

How to help victims of Bullying-ADVICE TO PARENTS

Finding out that your child is being bullied is a stressful and distressing experience. It's natural for a parent to feel anger, confusion and guilt.

Some children are good at hiding their feelings and the first you may know of the problem is when your child suddenly doesn't want to go to school, or says they are ill when PE lessons are on the agenda.

Other pointers can be:

- Coming home with cuts and bruises
- Torn clothes
- Asking for stolen possessions to be replaced
- 'Losing' dinner money
- Falling out with previously good friends
- Being moody and bad tempered
- Being quiet and withdrawn
- Wanting to avoid leaving the house
- Aggression with brothers and sisters
- Doing less well at schoolwork
- Insomnia
- Anxiety

The worst thing to do is to over-react and storm into school demanding action. Bullying Online is regularly contacted by parents who have lost their temper and ended up banned from the premises or in trouble with the police.

Don't forget that if you didn't know your child was being bullied then the school may not have realised it either. The class teacher/head of year isn't your child's constant companion and isn't a mind reader.

If you think your young child is being bullied, but you're not sure, then ask a few simple questions:

- What did they do at school today?
- Did they do anything they liked?
- Did they do anything they didn't like?
- Who did they play with?
- What sort of games did they play?
- Did they enjoy them?
- Would they have liked to play different games with someone else?
- Are they looking forward to going to school tomorrow?

For an older child you can ask:

- What did they do at lunchtime today?
- Is there anyone they'd like to invite home?

- Is there any lesson at school they don't like?
- Is there anyone at school they don't like and why?
- Are they looking forward to going to school tomorrow?

HOW TO APPROACH THE SCHOOL

In the first instance, at a primary or junior school, see the class teacher and explain your worries in a friendly non-confrontational way. Ask how your child is getting on with others in class and raise any issues of conflict with other children.

Ask if the teacher has noticed that your child seems unhappy and isolated and is being excluded from games in the playground or regularly not having a partner to work with in class.

Ask the class teacher, or the head of year at secondary school, if he/she can keep an eye on the situation and let you know if they have any concerns. **Ask what the teacher suggests would be the best way of sorting it out.** At a primary school perhaps the supervisors could take a more active role in the playground by keeping an eye on your child and ensuring that people are not excluded from games.

Some primary schools have "friendship seats" where younger children can go to sit if they have nobody to play with so that other pupils can ask them to join their games and the supervisors can spot whether one child is on their own too often.

Secondary schools may not be aware that there are some areas of the school pupils feel are unsafe, the toilets often come into this category. **By telling the head of year where the bullying is happening, supervision can be increased so that the bullies are caught red handed, meaning that your child can't be accused of telling tales.**

At this stage it can be helpful to try to increase your child's circle of friends, by inviting a number of children home regularly, to forge stronger friendships.

If bullying continues:

- Keep a diary of what your child says is happening
- Or get your child to keep his/her own diary
- Write a note to the class teacher or head of year, explaining that the problem is still unresolved
- Ask for your letter to be put onto your child's school file, together with a note of action taken
- Suggest that contact between the bully and your child is monitored and limited, perhaps by the bully moving to another table or set

That often does the trick, but if not, it's time to write to the head teacher, outlining everything that has gone on, and including evidence from the diary to back up your complaint. Putting a complaint in writing is essential so that there is a record of your concern.

Schools have a duty of care, and allowing a child to be continually bullied when the school has been alerted to the problem could be seen as a breach of that duty.

There have been a number of legal actions, including a successful one brought by Bullying Online trustee John Carnell, and schools are better informed than ever of the consequences of uncontrolled bullying.

In your letter to the head teacher ask what strategy the head can introduce to deal with the problem and how he/she will monitor it to make sure it is effective.

Ask what action has been taken on earlier bullying complaints. Schools have a variety of sanctions they can use. These include:

- A warning
- Calling the bully's parents in to school
- Detention
- Internal exclusion within school
- Fixed term exclusion
- Permanent exclusion

If bullying is happening in the changing rooms, in the corridors or playground then ask for supervision to be increased. If the school says it does not have the resources then explain that you are not asking for all the children to receive increased supervision, only the bully.

Ask for a copy of your complaint to the head teacher to be answered in writing and for a copy of it to be put onto your child's school file with a note of action taken.

If your child has been assaulted at school then make a complaint to the police. Police forces in the UK have school liaison officers who are experienced at dealing with school-related issues. The age of criminal responsibility in England and Wales is 10 and if the attacker is younger than this then you will probably not find that the police will be able to do anything. However, they are often very good at warning bullies off in front of their parents. Attacks by older pupils may result in cautions or prosecution, particularly if injury is involved.

It's important not to take matters into your own hands and to confront the bully's parents. This can lead to serious arguments.

Bullying Online receives up to three emails a day from children who are either suicidal now, or who have been in the past. Some of those pupils are receiving psychiatric or psychological help or counselling.

If your child is particularly unhappy then take him/her to the doctor so that his/her distress can be recorded and if appropriate, medication or counselling can be started. A letter from your doctor to the school, stressing the effect bullying is having on your child's health can also be helpful.

Many children are staying away from school due to bullying. They are either too frightened to go in, or their parents are keeping them at home because they feel their complaints are not being handled properly.

Parents risk prosecution if their children fail to go to school and are not being home educated. Children staying at home in these cases are regarded as truants or an unauthorised absence and there has been a well-publicised case where a mother was jailed.

It's wise, when your child is so stressed by bullying, and so frightened that they can't face school, to telephone the LEA education welfare officer (sometimes called an education social worker) to explain the situation and to ask him/her to intervene with the school to get the bullying stopped.

The education welfare officer's role is to ensure that children do attend school and they normally step in when a school alerts them that a child has been absent for a short period of time but if you feel your child may stop going to school then ask their advice straight away.

Fortunately, most schools now take their responsibilities over bullying very seriously, all state schools are supposed to have bullying policies by law. Ask for a copy of that policy and see whether it contains anything to help you to resolve the problem.

For instance, it may lay down a procedure to be followed over complaints and explain how those complaints will be treated. Make a note of the way in which your complaints have been dealt with and how they differ from the way they are supposed to be dealt with in the policy.

If the school asks you to go in to discuss the matter, then try to take a partner or friend with you. Make notes of the points you want to make beforehand and be firm and polite. Don't get into an argument.

After each visit send a letter to the school outlining the points of the meeting and action you have been told they will be taking. Ask to see the school bullying policy if you haven't already seen it. If you weren't happy with what you were told at the meeting then say so in the letter.

You have now done more than enough for the problem to be resolved, but unfortunately many parents still find that bullying continues.

The next step is to contact the chair of governors. You can get his/her name from the school office. Write to him/her at the school address. Explain the background and enclose any letters between you and the head. Ask for an immediate investigation.

It's unlikely that all governors will be made aware of your complaint. This is because many issues are dealt with as 'Chair's Action' and the chairman may hope to get the matter resolved with the head teacher quickly. The other reason not all governors will be made aware of the complaint is because the matter may escalate into an exclusion of the bully and if that happens the bullied child's parents will have a right of appeal and there need to be some governors without prior knowledge of the case.

When you complain to the chairman, send a copy of your complaint to your local councillor and ask for a meeting with him/her. Political parties have representatives on school governing bodies and if your local councillor is not one of them, he/she will have contacts who are.

Ask for a copy of your child's school record. The governors have a legal obligation to provide this within 15 school days, excluding weekends and holidays, but you will be asked to pay for photocopying. (There is further advice on getting a copy of the record in the section on that topic).

This is also the time to start asking questions of other parents. Your child may not be the only bullying target and you may find other parents are keen to back you up in your complaint.

If this doesn't work, the next step is for you to make a formal complaint to the LEA and ask for an investigation to be carried out and a report issued.

In fairness to LEAs, it should be said that where pupils are removed from one school to another due to bullying the LEA would not necessarily know about the problem unless parents tell them. They do not need to be involved in a school transfer unless there is an appeal for a place.

Ask the LEA how many other complaints of bullying have been reported to the LEA involving the same school. Ask if the LEA education welfare officer (education social worker) has been involved. She has to visit pupils whose parents have removed them and who are at home. This may prompt LEA officials into asking if the school has a problem if there have been a series of complaints.

If you do not feel that your concerns have been properly investigated you can complain to the Local Government Ombudsman - who cannot investigate the internal workings of schools but can look at the LEA's role in investigating your complaint. Also make sure you contact your MP.

Your final recourse is to the Secretary of State, at Sanctuary Buildings, Great Smith Street, Westminster, London, where your complaint will be dealt with by the Pupils and Parents branch. Officials can only order action to be taken if your child is still a pupil at the school, so if he/she has been removed, there is nothing the Secretary of State will do.

PRIVATE AND INDEPENDENT SCHOOLS

There is a separate section on the Bullying Online site for parents with children at private or independent schools.

PROBLEMS ON THE SCHOOL BUS AND ON THE WAY TO AND FROM SCHOOL

Schools often refuse to take action on bullying incidents outside the school gates, wrongly claiming they have no jurisdiction.

Recent guidance from the DfES says: "Pupils' behaviour in the immediate vicinity of the school, or on a journey to or from school, can be grounds for exclusion."

This makes it clear that head teachers DO have the power to act in cases of violence or intimidation off the premises. There are more details on <http://www.dfes.gov.uk/behaviourandattendance/guidance/exclusions/part1.cfm>

There are a number of other ways of tackling bullying on the school bus . It should help if this is a bus provided by the LEA if pupils can sit near the driver, and sit by other adult passengers if it is an ordinary service bus.

Write to the school to make a complaint about bullying on the bus , citing the guidance from the DfES, but also make a complaint to the LEA department that deals with school transport if this is one of their buses. Ask if the bully can have his/her pass withdrawn for a week or so in the hope that the inconvenience to them and their parents will result in better behaviour.

A parent could also make a complaint to the bus firm because if there is regular trouble on the bus, the firm may be pleased to have an opportunity to make a complaint to the school which could help to solve the issue.

Bullying Online regularly gets complaints about bullying at bus stops and on the way home. Many business premises are covered by CCTV which sometimes also films the street so if your child is assaulted the police may be able to recover film evidence of what took place.

If your child feels unsafe you could get him/her an attack alarm. These often look like keyrings and cost about £5. The noise they make when activated should scare an attacker off and attract the attention of passers-by.

TEACHER BULLYING

Generally speaking, teachers do a good job, often under stressful circumstances, so when your child complains they are being bullied by a teacher it's worth considering what might be behind it.

- Could your child be misbehaving in class?
- Is the teacher trying to get him/her to produce better work?

- Is your child misinterpreting the teacher's actions?
- Is the teacher unaware of personal circumstances in your family where jokes which might be inoffensive to most people upset your child?
- Is this the only teacher your child complains about?

Make some discreet inquiries among the parents of your child's friends. Overt unpleasant remarks are likely to be remembered by other children and reported to their parents. If other parents also have concerns about the way their children are treated then that might indicate a problem.

Discuss with your child what sort of remarks are made and in what circumstances. If your child is being criticised for not completing work but is finding the work difficult then a simple call to the head of year or a note to the teacher explaining the situation and asking for help should resolve the problem.

An informal approach to the head of year would be a good start but you must be prepared not to like the response. Bullying Online gets many complaints about teacher bullying accompanied by remarks like "I know my son's no angel" or "my daughter only refused to do as the teacher asked because she thought it was unfair". If a child is defiant and answers back then teachers are not going to accept that, and rightly so.

If you feel you have a genuine concern and the head of year hasn't been able to resolve it then make a complaint to the head teacher and if that isn't successful to the governors. However, it's much better to try to sort the problem out diplomatically at a much earlier stage because your child is likely to have contact with a teacher over a number of years.

MOVING YOUR CHILD TO ANOTHER SCHOOL

Transferring your child to another school may seem a tempting idea at the time, but think about it carefully. You need to consider:

- Could the problem be resolved with the input of the governors and LEA?
- Will your child miss his/her friends?
- How easily will your child fit into an established year group?
- Does the new school use the same exam board?
- Do the bullies also have friends at the new school?
- Will the travel arrangements be more difficult?

If you still want to change school then you simply contact the new one, arrange to have a look around, and if you like it then you agree a start date between you.

Things are more complicated if the new school is full. In that case you will need to get an appeal form from the LEA. Church schools have their own appeal arrangements. Sometimes, if your reason for moving the child is good enough, and the school is not over-full, the LEA will simply agree to the child being transferred without an appeal.

Otherwise, the parents have to go before an appeal panel where the LEA has to make the case that the pupils already at the school will be more disadvantaged by having your child on roll than your child will be by not being given a place. Usually these schools are not just full, they are hugely over-full and parents can't expect that every appeal will be successful.

To give the best chance, it's helpful to have copies of letters to the head teacher, governors and LEA and from your doctor to show that you really have done all you can to try to sort the problem out.

If you simply remove your child and then hope the fact they are not at school will be a lever to getting them into the school of your choice, you're likely to be disappointed. The best schools are usually full and have waiting lists and your child is likely to be allocated to a less popular school with vacancies. Less popular often means poorer exam results and discipline.

HOME EDUCATING

You can teach your child at home if you prefer and many parents do so successfully, often with the help of organisations with local support networks.

Home educating parents are not required to teach the National Curriculum, have a timetable, or mark work done by their child, but the DfES says that LEAs should offer advice and support to parents on these issues.

The DfES recommends that parents keep samples of the child's work, record educational progress within a set period, have plans of work and outline educational objectives.

Some LEAs are more helpful than others, but parents who are teaching their children at home tell Bullying Online they enjoy doing so and find it beneficial.

There are a number of excellent groups advising parents thinking of this option. Their contact details are on the links page at http://www.bullying.co.uk/links/links_sites.htm .

HOME TUITION BY LEA

Some parents who remove their children from school due to bullying think they will be entitled to home tuition if the child is too afraid to go to school. This is not the case.

LEA-funded home tuition is very scarce and usually reserved for pupils who are off school due to illness. The maximum a child is likely to get would be around five hours a week.

However, LEAs are bound to make provision if the non-attendance has medical support - usually with a note from the doctor. There are DfES guidelines available on this at www.dfes.gov.uk.

LEGAL ACTION

Parents are increasingly asking Bullying Online about legal action - which should be a last resort. It is an arduous path, and speaking from personal experience of two of the Bullying Online trustees, you need to be determined, tenacious, and prepared for a long and unpleasant battle.

There is no prospect of success unless you have ample evidence of physical or mental harm, backed up with letters to and from the school and comprehensive medical reports.

However, the 2002 case of two north east teenagers who lost their county court claim over bullying may affect future decisions on funding in bullying cases. The judge ruled that although both had been bullied, the school had done what it could to resolve the problem.

Bullying Online's view is that legal action should be the very last resort and that any parents who think they want to pursue this should see a local solicitor for half an hour of free legal advice to see if there is any point in taking the matter further.

If you do take legal action, the first step is that the solicitor reviews all your papers and sends off an application for funding. The child will have no income so there will be no contribution to pay. The parents' income is irrelevant. A decision on funding takes about a month. If you are turned down you can appeal.

In the first instance aid of around £2,500 will be granted to take counsel's opinion. You then see a barrister which is fairly informal. He tells you whether or not he thinks you have a case, who is liable, the LEA, head teacher, or governors, and then issues a written opinion. If he thinks you have a case the opinion is sent to the funding agency which will grant more money, up to the exchange of witness statements.

The next step is to gather more evidence. This is a fairly intrusive process, and probably very upsetting for a younger child. It isn't very pleasant for the parents either. Your legal team will want a report from an educational psychologist and psychiatrist/ hospital to prove that your child has suffered harm, because if they haven't suffered harm there is no case. The child's medical records will be sent to the psychiatrist if you are alleging mental harm.

Armed with this information you return to see the barrister to read through the particulars of the claim to be served at your local county court. This will detail specific bullying instances and specific instances of harm ie. bruises, post traumatic stress disorder.

When the summons is served at the county court (a writ is only for High Court) it will probably include the medical report. It will fully detail what has happened to the child on various dates. The defence.....either the LEA/head/governors will instruct solicitors to act for them. You can expect as many as three extensions of deadline for the defence to be filed. This could take three months.

The LEA will want its own psychologist/psychiatrist to see the child and will also want to see the medical and school records.

The next step is the exchange of witness statements and the court decides how the case should proceed. There could be a pre-trial review. It may be that, having read all the witness statements the LEA (or its insurance company) will decide the case is too costly to defend and will make an offer. If an offer is made, it could be a very small amount, but if the funding agency thinks it is what someone would accept if they were paying for the case themselves, it will withdraw funding.

If the case goes to court there is likely to be enormous media interest as these cases are so rare. If the child is a minor the judge could direct that neither he/she nor the school should be identified but so far these cases have not attracted that ruling.

Having one's day in court is likely to extend into several stressful and upsetting days in which the child's school life is raked over and they may be accused of bringing the bullying on themselves. They, and the parents, will have to relive the ordeal in public.

Which is why legal action should be avoided unless it is absolutely necessary.

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