



WHAT TO DO IF YOUR CHILD IS BEING BULLIED IN SCHOOL

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Introduction

If your child is being bullied then seeking support here is the first step among many. Lots of guidance is available online if you type the words 'antibullying school' into a search engine. They are all incredibly useful. This guide, however, aims to address specific concerns affecting Sikh families. They include:

- A reduced awareness in education that Sikh children, and those Sikh children wearing articles of faith, are more likely to experience bullying at school;
- Poor racial literacy about the Sikh faith;
- A general lack of awareness about anti-bullying processes in the Sikh community;
- And how to hold the school to account when they fail to protect your child from bullying.

Schools must fulfil their legal obligations to protect all children from harm and to bring swift and effective resolution as it acts in loco parentis (meaning in place of the parent). Key legal requirements and regulations, set out in section 3h, must be met.

Assurances of weeks or months for any bullying to be resolved for a child by a school are unacceptable and do not demonstrate a zero-tolerance approach towards it. The longer bullying persists, the less likely it is to be resolved and the greater the damage to a child's overall wellbeing. This guide aims to help you take the most effective steps in stopping the bullying of your child at school.

There is no legal definition of bullying but it is widely understood as something that is:

- Generally repeated but can also be one-off, depending on the incident;
- Intended to hurt someone either physically, socially, emotionally or mentally;
- Often aimed at certain groups, for example, because of race, religion or disability;
- Has a power imbalance where one group or person is more dominant.

Bullying takes many forms and your child can be experiencing more than one in each incident. These forms can include but are not limited to:

- Verbal – name-calling, insulting, mocking, threatening;
- Physical – physical violence, damage to belongings;
- Indirect – spreading nasty stories, exclusion from a friendship group;
- Cyberbullying – nasty texts, sharing photos, instant messaging, Facebook and other social networks, including online gaming.

My child is being bullied; what should I do?

STAGE 1

Emergency Steps to take the first time you find out your child is being bullied:

There are four immediate steps you must take when you find out your child is being bullied; these are listed below. To make things simpler, exemplar emails have been drafted to submit to schools/agencies. These can be amended as you see fit. References to these exemplars begin with the number 2.

It is vitally important to get all four steps right as all bullying needs to be nipped in the bud immediately.

STEP 1

- Listen to your child when they tell you about the bullying. Let your child speak and do not interrupt.
- Remain calm at all times and reassure them that the bullying will end.
- Complete the bullying log to detail who, what, when, where and how the bullying has taken place – bullying log 2c.
- Do not, under any circumstances, take the matter into your own hands by contacting the bully or their family. This is the job of the school and, if applicable, the police. Contacting the family of those bullying your child, either in person or digitally, could land you in legal trouble. It also diverts focus from resolving the matter for your child if the police or school are now having to investigate allegations against you.

STEP 2

- Risk-assess your child's safety at school.
- Do not send your child to school if you think they will experience further bullying that is harmful to their physical wellbeing. No child should be attending school if they feel they are in danger.
- Despite what the school and other parents say about attendance fines, you do not have to send your child into school if you are putting them at serious harm or are expecting serious harm because of a threat. The school must tell you what measures it is putting into place so the bullying stops.

STEP 3

- At secondary school and sixth form level, bullying is often a lot more serious and can be physical. The police need to be informed by telephoning 101 if:
 - there are threats of assault or violence has taken place;
 - a child is experiencing racism (or other hate crime);
 - theft, trespass or property damage is involved;
 - or there is evidence of cyberbullying such as abusive phone calls, emails or text messages.
- If you are reporting cyberbullying, remember to also keep any evidence.
- If bullying messages have been sent by phone, then take a screenshot of these and save these.
- If there are marks on your child from violence such as scratches, bruises or cuts then take photos of these.
- Make sure your child does not respond to any digital messages.
- If necessary, remove the phone from your child temporarily to keep an eye on any incoming messages.

STEP 4

- Email school to alert them of the bullying and telephone them too - see email 2a.

- Email school to notify them of the bullying by sending the bullying log – see 2c.
- Email a Freedom of Information to school - see 2d.
- Emailing 2a, 2c and 2d demonstrates to the school that the matter is being taken seriously and that it is being recorded in an informed and undeterred manner. It will also give the school the information they need to conduct an investigation into the bullying without any delay. Schools are busy places so the more accurate information you give the better it helps them investigate and resolve the matter.
- Many parents often go straight to school to speak with a member of staff at school when they first find out about the bullying. This is fine; however, it means there is often little recorded evidence of what has been said. Make sure 2a and 2c are shared with the school either before or after any meeting.
- After any face-to-face or telephone meeting with the school, you must send a follow-up email stating what was said and agreed to at the meeting - see 2l. This ensures clarity about what needs to be done. See 3g for meeting conduct too.
- Keep a log of all communications and contact with agencies - see 2b.
- If you determine that it is not safe for your child to attend school, and have emailed the school to let them know this is the case, this will be classed as unauthorised absence. The school may, though it is highly unlikely, may threaten you with an attendance fine. However, it is your right to assess for yourself how safe the school is for your child. Please remember, a child is not graded on attendance figures either at the end of primary or secondary school. They are only graded on their academic achievements.
- If English is a challenge, then ensure a family member, friend or sevadaar can help you to communicate with the school. Email 2k to the school so they are informed of this.
- If you are happy for all communications to also be sent to your representative then you must give consent to the school by emailing 2j to them.
- After undertaking the FOUR STEPS, you need to support and monitor your child further, especially if they are still attending school.
- Expect to hear from the school about the actions they have taken to stop the bullying within a few days. A list of recommended resolutions is available in 3e should the school ask you what you want or if you are not satisfied with the action the school is intending to take.

STAGE 2

- Once Steps 1 to 4 are completed in Stage 1 then you should wait for a response from the school by email or telephone. This should include a written acknowledgement of your concerns and what actions the school will be taking to tackle the bullying. If the school does not share the actions it has taken or will take, then email the school to ask what these are since you will need these to see whether they are proportionate and effective. For example, an assembly on bullying will not stop bullying so make sure the actions fit the deed and are in line with the school's anti-bullying policy and/or behaviour policy. As a general rule of thumb, any physical violence or racist behaviour requires the parents of the child/ren doing the bullying to be informed by the school.
- The school may ask, what actions or resolutions you would like to see from them. This is normal and allows for a positive dialogue between school and yourselves. A list of possible resolutions can be found in 3e.
- Read your school's behaviour policy which, for all schools except independent/private schools, **MUST** be published on their website. There may be a separate anti-bullying policy but if there isn't one, then information about anti-bullying will be in the school's behaviour policy.
- If you are happy with the actions the school has proposed or say have taken place then consider sending your child back into school. If you are not happy then suggest further resolutions until an agreement can be reached.
- If your child goes back to school and experiences any further bullying then escalate to Stage 3.

STAGE 3

Should the school's response to Stage 2 be unsatisfactory, complete the actions below:

- Listen to your child and continue updating the bullying log - see 2c.
- Continue to risk assess your child's safety. If the school is not safe for your child, do not send them into school and email the school to notify them this is the position – see 2m.
- Read your school's complaints policy - this will be available on the school's website. If it is not published then remind the school it is not abiding by the School Information Regulations and ask for it to be published and emailed to you.
- Due to school term breaks, all stages of complaints can take from 2 to 6 months to be exhausted. This is why, when attempts to stop bullying have failed, it is important to lodge a formal complaint as early as possible and not delay the matter.
- Email the first formal complaint letter to the school if the bullying continues - see 2e.
- Evaluate the freedom of information request made at Stage 1 to see whether records are being recorded accurately.
- Contact your local MP and/or gurdwara for letters of enquiries about the bullying and/or racism at the school. You can find your local MP at:
<https://members.parliament.uk/FindYourMP>
- Contact The Supreme Sikh Council for them to ask questions of the school or if you are struggling to find someone to represent you.
- Take your child to your local GP to explain and record the impact bullying is having on your child. This letter can then be emailed to the school. Your family should not be fined for absence if, as a consequence of bullying, your child is unfit to attend school.
- Complete an online review of your school for Parent View and encourage other parents to do so too as this online review is considered by Ofsted when they next inspect. This can be found at: <https://parentview.ofsted.gov.uk/login?destination=give-your-views>
- Continue updating the communications log - see 2b.
- Should the school's response to the above actions be unsatisfactory then escalate to Stage 4.

STAGE 4

Should the school's response to Stage 3 be unsatisfactory, complete the actions below:

- Email the second formal complaint letter to school if the bullying continues and/or if the response to your first formal complaint was unsatisfactory - see 2f.
- If you believe other Sikh pupils also experience bullying at the school then ask parents to get together and record their concerns separately and email their concerns.
- Continue updating the communications log - see 2b.
- Continue updating the bullying log - see 2c.
- Continue to risk assess your child's safety. If the school is not safe for your child, do not send them into school. If the school asks why your child is still absent then you simply need to refer them to the Headteacher.
- Become proactive and start looking into shortlisting other schools as a possibility for your child. Visit these schools with your child, read their Ofsted reports and if you know parents with children at the possible new schools you are shortlisting, then ask them how their children get on there. Each new school will have an admissions officer. Speak to them and explain to them about the bullying. They will tell you about the number of children on their current waiting list. They will also tell you whether they can consider a managed move with your child's current headteacher. See 3f for further information.
- Should the school's response to the above actions be unsatisfactory then escalate to Stage 5.

STAGE 5

Should the school's response to Stage 4 be unsatisfactory, complete the actions below:

- Email the third formal complaint letter to school if the bullying continues and/or if the response to your second formal complaint was unsatisfactory - see 2g.
- Complain to your Local Authority if your school is not an independent school - see 2h. Let them know your child needs to move school and may need a managed move. Let them also know that your child is currently not attending school.
- Continue updating the communications log - see 2b.
- Continue updating the bullying log - see 2c.
- Continue to risk assess your child's safety. If the school is not safe for your child, do not send them into school.
- Complain to the DfE and Ofsted if your school is a maintained or community school. Complete online forms at <https://www.gov.uk/complain-to-dfe> and <https://www.gov.uk/complain-about-school/state-schools>
- Complain to Education and Skills Funding Agency (ESFA) and Ofsted if your school is an academy. ESFA can investigate whether the academy has considered the complaint appropriately. If it finds that they did not consider the complaint appropriately they can request the academy to re-consider the complaint. Complete online forms at https://form.education.gov.uk/service/Contact_the_Department_for_Education and Ofsted <https://www.gov.uk/complain-about-school/state-schools>
- Should the school's response to the above actions be unsatisfactory then escalate to Stage 6.

STAGE 6

Should the school's response to Stage 5 be unsatisfactory, complete the actions below:

- Legal action - Consider legal action and get in touch with any of the following:
 - <https://www.simpsonmillar.co.uk/education-law-solicitors/bullying-in-schools-uk/>
 - <https://www.hcbgroup.com/bullying-at-school.html>
 - <https://www.ibblaw.co.uk/service/education-law/education-legal-advice-for-parents/bullying-in-schools>
 - <https://www.stephensons.co.uk/site/individuals/education/bullyinginschools/>
 - <https://www.thorntons-law.co.uk/for-you/thorntons-family-law-divorce-solicitors/child-issues/child-bullying>
- Continue updating the communications log - see 2b.
- Continue updating the bullying log - see 2c.
- Continue to risk assess your child's safety. If the school is not safe for your child, do not send them into school. If the school asks why your child is still absent then you state the school knows about the ongoing matter and to refer them to the Headteacher.
- Email your local authority admissions team to let them know about the bullying, to find a place at your shortlisted schools or to ask them to investigate the school – see 2h.
- If your child is in a maintained school and or academy you can contact the Secretary of State for Education – see 2i. Before you can complain to the Secretary of State, you must have exhausted the school's complaints procedures.
- The Secretary of State will consider the following types of complaints:
 - failure of a school and/or Local Authority to address bullying;
 - failure of a school and/or Local Authority to safeguard and promote a pupil's welfare in accordance with section 175 Education Act 2002;
- The Secretary of State can take 6 months to respond and very rarely finds it necessary to become involved.

- REMEMBER TO SEND ALL LOGS AND EMAILS FROM EXTERNAL AGENCIES WHEN COMPLAINING TO NEW AGENCIES. THEY NEED TO SEE WHAT IS HAPPENING AND WHO IS INVOLVED.



Templates for you to use and
amend



2a - First email to school to alert them of bullying

Anything highlighted in green below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Reference: URGENT, BULLYING – confidential

Dear (INSERT NAME OF HEADTEACHER or HEAD OF YEAR THIS EMAIL IS BEING SENT TO)

It is with great alarm and sadness that I was alerted by my child: (NAME OF YOUR CHILD) in (NAME OF CLASS) that they have been the subject of bullying at your school and continues to remain so. Details of the bullying my child has endured can be found in the attached log my child has completed with me.

I am aware that The Department for Education has issued non-statutory advice on preventing and tackling bullying and it defines bullying as: *'Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally'. It is repetitive, persistent, intentional and involves an imbalance of power.* Bullying, as you know, comes in various forms and includes, although is not limited to, physical, verbal, emotional, racist and cyber. Reference to this guidance will be relied upon, as well as the school's own behaviour policy and, where relevant, the following:

- Section 89 of the Education and Inspections Act 2006,
- The Equality Act 2010,
- Hate Crime law relation to race and religion in particular,
- Child protection concerns under the Children Act 1989,
- The school's Public Sector Equality Duty,
- Ofsted's Inspection Framework – chiefly, grade descriptors for behaviours and attitudes;
- Teachers Standards and.
- Headteachers Standards.

Due to the serious nature of the incidents my child has shared, I have been in touch with The Supreme Sikh Council for support. The bullying of Sikh pupils is often ignored

or widely misunderstood by schools. Research shows that they are more likely to encounter it and those Sikh children wearing articles of faith even more so. I am determined to make sure that my child is not part of another ignored statistic.

(KEEP OR DELETE THE FOLLOWING STATEMENTS AS RELEVANT)

I have also had to inform the police as the bullying involved a potential hate-related incident.

My child will not be attending school until the bullying matter is resolved. My own risk assessment of the matter shows the school has been unable to safeguard my child from harm. Until I receive notification of the measures you have put in place and the action you have taken, this will remain so.

Though my child will attend school, I seek confirmation from you that the school will take the necessary further steps to ensure my child does not experience any further detriment as a result of the bullying. I would like to know what sanctions you will impose on those that are involved in the bullying and how my child will be kept safe so they can learn in an environment free from harm. Any failure to comply with the school's 'statutory duty' to ensure all children in their schools are safe at all times will result in escalating the matter further to the complaints stage and, where necessary, external authorities as well as an external evaluation against laws relevant to bullying such as

I look forward to hearing from you with some urgency on the matter, for a meeting to be arranged, and for immediate sanctions that befit the bullying to be imposed. I can be reached on (INSERT YOUR TEL NUMBER) and at (INSERT EMAIL ADDRESS).

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

(ATTACH BULLYING LOG OF INCIDENTS – 2C)



2b - Communication Log

For every communication you have with the school or another agency, complete the log below.

Communication Log			
Date of communication	Communication sent by (name) and received by (name)	Method of communication used (tick as appropriate)	A brief summary of communication
	Sent by: Received by:	Email Telephone Letter Meeting in person Meeting online	
	Sent by: Received by:	Email Telephone Letter Meeting in person Meeting online	

	Sent by:	Email	
	Received by:	Telephone Letter Meeting in person Meeting online	



2c - Bullying Log

Record your child's bullying experience. Create as many copies of the log as you need to record each separate incident.

Bullying Log Incident No. <input type="text"/>					
Date and Time	Who was involved in bullying you?	Where did the bullying occur? (class, playground, online etc.)	What action occurred? What was said?	Were there any witnesses and if so, who/names?	Tick any types of bullying that are applicable

					<ul style="list-style-type: none"> - Physical Bullying - Threats of harm - Verbal Bullying often accompanies physical bullying. It includes name-calling, spreading rumours, and persistent teasing. - Racist Bullying - Cyberbullying - Other, state which
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2d - Freedom of Information Request

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox. The school will have a FOI policy on its website; read this as it may tell you where to email.

Dear School,

I would like to request the following information under the Freedom of Information Act:

- All records of behaviour and bullying incidents concerning **(NAME OF YOUR CHILD)** since Sept 2021 to date.
- The number of incidents of bullying overall for all pupils at the school for academic years, 2020-21, 2021-22 and 2022 to date.
- The number of incidents of racism overall for all pupils for academic years, 2020-21, 2021-22 and 2022 to date.
- The number of incidents of racism overall for all pupils for academic years, 2020-21, 2021-22 and 2022 to date which involved Sikh pupils as the target of abuse.
- The number of permanent exclusions, fixed-term exclusions and suspensions for all pupils for academic years, 2020-21, 2021-22 and 2022 to date and a one or two-word reason as to the cause of the exclusion; for example, bullying, or racism etc.
- A breakdown of ethnicities and faiths at the school for each year group.

I understand that some information will need to be anonymised where it concerns the possible identification of pupils other than my own child; the above request for information has been made taking this into account.

I further understand that under the Act I am entitled to a response within twenty working days of this request. Please note that the maximum twenty days allowance is to be considered a long stop. Given the serious nature of the bullying my child has experienced, I would be grateful for all information to be exchanged in a timely fashion so as to avoid further detriment to my child. To this end, I would prefer to receive the information electronically at **(INSERT YOUR EMAIL ADDRESS)**

Should my request for information be denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the Act. I reserve the right to appeal a decision to withhold any information.

If you require any clarification then please do not hesitate in emailing me. I look forward to receiving your confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)



2e - First formal complaint letter to school

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Your school's complaints policy MUST be published online so please make sure you or your representative read this. All school complaints policies have a number of stages, usually four but can be more. Make sure you get responses to your complaint(s) within the time stipulated in the school's complaints policy.

Reference: Formal complaint - confidential

Dear (INSERT NAME OF HEADTEACHER)

My child (INSERT FULL NAME OF YOUR CHILD) is still being bullied at your school. This is occurring despite recent communications with yourselves and assurances that my child would be able to learn in school without fear.

The action thus far taken by the school to end the bullying has been ineffective. The school has failed to carry out its duty to protect my child from harm despite being notified.

I attach an updated log of incidents which can be read in conjunction with existing records the school holds regarding concerns already raised. Please consider this complaint fully with reference to each incident.

My child will not be attending school until the matter is resolved. My child will attend school on a reduced timetable until the matter is resolved. I understand that this will affect his/her attendance data as well as the school's own overall attendance data, be that unauthorised or authorised. However, our priority is to safeguard against further detriment to our child and the failings of the school in its ability to manage the situation as it currently stands.

I am sure you understand the impact that bullying can have on any child let alone that on an adult. I have listened to my child to ensure their voice is heard.

Should you have any queries then please do not hesitate in getting in touch. I look forward to receiving confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

(ATTACHED- BULLYING LOG OF INCIDENTS – 2C)



2f - Second formal complaint letter to school

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Reference: Formal complaint – confidential

Dear Chair of Governors,

Despite a number of previous communications with the school to ensure it fulfils its responsibility in putting an end to the bullying my child, **(INSERT NAME OF CHILD BEING BULLIED)**, has endured, the school has been inadequate in its management of this. Please consider this as the next step in the formal complaints process.

I attach a log of all incidents which can be read in conjunction with existing records the school holds. I would like to take this opportunity to remind the school which, no doubt is fully aware that a good grade descriptor for behaviour set out by Ofsted in its inspection handbook is as follows: 'Leaders, staff and pupils create a positive environment in which bullying is not tolerated. If bullying, aggression, discrimination and derogatory language occur, they are dealt with quickly and effectively and are not allowed to spread.'

I should also like to draw your attention to the following inadequate descriptor set by Ofsted in its Inspection Handbook:

- *'A significant minority of pupils show a lack of respect for each other and/or staff and a lack of self-discipline. Pupils frequently ignore or rebut requests from teachers to moderate their conduct. This results in poor behaviour around the school.'*
- *Pupils show negative attitudes towards the value of good manners and behaviour as important factors in school life, adult life and work.*
- *Incidents of bullying or prejudiced and discriminatory behaviour, both direct and indirect, are frequent.*

- *Pupils have little confidence in the school's ability to tackle harassment, bullying, violence and/or discriminatory behaviour successfully.*
- *Poor behaviour means that pupils, or particular groups of pupils, are not safe or do not feel safe at school and/or at alternative placements.'*

Please consider this complaint in its fullest with reference to each incident and with special regard to compliance with your anti-bullying/behaviour and equalities duties. Should the matter remain unresolved after this complaints stage then I reserve the right to escalate the matter to external authorities. My child, like all, deserves to be taught in a learning environment free from bullying. It is neither right nor just to expect any child to be bullied for so long and for their race and religion to be a target of this abuse.

For any queries please do not hesitate in getting in touch. In the meantime, I look forward to receiving confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

(INSERT YOUR TELEPHONE NUMBER)

(ATTACH ALL DOCUMENTS RELATING TO THE COMPLAINT YOU HAVE MADE ABOUT THE SCHOOL)



2g - Third formal complaint letter to school

Anything **highlighted in green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Reference: Formal complaint - confidential

It is with the deepest disappointment that the school has failed in its duty to protect my child from bullying.

I disagree with the outcomes of the appeal panel and shall be forwarding reasons as to why and the broader context of the complaint to Ofsted, as well as other external organisations. **In the meantime, this matter has been raised with the Supreme Sikh Council who will make broader representation.**

My child will not be attending school and meeting the poor expectation that it is satisfactory for him/her to put up with bullying until such time as those causing it see fit to abide by the school's ethos and values. It is my duty as a parent to safeguard my child's mental and physical wellbeing. Too much learning time has already been lost in the mismanagement of bullying at your school.

Should you have any queries then please do not hesitate in getting in touch.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)



2h - Complaint letter to Local Authority

Anything **highlighted in green** below requires you to personalise it or further detail to tailor the text to your requirements.

Reference: URGENT, BULLYING – confidential

To the Director of Education

I am formally requesting the help of the Local Authority to ensure the safety of my child, (INSERT NAME OF YOUR CHILD) aged, at (INSERT NAME OF SCHOOL. This is a school which has been wholly ineffective in the actions it has taken to stop the bullying and racism of my child. The matter of bullying was raised with the school some months ago on (INSERT DATE SCHOOL WAS FIRST TOLD ABOUT THE BULLYING OF YOUR CHILD) but continues unabated. My child's mental and academic performance has been significantly affected. Despite my efforts to work with the school, it no longer has our trust.

My child has a right to access education and as such, I would request your admissions service to seek an alternative place for my child to attend. Possible schools that my child could attend include: (name schools which you would like your child to attend).

Currently, my child is unable to attend school due to sickness from bullying. Currently, my child is at home accessing online learning which I provide.

Please make a formal investigation into my complaint. I have requested access to my child's records and have noticed that (bullying incidents have been recorded/ bullying incidents have not been recorded/ the file fails to reveal what action was taken/the file reveals action was taken but it has not been successful).

In the meantime, please confirm how many other complaints of bullying there have been about this school in the last 24 months. I understand that racist incidents at a school are no longer logged at the LA, however, this matter is serious and deserves the LA's attention.

I look forward to receiving confirmation that you have received this complaint.

Yours faithfully,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

(INSERT YOUR TELEPHONE NUMBER)

(ATTACH ALL DOCUMENTS RELATING TO THE COMPLAINT YOU HAVE MADE ABOUT THE SCHOOL)



2i - Complaint letter to Secretary of State

Anything **highlighted in green** below requires you to personalise it or further detail to tailor the text to your requirements.

Send the following letter recorded delivery.

To The Secretary of State of Education
House of Commons,
London
SW1A 0AA

Reference: URGENT, BULLYING – confidential

Dear Secretary of State of Education,

I am writing to you to request you use your authority under sections 496 and 497 of the 1996 Education Act because I believe (name of school and/or local authority) is acting unreasonably/illegally by (failing to investigate my complaint of bullying/failing to supply a copy of my child's school records/ failing to halt bullying).

I enclose copies of my correspondence with the head teacher, chairman of governors and LA. (Detail specific bullying incidents).

I would be grateful if you investigate this matter and respond to me in a timely manner.

Yours faithfully,

(INSERT NAME OF PERSON THIS EMAIL IS BEING SENT TO),

(INSERT NAME OF REPRESENTATIVE)

(ATTACH ALL DOCUMENTS RELATING TO THE COMPLAINT YOU HAVE MADE ABOUT THE SCHOOL)



2j - Consent email to school to confirm all communications are shared with your representative

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Dear School,

Reference: URGENT, BULLYING

Please consider this email as confirmation of my consent for any communications from the school concerning me or my child to be shared with my representative, (INSERT NAME OF REPRESENTATIVE) via email on (INSERT EMAIL ADDRESS OF REPRESENTATIVE).

Should you have any further queries, please do not hesitate in getting in touch. I look forward to receiving confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PERSON THIS EMAIL IS BEING SENT TO),

(INSERT NAME OF PARENTS' REPRESENTATIVE)



2k - Email to school to confirm that English is not a parent's first language

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Dear School,

Reference: URGENT, BULLYING

Please consider this as a notification that English is not the first language of the parents of **(INSERT NAME OF YOUR CHILD)**. This information should be on your intake information. The parents are proficient in Panjabi. Please share what provision will be made by way of interpreters or already accessible language materials so that the parents are too able to access information available to English speakers so as to avoid any further disadvantage in this regard.

I look forward to receiving confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PARENT)

(INSERT NAME OF PARENT REPRESENTATIVE)



2I - Follow-up email after any meeting

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Dear (INSERT NAME)

Thank you for meeting with me on (INSERT DATE OF MEETING) to discuss the ongoing issue of racism and bullying my child is experiencing at your school.

A very brief note of what was discussed is as follows:

(INSERT, AS BULLET POINTS, WHAT WAS DISCUSSED BRIEFLY)

We agreed the following actions would take place:

(INSERT, AS BULLET POINTS, WHAT ACTIONS WOULD TAKE PLACE AND IF THEY WILL TAKE PLACE IMMEDIATELY OR IN A FEW DAYS)

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)



2m - Email to school declaring your child's absence due to bullying

Anything highlighted in **green** below requires you to amend or add to the text. Please copy the text below and email it to your school's office and headteacher. Sending an email to two email addresses will give added assurance that it has landed in someone's inbox.

Reference: URGENT, BULLYING

Dear (INSERT NAME OF HEADTEACHER)

My child, (INSERT FULL NAME OF YOUR CHILD), is still being bullied at your school. This is occurring despite recent communications with yourselves and assurances that my child would be able to learn in school without fear.

The action thus far taken by the school to end the bullying has been ineffective. The school has failed to carry out its duty to protect my child from harm even when it has been notified.

I attach a log of updated incidents which can be read in conjunction with existing records the school holds regarding any concerns already raised. I understand that this will affect my child's attendance data as well as the school's own overall attendance data, be that unauthorised or authorised. However, our priority is to safeguard against further detriment to our child and the failings of the school in its ability to manage the bullying situation as it currently stands. I am sure you understand the impact bullying can have on any child let alone that on an adult. I have listened to my child to ensure his/her voice is heard.

The impact on my child from the bullying and racism at your school has been alarming and significant. It includes the following: (Delete as appropriate)

- anxiety
- unable to sleep during night so cannot concentrate during the day
- unable to concentrate without worrying about bullying
- humiliation
- isolation away from social gatherings, less engaging and trusting than before
- low self-confidence, rarely smiles, looks worried, is clingy, is tearful
- symptoms related to post-traumatic stress disorder including nightmares and flashbacks, irritability and guilt.

My child can no longer afford to pay the consequences for the school's shortcomings in dealing with bullying. Many learning days have already been lost. My child has a right to access education in a school environment which is free from fear and harm and free from racism. A resolution must be sought as a matter of urgency or the matter will be escalated.

Should you have any queries then please do not hesitate in getting in touch. I look forward to receiving confirmation of receipt of this email.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

(INSERT YOUR TELEPHONE NUMBER)

(ATTACHED – BULLYING LOG and GP LETTER)



Further information



3a - Information needed from the school

All Schools MUST publish the following information on their school's website in accordance with School Information Regulations:

- Behaviour Policy
- Complaints Policy
- Freedom of Information Request Policy
- Equalities Duties - often found in the policies section of a school's website.
- Ofsted report link which can also be found at <https://reports.ofsted.gov.uk>

If you cannot find the above information on your school's website then email the school using the text below.

Anything highlighted in **green** below requires you to personalise it or further detail to tailor the text to your requirements. Please copy the text below and email your school.

Dear (INSERT NAME OF PERSON THIS EMAIL IS BEING SENT TO),

In order to evaluate whether the school has demonstrated good practice in a number of key areas relating to the bullying my child is experiencing, and in accordance with School Information Regulations, I must bring to your attention that the school has failed to publish online its: (DELETE AS NECESSARY)

- *Behaviour Policy*
- *Complaints Policy*
- *Freedom of Information Request Policy*
- *Equalities Duties information*

Please email to me the outstanding information.

Should you have any queries then please do not hesitate in getting in touch.

Yours sincerely,

(INSERT NAME OF PERSON SENDING THIS EMAIL)

3b - Contacts

Police - Telephone the number 101. When to contact the police – Anytime potential hate crime, violent or cyber-bullying incident has taken place.

Serious incidents which mainly occur in secondary schools, sixth forms or colleges need to be reported to the police, especially where they involve physical violence, threats of using weapons, the use of weapons and or are drugs related. The school do not need to give permission for you to notify the police, however, it is advisable to let them know you have. You must get a crime incident number from the police.

Ofsted - When to contact Ofsted – Either after the complaints procedures at school have been exhausted; these will be outlined in your school's complaints policy or, if the matter is very serious, anytime.

Complete the online form if your child is still enrolled at the school about which you are complaining. This can be found at <https://www.gov.uk/complain-about-school/state-schools>.

Further information can be found at <https://www.gov.uk/complain-to-ofsted>.

Department for Education (DfE) - When to contact DfE - Either after the complaints procedures at school have been exhausted; these will be outlined in your school's complaints policy.

You need to complete the school's complaints procedure before you complain to DfE, unless one of the following applies:

- a child is not getting an education
- a child has been exposed to harm

To complain go to <https://www.gov.uk/complain-to-dfe>

Parent View When to give feedback to Parent View - Anytime and encourage other parents to do so too. Complete an online review of your school and encourage other parents to do so as this online review is considered by Ofsted when they next inspect.

This can be found at <https://parentview.ofsted.gov.uk/login?destination=give-your-views>

Your Local MP - When to contact Local MP - Anytime.

Contact your local MP and let them know of any racist bullying your child is still experiencing despite you letting the school know. Your local MP can raise/escalate concerns with the school for you. You will have to make an appointment to see your local MP. It will be useful to have copies of any paper communications to give to the MP or their secretary when you attend the appointment at their surgery.

You can find your local MP at: <https://members.parliament.uk/FindYourMP>

If your child is in an academy - ESFA

Contact the Educational and Skills Funding Agency (ESFA). The ESFA can investigate whether the Academy has considered the complaint appropriately. If it finds that they did not consider the complaint appropriately they can request the Academy to re-consider the complaint. https://form.education.gov.uk/service/Contact_the_Department_for_Education

If your child is in a maintained school – Local Authority – When to contact – When the school's complaints procedure is nearly exhausted or if your child has been absent for some time from school due to bullying.

Make a formal complaint to the Local Authority (LA) and ask for an investigation to be carried out and a report issued. Their aim is to foster good relations between families and schools and will help them work together to get things resolved.

You may want to ask the LA if other complaints of bullying have been reported to them involving the same school. You can ask if the education welfare officer has been involved. They have to visit pupils whose parents have removed them and who are at home. This

may prompt the LA to ask if the school has a problem if there has been a series of complaints.

If your child is in an independent/private school – When to start formal complaints procedure - Anytime

Follow the school's own complaints procedure through the governing body. If you are still dissatisfied after this, you can pursue matters relating to your contract with the school through the courts. Make sure you have read the school's behaviour, anti-bullying policy and equalities policy. If your complaint is that the school is not complying with legal regulations governing independent schools, you can contact Department for Education.

registrationsenquiries@education.gsi.gov.uk. The Department will not investigate individual complaints but can look at regulatory issues. Remember that if your child is at risk of harm or you think a crime has been committed you can always contact the police or the local authority children's services team.

If your child is in a maintained school and or academy- When to contact – after the school's complaints procedure is exhausted and after ESFA or the LA's is exhausted too.

. Before you can complain to the Secretary of State, you must have exhausted all of the above complaints procedures.

You can write a letter - recorded delivery - to The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

The Secretary of State will consider the following types of complaint:

- failure of a school and/or Local Authority to address bullying;
- failure of a school and/or Local Authority to safeguard and promote a pupil's welfare in accordance with section 175 Education Act 2002;

Further anti-bullying advice

<https://anti-bullyingalliance.org.uk>

<https://www.nationalbullyinghelpline.co.uk/cyberbullying.html>

<https://www.familylives.org.uk/advice/bullying/advice-for-parents>

3c - Myth busting

It is a myth that complaining to Ofsted will put an end to the bullying for you immediately. While, as a parent of a pupil at the school, you have a right to complain to Ofsted about the bullying, this complaint can only be made after you have exhausted all complaints stages at your school and if your child is a pupil at the school currently. Both conditions need to be met. The stages of the complaint will be found in the school's complaints policy. Ofsted will receive your complaint and keep it on file until it is ready to inspect the school again which may take months or years. One of the exceptions to this general rule is where the bullying targets are a significant minority of pupils in school. In this instance, you can get in touch with Ofsted without following the school's complaint procedures to let them know about the group of pupils the school is failing.

It is a myth that once you inform the school, the bullying will always be resolved immediately. While this may be true for many schools, some schools still do not fully understand how Sikh pupils are at a greater risk of being targeted (especially those wearing articles of faith such as a dastar). Resolving the bullying at your school takes persistence and determination, especially when Sikh pupils form the smallest minority in school, as the background knowledge about the Sikh faith is not always strong in schools.

It is a myth that teachers will know about the bullying of your child before you. Most bullying occurs where teachers are not immediately present such as in communal areas of the school such as toilets, playground, corridors or social media. Therefore, it is important to let the school have details of the bullying straight away for them to manage the situation. If the bullying involves pupils off-site such as the bus-stop then it is still the school's responsibility to deal with this.

It is a myth that you must send your child to school if they are being bullied. Your child cannot be forced to attend school if there is the possibility of considerable damage to them. For example, if your child has received a threat that they will be hurt, and you do not believe the school can manage the situation then you have every right as a parent to safeguard your child from further harm and keep them at home. The school may class your child's absence as unauthorised but in situations of bullying, unauthorised absence should be the least of your concerns. The safety of your child is paramount. Though rare, the school may talk of an attendance fine but this is a last resort threat and even so, this can be challenged if your child is off school because they are unwell. Bullying can cause anyone to feel unwell. A GP note should confirm this. If possible, ask your child to see the

doctor so that they can be assessed for their emotional and mental health. Ask for a written note if the doctor recommends time off school. Often, schools do not want their attendance figures to be affected by a child's absence as schools are held accountable for poor attendance rates.

It is a myth that poor attendance during bullying at school affects your child's schooling. While poor attendance can be shown to affect your child's learning over time, this is superseded by the simple fact that no child can learn even if they attend school if they are in fear of bullies. If you do not wish your child to attend school until the bullying is resolved then email the school and state so. This will encourage the school to resolve the matter urgently if it isn't already doing so.

It is a fact that all schools do their best to help stop bullying. While no school wants bullying, not all schools demonstrate the same commitment and practice in stamping out bullying. There are too many schools that fail to proactively recognise the bullying of Sikh pupils as a serious issue, especially when it involves bullying from other Asian minority pupils. This is why it is important to engage in positive dialogue early on with the school.

It is a myth that the police cannot be contacted in cases of bullying. Incidents at secondary school are often more severe than those in primary school. Cyberbullying, racism and violence are serious. If you have alerted the police, then let the school know. If the matter is being escalated with the police in any case, then let the police and school know your child will not be forced to enter a dangerous situation. Part of real self-defence is to teach your child that we do not enter potentially harmful situations knowingly.

It is a myth that all schools will keep an accurate log of your concerns. While all schools try to keep accurate records of incidents, because schools are very busy places, this is not always possible. This makes it all the more important to keep a digital trail of any communications with the school. For any face-to-face or telephone conversations you should email the school with a summary of what was shared or agreed upon.

It is a myth that because the parents of the bullied pupil do not know Panjabi they cannot stop the bullying for their child, effectively. All parents, no matter their background can complain, but if there is a language barrier they may require further assistance to help translate. Email the school to let them know this is the case. The school may engage with interpreters who can speak with you or parents can find an English-speaking representative on their behalf.

It is a fact that Sikh children are likely to experience more bullying, especially those who attend schools where they form a very small minority. This is why it is all the more

important to understand the context of the school before you send your child to it. Make sure you visit any prospective school before enrolling and make sure you find out the experience of other pupils by asking any parents you know.

3d - Panjabi Advice for tackling bullying

- Record unusual behaviour and speak to your child about what might be worrying them. Often, a child may not speak to those closest to them. In this case, ensure someone takes your place so your child has an opportunity to voice his or her concerns.
- Ensure that actions proposed by the school are carried out by pointing out any mistakes or omissions. Record this in writing.
- Ask for any face-to face meetings to be minuted. If this is not possible ensure that you write back afterwards setting out your understanding of what was agreed in a letter or email. If the school has prepared minutes ask check these are accurate.
- Check the school anti-bullying policy to ensure it is being complied with. If it is not, write to the school to say so.
- If your child appears to be the victim of a crime report it to the police. Record the crime reference number. Remember bullying may also be a crime. Regular emotional harassment or physical assault can be a crime (Protection from Harassment Act or Offences Against the Person Act).
- If your child is too anxious to return to school then take your child to the GP, especially where it is impacting their mental health.
- Check your child's social media accounts and messages. Monitor his or her mobile phone to check for bullying and if evidence is on the phone or computer record the evidence by taking copies. Do not let your child respond else this may land them in further trouble if an investigation takes place.

3e - Resolutions

A school may at any time ask what you expect to see from them regarding actions. An obvious answer to this question is, 'I expect an immediate end to the bullying from now on but consider the following resolutions depending on the severity of the bullying:

- For those who are bullying to apologise to your child;
- For those who are bullying to be suspended;
- For those who are bullying to have their break/lunchtimes restricted or chaperoned by staff;
- For those who are bullying to be given report cards so their behaviour is monitored over a term and after a successful review any revoked privileges to be reinstated;
- For those who are bullying to be banned from any extra-curricular clubs;
- For those bullying to complete an essay on the harmful impacts of bullying and to understand why.
- For the parents of the bullying child(ren) to be informed at a school meeting that there will be severe sanctions (usually suspension or expulsion) if any further incidents of bullying arise;
- For the parents and bullying child(ren) to be notified that because the bullying is on grounds of race, or ethnicity the police will be involved in future;
- For the school to apologise in writing to you if it has failed to apply its behaviour policy or has made mistakes in dealing with bullying effectively and quickly which means your child has had to endure further bullying;
- For the school to conduct a review inviting all Sikh pupils to contribute to a Pupil Voice session which discusses behaviour, bullying and racism at their school and for these findings to contribute to the school's equalities objectives;
- For those who are bullying or your child be moved from one class to another;
- For your child to move to another school if you are not confident about the school's capacity to stop the bullying in the future based upon the many chances provided to the school to prove otherwise. This may be more relevant for schools where recent Ofsted inspection reports share that behaviour in the school has the

judgement of 'requires improvement' or 'inadequate.' It may also be true for schools where Sikh pupils form only a handful of the number on roll at school. Further information on how to move school can be found in 3f.

Remember, all resolutions should be supported by the school's behaviour policy.

3f - Moving school

If you think despite all or any of the school's attempts to end bullying at the school for your child, the school no longer has your trust and your child needs a fresh start then a new school may help. As a parent, you must do all the background work in reassuring yourself that the culture of the new school is going to fit your child. You can do this by reading the school's most recent Ofsted report, asking other Sikh parents how their child fares at the new school you are interested and definitely, visiting the school with your child.

There are two ways in which you can apply to join another school:

In-year admissions

In-year admissions are admissions to a new school at any point in the year. For oversubscribed schools there is often a waiting list which means your child must wait for a place to become available. You can speak to the admissions officer to find out the number on the waiting list. If it is long, then it will be a while before your child is admitted to the school. In any case, there is no harm in completing the in-year admissions form which you the admissions officer can tell you about. Your child can stay on roll at his/her old school while being on the waiting list for another. However, the wait may be long one.

A managed move

A managed move is a move to a new school which is managed by the current school. It requires the headteacher of your child's current school to speak with the new school, preferably one you have suggested to them. A managed move is a temporary move to another school that can become permanent. It is often only in cases where the pupil who is moving is likely to be suspended or expelled. However, in some bullying cases, a managed

move can also apply where you and the headteacher agree that your child needs a fresh start. If both schools agree, then they draw up criteria that will need to be met during the move. If the new school has a waiting list, a managed move may overcome this.

For the initial period of the move, your child will remain on roll at his/her old school while they attend the new school. If, after a specific time, both schools decide your child can permanently move to the new school then this will take place.

3g - Meeting conduct

Before a meeting

- Ask for any meetings to be minuted/recorded on paper, digitally or on phone.
- Ask someone to accompany you at a meeting if you need a translator or support.
- Make sure you have a copy of the school's behaviour policy or anti-bullying policy. Often, the antibullying information is in the behaviour policy already.
- Make sure you have your child's bullying log (2c) with you. If your child wants to say something then do not deny them their voice. Record what they need to see especially about the impact on them on your phone and play this to the adults in the room.
- Make notes about what you want to say and what you expect the school to do. This will help you to remain focused during the meeting.

During and immediately after meeting

- The meeting will naturally involve emotions ranging from frustration to anger, especially if the school say something with which you disagree. However, it is important to remain calm at all times. Talk assertively but do not shout or interrupt. If you feel you need some time-out then say so. Everyone deserves to be treated with respect including school staff who do a difficult job in difficult circumstances.
- If you have someone with you, ask them to take notes of key points in the meeting especially any next steps.
- When deciding a way forward, let the school know what your child needs and make suggestions - see 3e and, if necessary, 3f.
- If the school has prepared minutes make sure these are sent to you after the meeting so you can check that the notes are accurate.

- When the meeting has finished, confirm who will be your main contact, your child's main contact and how you will be kept updated.
- Agree a date or timescale for a future meeting to review things.
- Send a follow-up email understanding of what was agreed at any meeting which was not recorded - see 2l.

3h - Bullying, the law and any regulations

The following is taken from <https://www.kidscape.org.uk/> This is a quick guide to bullying the law and any regulations as it relates to schools in England and Wales.

The Educations and Inspections Act 2006

- Maintained schools must have measures to encourage good behaviour and prevent all forms of bullying among pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents.

The Education (Independent School Standards) Regulations 2014

- The proprietor of an Academy or other independent school ensures that bullying at the school is prevented in so far as reasonably practicable, by the drawing up and implementation of an effective anti-bullying strategy.

The Equality Act 2010

- A key provision in The Equality Act 2010 is the Public Sector Equality Duty (PSED), which covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Duty requires public bodies to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act

- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it.

Criminal law

- Bullying in itself is not a specific criminal offence in the UK, but some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986 (e.g. under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient).
- The law recognises five types of hate crime. Race and religion are included among them. Someone can be a victim of more than one type of hate crime.

Safeguarding children and young people

- When there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm' a bullying incident should be addressed as a child protection concern under the Children Act 1989.

Bullying outside school premises

- Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances.

School inspection regulations

- Ofsted Inspection Framework.

- Inspectors will assess the extent to which the provider complies with the relevant legal duties as set out in the Equality Act 2010, including, where relevant, the Public Sector Equality Duty and the Human Rights Act 1998.
- Inspectors will make a judgement on behaviour and attitudes by evaluating the extent to which:
 - Relationships among learners and staff reflect a positive and respectful culture. Leaders, teachers and learners create an environment where bullying, peer-on-peer abuse or discrimination are not tolerated. If they do occur, staff deal with issues quickly and effectively, and do not allow them to spread.