



**RATHMINES  
COLLEGE**  
*College of Further Education*

# Anti-bullying Policy

## Introduction

Rathmines College was founded as an educational establishment in 1930 under the aegis of what is now the City of Dublin Education and Training Board formally City of Dublin Vocational Education Committee. Rathmines College is a College with the purpose of encouraging staff and students to work together so that all students can make the most of the opportunities that arise and realise their full potential. The students in Rathmines College are a diverse group who come from different parts of Dublin, different parts of Ireland and different countries from around the world. There are students of different ages, abilities and background. Such diversity enriches the College. Each member of the College community is entitled to be treated with equal courtesy, dignity and respect irrespective of disability, gender, age, religion, nationality, race, sexual orientation, family background or membership of the travelling community.

## Definition of Terms

In accordance with the *Anti-Bullying Procedures for Primary and Post-Primary Schools* bullying is defined as follows:

Bullying is unwanted negative behaviour, verbal, psychological or physical conducted, by an individual or group against another person (or persons) and which is repeated over time.

The following types of bullying behaviour are included in the definition of bullying:

- deliberate exclusion, malicious gossip and other forms of relational bullying,
- cyber-bullying
- Identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person's membership of the Traveller community and bullying of those with disabilities or special educational needs.
- Isolated or once-off incidents of intentional negative behaviour, including a once-off offensive or hurtful text message or other private messaging, do

not fall within the definition of bullying and should be dealt with, as appropriate, in accordance with the College's Code of Behaviour.

However, in the context of this policy, placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour. This would also include the unauthorized capture/playing/posting of images/video footage or audio recording.

Negative behaviour that does not meet this definition of bullying will be dealt with in accordance with the College's Code of Behaviour.

Additional information on different types of bullying is set out in Section 2 of the *Anti-Bullying Procedures for Primary and Post-Primary Schools*.

### **Scope of the Policy**

In accordance with the requirements of the Education (Welfare) Act 2000 and the code of behaviour guidelines issued by the CDET, the Board of Management of Rathmines College has adopted the following anti-bullying policy within the framework of the school's overall code of behaviour. This policy comprehends bullying that is either perpetrated by students or experienced by students in the College. This policy fully complies with the requirements of the CL 45/2013 Anti-Bullying Procedures for Primary and Post-Primary Schools which were published in September 2013. This policy should be read in conjunction with the Action Plan on Bullying published by the Department of Education and Skills in 2013, and also the Well-Being in Post Primary Schools – Guidelines for Mental Health Promotion and Suicide Prevention developed by the inter-departmental group from the Department of Education and Skills, the Health Service Executive and the Department of Health published in 2013.

The Board of Management of Rathmines College adopts the Anti-Bullying Procedures for Primary and Post-Primary Schools issued by the Department of Education and Skills (September 2013) as the basis for the way in which the Rathmines College community addresses the issue of bullying.

Those who bully others in a non-physical way often do not realise that their actions may have serious legal consequences for them. The reality, however, is that bullying may constitute a criminal offence. For example, bullying may constitute a criminal offence under Section 10 of the **Non-Fatal Offences against the Person Act 1997**.

Section 10 of this act deals with harassment and provides that a person may be guilty of this crime if s/she:

*“without lawful authority or reasonable excuse, by any means including by use of the telephone, harasses another by persistently following, watching, pestering, besetting or communicating with him or her”.*

**Section 10 Harassment** is an arrestable offence and, if convicted on indictment, carries a jail term not exceeding 7 years. On conviction also, a court may make

an order that the guilty party may not, for a specified period, communicate by any means, or come within a specified distance of a person's home or workplace.

**Section 2 of the Prohibition of Incitement to Hatred Act (1989)** makes it a criminal offence for *a person to publish or distribute written material, to use words, behave or display written material ... or to distribute, show or play a recording of visual images or sounds, if the written material, words, behaviour, visual images or sounds, as the case may be, are threatening, abusive or insulting and are intended or, having regard to all the circumstances, are likely to stir up hatred.*

Those convicted on indictment under this provision may be sentenced to a maximum of two years imprisonment and/or a fine of up to €10,000.

Even where bullying does not amount to a criminal offence, the perpetrator may be held liable for damages in civil court proceedings. For example, **statements made on social media sites are covered by the provisions of the Defamation Act 2009**, which at Section 2 defines a defamatory statement as 'one which tends to injure a person's reputation in the eyes of reasonable members of society.

People can feel that by posting anonymously on social networking sites, they can guarantee that their identity is protected. This, however, is not the case. Indeed, in many cases the content of messages makes it easy to identify the perpetrator. In any case, where the Gardaí have grounds for believing that criminal activity may be occurring, applications can be made to the courts requiring the internet service provider or others in possession of relevant information to divulge a perpetrator's identity.

Where it is felt that bullying may amount to a criminal act, the College will seek legal advice and the matter will be reported to the Gardaí.

This policy, which applies to the bullying of students, forms part of a suite of policies which form part of the College's Policy on the Protection of Children and Vulnerable Adults. Other policies in this suite include the Code of Behaviour and the Policy on the Acceptable Use of the College's ICT System. The Board of Management of Rathmines College has adopted the following anti-bullying policy within the framework of the College's overall Code of Behaviour.

### **Key Principles of the Policy**

The Board of Management recognises the very serious nature of bullying and the negative impact that it can have on the lives of students and is therefore fully committed to the following key principles of best practice in preventing and tackling bullying behaviour:

- A positive College culture and climate which-
  - o is welcoming of difference and diversity and is based on inclusivity;
  - o encourages students to disclose and discuss incidents of bullying behaviour in a non-threatening environment;
  - o promotes respectful relationships across the College community; and
  - o Effective leadership;

- A College-wide approach;
  - A shared understanding of what bullying is and its impact;
  - Implementation of education and prevention strategies (including awareness raising measures) that-
    - build empathy, respect and resilience in students; and
    - explicitly address the issues of cyber-bullying and identity-based bullying
    - including in particular, homophobic, transphobic and disablist bullying
- Effective supervision and monitoring of students;
- Supports for staff;
- Consistent recording, investigation and follow up of bullying behaviour (including use of established intervention strategies); and
- On-going evaluation of the effectiveness of the anti-bullying policy.

## **Procedure for Implementing this Policy**

This procedure is in two main parts:

1. Preventative Element: - Awareness Raising and Education Strategy
2. Responsive Element: - Pastoral Care dimension - Code of Behaviour dimension

### **1. Preventative Element: - Awareness Raising and Education Strategy**

The education and prevention strategies (including strategies specifically aimed at cyber- bullying and identity-based bullying including in particular, homophobic and transphobic bullying) that will be used by the College are as follows:

- Raise awareness amongst the student population of the College's antibullying policy.
- This must also include cyber-bullying, identity-based bullying-in particular, homophobic and transphobic bullying.
- Report inappropriate use of IT
- Maintain & foster an environment where all members of the Collegecommunity work together to ensure that everyone is treated with mutual courtesy, dignity & respect
- Demonstrate the mutual benefits for all by responding to and not ignoring any incidents of unwelcome behaviour directed at others.
- Where appropriate, provide students with the tools and strategies to deal with any unwelcome behaviour.
- Publish a copy of the policy in the student handbook and on the student section of the College's Moodle site.
- Publish a copy of the policy on the College's website.
- Identify clearly the designated liaison person whom a complainant may approach to report incident/s of bullying
- Provide in-service training for all staff-teachers, maintenance and administration staff on anti-bullying strategies.
- Review policy annually.

### **2. Responsive Element: - Pastoral Care dimension**

The College will implement a programme of appropriate support for those affected by bullying and for those involved in bullying. This will involve:

- The College will raise awareness with the persons involved in bullying of the aspect of their behaviour which has constituted bullying and the impact of their behaviour on others.
- The College will put supports in place for those affected by bullying to ameliorate the impact of the unwelcome behaviour.
- The Pastoral care dimension of the procedure is coordinated by the Care Team led by the Guidance Counsellor.
- The College's Code of Behaviour will convey the seriousness with which the College authorities view bullying/harassment thereby providing a deterrent to such behaviour.
- The College will endeavour to ensure that the person/s who alleges that they have been bullied will be treated with fairness and sensitivity.

#### **Responsive Element: - Investigation procedures**

Responsibility for the implementation of this policy is vested in the Principal of the College, Ms Bernadette Moore. This includes responsibility for the investigation of and the dealing with incidents of bullying. The Principal may delegate responsibility for investigating or dealing with a particular incident to a senior member of staff, taking into account the particular circumstances of the incident in question. The staff member to whom the investigation has been delegated would normally be a teacher who does not teach either the alleged victim or the alleged perpetrator. The College's procedures for investigation, follow-up and recording of bullying behaviour and the established intervention strategies used by the College for dealing with cases of bullying behaviour are as follows:

- In the event of a student feeling bullied they may approach any member of staff: teaching; maintenance or administrative staff. Should any member of staff be so approached they must bring it to the immediate attention of the Principal. At this point the Principal will immediately commence an investigation.
- If a student is experiencing bullying but does not feel able to approach a member of staff directly he/she could ask a friend or relative to contact the College on their behalf. He/she might prefer to ask their family doctor to make the initial contact. In some cases a student may wish to make the College aware of their situation through an advocacy agency, for example:  
The Samaritans, tel. 1850 609090  
BeLong To tel. 01-6706223
- A student experiencing bullying may not wish to make a complaint but would like to talk to someone in confidence. The Guidance Counsellor is available for such conversations.

#### *Informal Process*

- The first step in any informal resolution of a complaint should be to establish the facts of the complaint, the specific issues complained

of, when they occurred and to consider whether or not they fall within the definition of bullying.

- If bullying is established, the aim would be to eliminate it informally (if appropriate) with the consent of parties involved. This could include a non-judgemental (mediation approach). This would include clarification of what constitutes bullying, agreement by the person complained of, that they accept that their behaviour was inappropriate and that the conduct will not be repeated, or an explanation to the complainant about what occurred from the point of view of the person complained about which disposes of the complaint.

#### *Formal process*

- This involves a formal complaint and a formal investigation. The purpose of the investigation is to determine the facts and to establish whether the complaint of bullying is well founded.

#### **Key steps:**

- (1) The complainant should make a formal complaint in writing, signed and dated, and give it to the Principal.
- (2) The complaint should provide precise details of alleged incidents of bullying, including dates and names of witnesses where possible.
- (3) Where this is not possible, a written account should be taken of the complaint and signed by the complainant. The Principal may assign a senior member of staff to conduct the investigation of the complaint.
- (4) The complainant should be assured of support and given a copy of the anti-bullying policy.
- (5) The person/persons against whom the complaint is made should be notified in writing that a formal allegation of bullying has been made. He/she should be advised of the aims/objectives of the formal process. He/she should be assured of the organisation's presumption of his/her innocence of any wrongdoing. He/she should be given the opportunity to respond to the complaint in writing.
- (6) The investigation should be completed as quickly as possible. The investigator should investigate the complaint and the response to the complaint and present his/her findings to the Principal who will then issue preliminary findings to the complainant and the person(s) complained of for comment. Following receipt of such comments, the Principal will then make a decision as to whether or not the complaint of bullying has been established and will decide on appropriate action. The Principal's decision should be communicated in writing to both parties.
- (7) Every effort will be made to complete the process within a 20 day period.
- (8) If the complaint is upheld, then it is a disciplinary matter and will be considered a serious breach of the College's Code of Behaviour and dealt with by the Deputy Principal, which may require it to be brought to the Board of Management for consideration.
- (9) If a complaint is not upheld, no further action will be taken.

#### **Monitoring of Students**

The College Board of Management confirms that appropriate monitoring policies and practices are in place to both prevent and deal with bullying behaviour and to facilitate early intervention where possible.

### **Prevention of Harassment**

The College Board of Management confirms that the College will, in accordance with its obligations under equality legislation, take all such steps that are reasonably practicable to prevent the sexual harassment of pupils or staff or the harassment of pupils or staff on any of the nine grounds specified i.e. gender including transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

This policy was adopted by the College Board of Management on 2<sup>nd</sup> November 2015.

This policy has been made available to College personnel, published on the College website. A copy of this policy will be forwarded to the City of Dublin ETB. A copy of this policy will be made available to the Department, if requested.

This policy and its implementation will be reviewed by the College Board of Management once in every College year. Written notification that the review has been completed will be made available to College personnel and published on the College website. A record of the review and its outcome will be made available to the CDETБ and the Department, if requested.

Signed: \_\_\_\_\_ Date: \_\_\_\_ \_\_\_\_  
Chairperson of College Board of Management

Signed: \_\_\_\_\_ Date: \_\_\_\_ \_\_\_\_  
Principal

Date of next review: