

Bullying in schools and the law.

This brief article aims to give information regarding the legal aspects of bullying and what can be done if you are not happy with the way the school has responded to bullying. It is based on information provided by the government (www.gov.uk/bullying-at-school) and the Advisory Centre for Education (ACE, London 2002).

Bullying and the law:

Some forms of bullying are against the law and should be reported to the police, including violence and assault, theft, repeated harassment or intimidation and hate crimes (crimes targeting a person because of their disability, race/ethnicity, religion/belief or sexual orientation).

By law all state schools must have a behaviour policy that includes measures to prevent all forms of bullying. The policy is decided by the school and all teachers, pupils and parents must be told what it is. Schools must also follow the anti-discrimination law. This means that staff must act to prevent discrimination, harassment and victimisation within the school.

Bullying outside the school.

Head teachers have legal powers to make sure pupils behave outside the school. This includes bullying that happens anywhere off school premises, such as public transport or in town. School staff can also report bullying to the police or local council.

Reporting bullying.

You should report bullying to your school in the first place – or to someone who you trust.

If you have reported bullying to the school and are unhappy with the response ACE (2002) gives the following advice:

- Get a good description of the bullying, write to the school and meet the teacher.
- If you are still unhappy with the response, ask for a meeting with a more senior person in the school.
- Keep a bullying diary and go back to the school if it does not stop.
- Consider making a complaint or taking legal action.
- Follow the school complaints procedure – write to the governing body, include a copy of your original letter and the bullying diary. Send a copy to the Local Education Authority (LEA) as they have a duty of care for pupils at state schools so send them a copy as well.
- You could ask your solicitor to write your letter of complaint.
- If the school still does little, you could complain to the Secretary of State for Education and Skills.
- If you report illegal bullying to the police and if they will not act, you can speak to a solicitor about legal action.