	Helps parents or family members to think about the best way to deal with a situation where their child is being bullied or is displaying bullying behaviour. Parentline Scotland can also be contacted free and in confidence on 0800 028 2233.
Parentclub	Information to support parents where their child is being bullied at school
Connect	Works with parents, parent groups and educators, providing information, advice and training.
National Parent Forum of Scotland	A volunteer-led organisation that works to ensure that parents play a full and equal role in education.
Enquire	Advice for parents of children who have, or might have, additional support needs.
Coordinated by the Coalition for Racial Equality and Rights (CRER), Advocacy for Race Equality in Schools Scotland (AdRESS)	Advocacy and advice service to support parents and carers whose child has experienced racist incidents or racially motivated bullying in school. Enquiries can be made: <ul style="list-style-type: none"> • by telephone on 0330 122 4600 or by • email at support@ adresscotland.org. Enquiries can also be submitted through the online contact form on the AdRESS website where further information and resources can also be found.

NSPCC	Source of advice for parents on keeping children safe online and provides online safety resources and teaching materials to primary schools through their Speak Out Stay Safe programme.
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Support for schools

respectme	Offers free training to all those with a role to play in the lives of children and young people to prevent and respond to bullying effectively, aligned to 'Respect for All'. respectme have a template anti-bullying guidance which can be adapted by schools, organisations to meet their local circumstances.
Equality and Human Rights Commission published key guidance relating to the Equality Act 2010 and the Public Sector Equality Duty	<ul style="list-style-type: none"> • Equality Act 2010: guidance • Equality and Human Rights Commission guidance on the Public Sector Equality Duty for Scottish public bodies • Equality and Human Rights Commission Technical Guidance for Schools in Scotland
Scottish Government has published key guidance and resources to support schools	<ul style="list-style-type: none"> • Preventing and responding to gender-based violence: a whole school framework • Resources to support schools when responding to racism and racist incidents • Supporting transgender young people in schools: guidance for Scottish schools • Guidance on mobile phones in Scotland's schools
SEEMiS	Several resources to support staff using the system available from the SEEMiS website . including: <ul style="list-style-type: none"> • Help pages outlining the functionality of the Bullying and Equalities module • Video to demonstrate recording an incident • Using the Business Intelligence reporting tool.

Training and Professional Learning

National*		
Education Scotland	Keeping Trauma in Mind	Aims to help create a trauma informed and responsive education workforce that is capable of recognising where people affected by trauma and adversity and to be able to respond in ways that prevent further harm and support recovery.
	Relationships	Including professional learning available on the Inclusion, Wellbeing and Equalities Professional Learning Framework.
	Building Racial Literacy	Promotes anti-racism as a baseline professional value, empowering educators to identify and implement anti-racist behaviours and processes in their everyday practice.
	Promoting Anti-Racist Education in Scotland	To support education practitioners and stakeholders to explore the following: <ul style="list-style-type: none"> • What is anti-racist education? • Why do we need to discuss anti-racism in all establishments in Scotland? • What do we need to do individually and together to promote anti-racism and anti-racist education?

	Breaking the mould: Principles for an anti-racist curriculum	To support learners, educators and leaders understand what an anti-racist curriculum can mean in practice.
	Everyone's Included	Lessons to support inclusion, activate bystanders and reduce bullying (CfE level 2 and 3)
respectme and LGBT Youth Scotland	Addressing Inclusion	For schools and organisations: Effectively challenging homophobia, biphobia and transphobia
respectme		Free online anti-bullying training and resources A validated self-assessment toolkit, the ' respectme reward ', to support schools and settings to evaluate their anti-bullying work and measure its impact. This process uses new data sets gathered from children and young people, parent(s) and staff/volunteers to generate new local intelligence, which is then used to review policy, ensure practice is aligned, and improve outcomes for all stakeholders.
lgbteducation.scot	LGBT Inclusive Education	Materials, resources, and professional learning linked to Scotland's Curriculum to support the implementation of LGBT Inclusive Education
I Am Me Scotland	Range of issues including child exploitation online, vaping, county lines, bullying and tackling prejudice against disability	Resources and training (requires registration to access all resources.)
Action on Prejudice	A resource library	Including activity packs, research, action plans, policy documents and more resources shared by partners from across Scotland. They all relate to taking action against discrimination, hate crime and prejudice.
Antibullying Alliance	<i>New platform since August 2025</i>	Certified antibullying training. Range of themes including: Young Carers and Bullying, Mental Health and Bullying, Preventing and Responding to Appearance Targeted Bullying, Sexual and Sexist Bullying

*A number of these resources and others can be accessed via EduHub: Enabling Learning: Health and Wellbeing: [Equalities, Wellbeing and Inclusion](#)

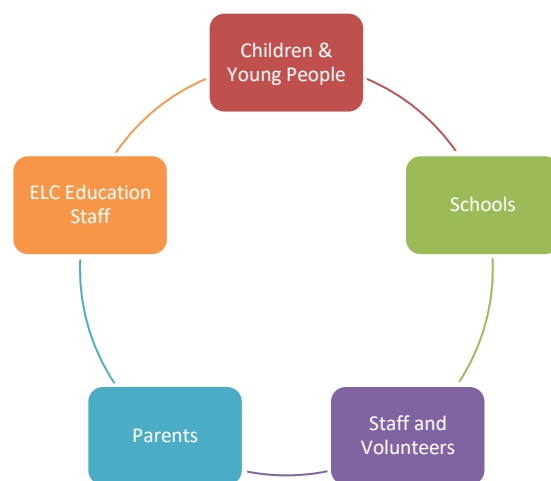
Online Bullying		
360 Degree Safe Scotland	Free to use self-review tool, intended to help schools review their online safety policy and practice.	Legislation relevant to aspects of online safety, including the safe and responsible use of mobile phones, can be found in Appendix C5 of the Scottish version of the online safety policy tool for schools, 360 Degree Safe Scotland.
National Crime Agency's Child Exploitation and Online Protection (CEOP) command.		If you're worried about online abuse or the way someone is communicating with a child online, you can report it through the National Crime Agency's Child Exploitation and Online Protection (CEOP) command. Children and young people can also report inappropriate content themselves.

digilearnscot	Supporting learners to keep themselves, their devices and platforms more secure	There are links to: <ul style="list-style-type: none"> • support by stage • resources for teaching • research and information to support educators' professional learning
Report Harmful Content	report distressing online content	This website allows people to report distressing online content including threats, bullying, suicide or self-harm content, violent content and porn.
Childline	Report Remove	Report Remove helps young people under 18 in the UK to confidentially report sexual images and videos of themselves and remove them from the internet
National Center for Missing and Exploited children	Take It Down	Children and young people can also use this tool to remove images and videos, or to stop images from being shared online.
Revenge Porn Helpline		This organisation helps support people aged 18 and over who have had intimate images shared online without their consent. Report distressing content seen on social media directly to the platform you saw it on. Go to the platform's help section to find out what to do.
Internet Watch Foundation	report child sexual abuse content (identity of child/young person unknown)	For staff in school: If the child/young person is known, Child Protection (including PREVENT) measures must be instigated. General Guidelines If you feel someone is abusing, exploiting or likely to exploit a child or children, or you believe a child or young person is at risk of being a victim, call Police Scotland on 101. If you think they may be in immediate danger, dial 999 and speak to the police immediately. The Police Scotland website has more information on what happens when you make a call, and how to get in touch by text or via contact Scotland-BSL
NSPCC Learning	Think B4 you Type	A free toolkit to help you support secondary school-aged children and young people to design and lead their own campaign around online bullying.

East Lothian Supports and Guidelines		
Learning Library	SEEMiS	Bullying and Equalities: Recording Bullying Incidents
		Business Intelligence Quick Start Guide

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Section Seven: Appendices Appendix i: Roles and Expectations



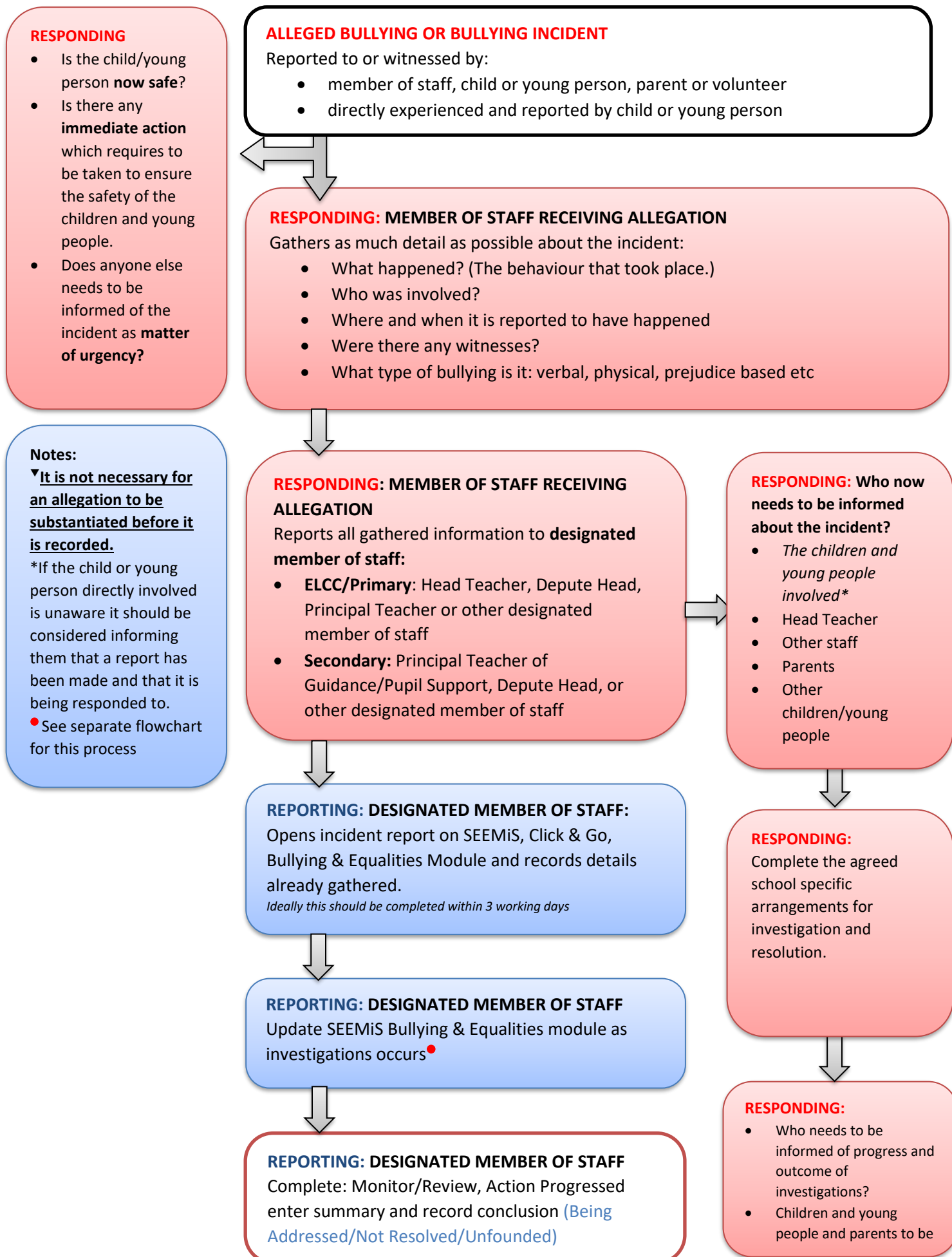
Responsibility	Responsibilities for Key Stakeholders	Local Authority Education staff	Schools	Children & Young People	Parents	Staff and Volunteers
1	In consultation with stakeholders, including children and young people and their parents and staff/volunteers, develop and implement an organisational anti-bullying guidance in line with the principles and values that underpin Respect for All, as set out in Section 1.	✓	✓ ⁴⁰			
2	Explicitly refer in the guidance to protected characteristics and how due regard will be given to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.	✓	✓			
3	Embed within anti-bullying guidance action that will be taken to promote equality, diversity and children's rights.	✓	✓			
4	Provide access to anti-bullying professional learning/training and materials to support all those who work with children and young people in the organisation.	✓	✓			
5	Make organisational and local anti-bullying guidance readily accessible to all, including children and young people, to ensure they are clear on action being taken to prevent bullying, and know how to report a concern about bullying.	✓	✓			
6	Ensure recording and monitoring of bullying incidents across all settings and use the information gathered to shape and inform future responses.	✓	✓			

⁴⁰ In consultation with stakeholders, including children and young people and their parent(s) and staff/volunteers, develop and implement local **whole school anti-bullying guidance** that, where appropriate, reflects East Lothian Respect for All guidance, and is in step with the principles and values that underpin Respect for All, as set out in Section 1.

Responsibility	Responsibilities for Key Stakeholders	Local Authority Education staff	Schools	Children & Young People	Parents	Staff and Volunteers
7	Ensure a range of safe and easy pathways for children and young people, staff and parents/carers to report bullying, and that recording and monitoring at local level is undertaken.		✓			
8	Develop and implement good practice to promote a climate, culture and ethos of fairness, equality, inclusion and respect in line with Respect for All and related national guidance on promoting positive and respectful relationships and behaviour.		✓			
9	Ensure recording and monitoring of bullying incidents and use the information gathered to target preventative approaches, assess effectiveness of guidance and practice, ensure the correct support is in place.		✓			
10	Respond to incidents of bullying on an individual basis using SEEMIS to proactively case-manage each situation. Employ a respectful, proportionate and holistic approach, adopting responses which take account of the impact of the incident as well as any underlying prejudice or other negative attitudes.		✓			
11	See bullying as a violation of children's rights and treat people with respect.			✓		
12	Be aware of anti-bullying guidance and practices in schools, clubs and groups attended and know how to report bullying behaviour.			✓		
13	Where safe and appropriate, challenge bullying behaviour.			✓		
14	Share concerns with a trusted adult and/or peers and work collaboratively with adults and peers to help create safe and positive environments where bullying cannot thrive.			✓		
15	With adult support, set up a youth-led anti-bullying group in your school, club or group.			✓		
16	Listen and take children and young people's concerns seriously.				✓	✓
17	Be aware of anti-bullying policies and practice, including complaints procedures, in any school/clubs/groups attended by their child or young person.				✓	
18	Share any concerns about a child as early as possible with a teacher, practitioner or coach.				✓	
19	Engage directly, or through school Parent Forum/Parent Council or other appropriate forums, to contribute to and learn about anti-bullying policy and practice.				✓	
20	Role model respect and promote safe, positive, supportive and respectful relationships for children and young people. Reflect this in all interactions with school/club staff and volunteers.				✓	

Responsibility	Responsibilities for Key Stakeholders	Local Authority Education staff	Schools	Children & Young People	Parents	Staff and Volunteers
21	Role-model respect and promote safe, positive, supportive and respectful relationships. Reflect this in all interactions with children and young people and their parents.					✓
22	Act in accordance with the relevant professional standards and codes of conduct, e.g. GTC Standards, Common Core CLD/youthwork/volunteer adult SSSC. Share concerns appropriately within your organisation/service and seek support where necessary.					✓
23	Understand both local and organisational anti-bullying guidance and procedures and act in accordance with these.					✓
24	Embed the promotion of equality, diversity and children's rights in own professional practice, seeking training relevant to these areas.					✓
25	Undertake anti-bullying professional learning/training and materials to maintain a secure working knowledge of relevant guidance, related processes and approaches.					✓

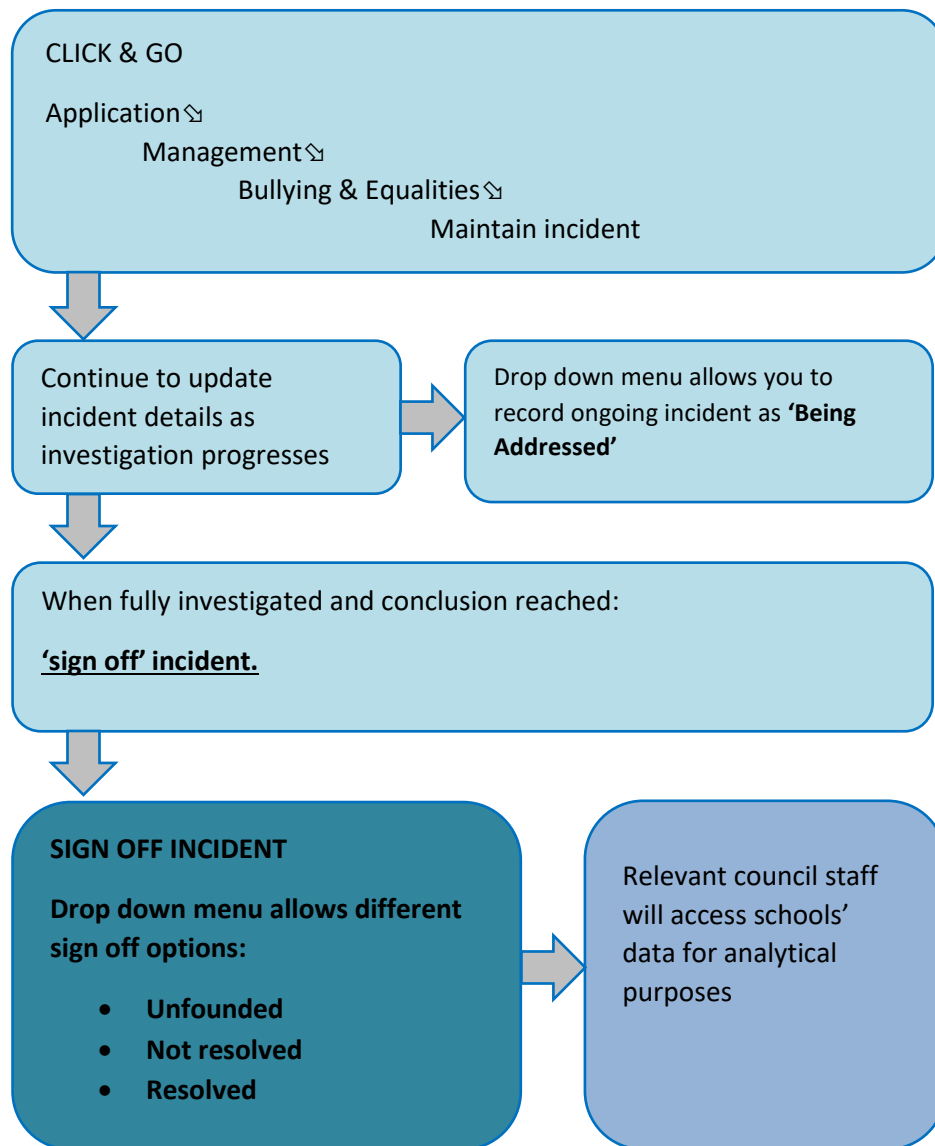
Appendix ii: Responding and Recording to Bullying Incident Flowchart (inc. Alleged▼)



Appendix iii: SEEMiS Bullying and Equalities Module

Full training notes, including details of how to set up permissions etc. can be accessed via [East Lothian EduHub](#), ELC Learning Library: Module: SEEMiS, Bullying & Equalities: Recording Bullying Incidents.

The following is a summary:



Appendix iv: Creating a School Statement/Guidance: Checklist and Action Plan

[Model Antibullying Template](#)

By adopting or adapting the above Model Anti-Bullying 'Guidance', it should be tailored accordingly to ensure that it is representative of East Lothian Council and the school's own ethos, values, supporting policies and procedures.

	RAG	Notes	Actions/Next Steps	Timescales & Completion
Includes the agreed national definition of bullying as set out in Respect for All		<p>"Bullying is face-to-face and/or online behaviour which impacts on a person's sense of physical and emotional safety, their capacity to feel in control of their life and their ability to respond effectively to the situation they are in.</p> <p>"The behaviour does not need to be repeated, or intended to cause harm, for it to have an impact. Bullying behaviour can be physical, emotional or verbal and can cause people to feel hurt, threatened, frightened and left out."</p>		
A clear statement that bullying is a violation of children's rights and is incompatible with the UN Convention on the Rights of the Child, now enacted in Scots law.		<p><i>Sample text from template:</i> <i>East Lothian Council is committed to the safety and wellbeing of children and young people within the community. Bullying is not a normal part of growing up and East Lothian Council believe that children and young people have the right to be protected, supported and respected. Bullying is a violation of rights set out in the UN Convention on the Rights of the Child, notably Articles 3, 12, 13, 19, 28, 29, 39. See also exemplars from other local authorities.</i></p>		

<p>A statement which sets out the school stance on bullying and the scope of the guidance</p>	<p><i>Correlation to school positive relationships guidance including reference to online behaviour expectations.</i></p> <p><i>The limitations of the responsibility to investigate an incident which has taken place away from the school premises, out of hours or online. It should, detail how wellbeing needs will be met when a child or young person is within their care.</i></p> <p><i>Cognisance should be given to online bullying throughout but there should also be a dedicated section within the statement.</i></p>		
<p>Evidence that children and young people have been able to access their right to express their views in matters that affect them.</p>	<p><i>Evidence or statement as to how these views to be given due weight in guidance development, implementation and the review phases</i></p>		
<p>Evidence that parents have, in line with their rights, been included and consulted in the policy development process.</p>	<p><i>e.g. via parent council, parent forum or surveys,</i></p>		
<p>Evidence that staff/volunteers have been included and consulted in the policy development process’.</p>	<p><i>All staff working with children and young people, have a responsibility to ensure that East Lothian Council’s anti-bullying policy is in place and that the specific arrangements within a school are known by all.</i></p>		

<p>Strategies and action statements to describe how all forms of bullying will be prevented and responded* to.</p> <p>*East Lothian Council pathway should be the default response, where there is additional detail specific to the school this can be included in the response.</p>	<p><i>Align with school positive relationships guidance/statement. e.g. reference to induction procedures including volunteer and student placement briefings, staff meeting, surveys, etc.</i></p> <p><i>See also Preventing Bullying for school specific aspects.</i></p>		
<p>A statement of how the application of the policy upholds the statutory equality duties, where it applies, and/or how it will respond to bullying related to the protected characteristics listed in the Equality Act 2010, as well as forms of prejudice and discrimination related to other characteristics, for example socio-economic or appearance-related bullying</p>	<p><i>A direct reference to East Lothian Council's statement is sufficient.</i></p> <p><i>See also: Appendix one of Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People Update 2024</i></p>		
<p>A clear commitment to promoting and role modelling respectful behaviour by adults in the school or setting.</p> <p>Expectations and responsibilities of staff/volunteers, children and young people and parents to support and uphold East Lothian Council's policy aims and the school's specific aims.</p>	<p><i>Including correlation to school Values, Vision and Aims.</i></p> <p><i>Correlation/reference to school's promoting positive behaviour statement/guidance.</i></p> <p><i>Clear and explicit expectations and responsibilities are outlined for children and young people, staff and volunteers, and parents/carers. All parties understand their role in both preventing and responding to bullying, fostering a safe and respectful environment for all. *</i></p>		

	<p><i>*See Roles and Expectations for further information. School specific details to each of the 5 step process e.g. How an outcome of an investigation will be communicated, timescales, response when a CYP/parent does not agree with response. etc.</i></p>		
<p>The avoidance of using labelling language, i.e. ‘bullies’, ‘victims’, ‘perpetrators’.</p>	<p><i>Focus on behaviour, not labels and that in responding there is understanding that the behaviour needs to change and what the expected behaviour is. Use of SEEMiS vocabulary: ‘people displaying bullying behaviour’ and ‘people experiencing bullying behaviour towards them.’</i></p> <p><i>Within the statement, reference the provision of appropriate learning opportunities and information sharing with all stakeholders.</i></p>		
<p>School specific response to Reporting and Recording</p>	<p><i>Details of safe, simple and clearly publicised pathways to report.</i></p> <p><i>The processes detailed in East Lothian Council’s policy should be included with specific reference and provision to the school’s processes and procedures e.g. Details of who has responsibility to update SEEMiS and how this information is shared so an accurate record can be made.</i></p>		

<p>Reference to the requirements of the recording and monitoring strategies that will be used for management purposes in line with the Data Protection Act 2018, e.g. SEEMiS</p>	<p><i>Details of school procedures for recording and monitoring, including quality assurance processes.</i></p> <p><i>Evidence of/examples of where monitoring of data has led to response e.g.</i></p> <ul style="list-style-type: none"> • <i>update to curricular programmes,</i> • <i>introduction of specific programmes,</i> • <i>guest speakers at assemblies,</i> • <i>formation of children and young people focus groups/improvement groups etc</i> • <i>parental engagement sessions/opportunities and</i> • <i>any evidence of positive impact.</i> 		
<p>How often the policy will be communicated, evaluated and reviewed with children and young people and their parent(s) and staff/volunteers</p>	<p><i>It is good practice that this takes place a minimum of every three years.</i></p>		
<p>A commitment to training and supporting staff and volunteers</p>	<p><i>e.g. undertaking relevant professional learning in order to be aware of latest changes and trends of how digital technology is being used by children and young people.</i></p>		
<p>Other considerations:</p>	<p><i>Is there a need for a child friendly version of the statement?</i></p>		

Appendix v: License Agreements

Extracts and quotes from Scottish Government

[Licence agreement: https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/](https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/)