

Bullying Intervention and Prevention in Schools

Bill 2023

A Bill for an Act to increase awareness and accessibility for bullying intervention and prevention processes across all schools in Victoria. The target for this Bill is for schools to have a clearer process on preventing and addressing bullying for both staff and students. This is to improve the way bullying is handled and allow for schools to be better equipped to prevent bullying and support students with the aid of clear legislation on a best practice approach.

This Bill aims to decrease bullying in schools as there are known links between bullying and the detrimental effects it can have on the mental health of young people. The Body for Bullying Prevention and Response shall address the rise in bullying and its evolution in differing forms, such as online, and shall be able to adapt the legislation to fit the changing climate. The accessibility of both the Bullying Prevention and Response Plan and the Incident Report Form aims to address the under-reporting of bullying, and its tendency to occur towards marginalised groups.

A Bill for an Act relating to Stronger Processes to Address Bullying in Schools.

To be enacted by the Y's Victorian Youth Parliament.

PART I—Preliminary

Clause 1 Purpose

The main purposes of this act are;

- (a) To outline schools' responsibilities and expectations, and ensure they take all appropriate actions to follow up bullying;
- (b) To create guidelines to increase student and staff knowledge of what bullying intervention and prevention processes are in place at their school;
- (c) To reduce bullying incidents in Victorian schools;
- (d) To provide increased support for students in schools to prevent instances of bullying and improve intervention methods;
- (e) To equip schools and staff with skills and resources to decrease the overall number of instances of bullying.

Clause 2 Commencement

This Bill shall commence upon receiving assent from the Youth Governor of Victoria.

Clause 3 Definitions

In this Bill;

- (a) **BPR Board** means the Bullying Prevention Response Board;
- (b) **Bullying** means a repeated behaviour that can be physical, verbal or social, and occurs either in person or online in both an obvious and/or hidden manner. This includes covert bullying, cyberbullying, physical bullying, social bullying and verbal and written bullying;
- (c) **Dedicated Bullying Support Officer** means the role created under this Bill which would be dedicated to bullying prevention and support in schools;

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- (d) **FTE** means the full-time equivalent of a role; this is the unit of measurement used to calculate the number of full-time hours worked by an employee;
- (e) **High risk group** means a group that has an increased likelihood of experiencing bullying due to their identity or social group;
- (f) **Mental health** means an individual's condition regarding their psychological and emotional wellbeing;
- (g) **Staff** means all school personnel who come into contact with students;
- (h) **Time allowance** means the workable hours dedicated to the role;
- (i) **Youth Mental Health First Aid** means an accredited Mental Health First Aid course, specific to young people of schooling age;
- (j) **When bullying becomes a crime** means when it becomes a conflict with the law, and therefore police or other authorities may become involved (such as in conflict with Brodie's Law, theft, discrimination etc).

PART II—Establishment

Clause 4 Establishment of the Bullying Prevention and Response (BPR) Board

- 4.1 The Bullying Prevention and Response (BPR) Board shall be established.
- 4.2 The BPR shall oversee the following;
 - (a) A review every 3 years to comply with changes in law;
 - (i) If necessary, a review shall be completed more often.
 - (b) Conducting regular meetings covering;
 - (i) The progress of schools implementing bullying prevention policies;
 - (ii) Reviewing and auditing school processes related to bullying;
 - (iii) Meetings shall be no longer than 3 hours in length.
 - (c) Compiling a list of approved professional development training options;
 - (i) For general staff;
 - (ii) For the Bullying Support and Prevention Officer.
 - (d) The development of compulsory online learning modules.
- 4.3 The Board shall be comprised of diverse members, including;
 - (a) One member aged 12-25;
 - (b) One member from the Department of Education;
 - (c) One member from the Youth Affairs Council Victoria;
 - (d) One member from the Centre for Multicultural Youth;
 - (e) One member from a marginalised group;
 - (f) One member from the Department of Families, Fairness and Housing;
- 4.4 Board positions shall be paid a sitting fee of 30 units per hour.

Clause 5 Evidence of Bullying

- 5.1 Witnesses to bullying outside of school times shall be utilised as evidence for bullying occurring;
 - (a) This includes parents, guardians, students and members of the public.
- 5.2 A student wearing uniform outside of school hours shall face consequences within school hours for their actions.
- 5.3 A reporting process shall be provided to the public to submit any witness to negative behaviour of students outside of school;
 - (a) This shall remain anonymous.
- 5.4 School emails and other school-linked accounts shall be utilised and monitored to track negative behaviours.
- 5.5 Where the victim or perpetrator is a student, evidence shall be provided to schools.
- 5.6 For matters including ongoing cyberbullying, the police or school shall take upon the investigative stage.

Clause 6 Bullying Awareness Program

- 6.1 A Bullying Awareness program shall be included as part of the Respectful Relationships Curriculum within all Victorian schools.
- 6.2 The program shall commence over the duration of the first semester each year, at each year level.
- 6.3 The program shall cover topics including;
 - (a) The different types of bullying, including;
 - (i) Physical;
 - (ii) Verbal and Written;
 - (iii) Social;
 - (iv) Covert;
 - (v) Cyberbullying and Sexting.
 - (b) The long-term negative effects that bullying has on mental health, including;
 - (i) Potential for taking one's own life;
 - (ii) Having trouble concentrating;

- (iii) Feeling unsafe or afraid;
- (iv) Having trouble with schoolwork
- (c) How to reach out, including;
 - (i) Who to talk to;
 - (ii) Where to get help;
 - (iii) How to get support.
- (d) How to support someone who is being bullied, including;
 - (i) Who to go to;
 - (ii) How to get support;
 - (iii) How to help a victim

Clause 7 Anti-Bullying Procedures and Processes in Schools

- 7.1 Schools shall have a Bullying Prevention and Response Plan that shall be separate from their Student Engagement Policy.
- 7.2 The Bullying Prevention and Response Plan shall include the following;
 - (a) Provide a clear explanation of what is and is not bullying, including definitions of the types of bullying, including but is not limited to;
 - (i) Physical bullying;
 - (ii) Verbal bullying;
 - (iii) Written bullying;
 - (iv) Social bullying;
 - (v) Cyber bullying;
 - (vi) Covert bullying.
 - (b) How the schools intend to;
 - (i) Build positive school culture;
 - (ii) Actively work to prevent bullying behaviours;
 - (iii) Measure this success.
 - (c) Clearly outline the steps schools shall take when staff become aware of bullying behaviour, including;
 - (i) The strategies that may be utilised to address bullying;

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- (ii) The support the school shall provide to all parties involved.
 - (d) Provide a clear, staged process for;
 - (i) The implementation of intervention strategies;
 - (ii) Other consequences;
 - (iii) Follow-up monitoring.
 - (e) Provide clear step-by-step instructions on the process a student and/or staff member is expected to follow when reporting an incident of bullying, including;
 - (i) An expected time frame for the completion of each step;
 - (ii) When follow-ups shall occur so reports remain up-to-date and are not forgotten.
 - (f) Provide directions to staff regarding the maintenance of appropriate records and processes for following up on incidents of bullying;
 - (g) Describe what actions are to be taken when bullying escalates into a crime and/or is a form of discrimination;
 - (h) List alternative routes of reporting if the bullying is being perpetrated or perpetuated by a staff member.
- 7.3 Schools shall identify high-risk groups and develop strategies to specifically address their needs;
- (a) Resources and examples shall be provided to staff.
- 7.4 The Bullying Prevention and Response Plan shall be clearly communicated and reviewed by the school every 2 years, including;
- (a) Incorporating the plan into staff induction processes and handbooks;
 - (b) Having copies freely available around the school;
 - (c) Incorporating the plan into enrolment packs and student diaries;
 - (d) Making the policy publicly available on the school website.

Clause 8 Incident Report Form and Bullying Prevention and Response Plan

- 8.1 Schools shall provide and utilise an incident report form as outlined per the schools Bullying Prevention and Response plan.
- 8.2 The form shall;
- (a) Be accessible to all staff, students, parents/guardians and community members including;
 - (i) Ensuring forms are easy to find;
 - (ii) Ensuring forms are easy to access;
 - (iii) Forms shall be written in plain language
 - (iv) The form being able to be read by a screen reader;
 - (v) The form being able to be filled out online;
 - (vi) The form using simple universal design;
 - (vii) Alt-text being used for any images or logos;
 - (viii) Making high contrast and large print versions of the form available.
 - (b) Be followed up in a timely manner.

Clause 9 Bullying Support and Prevention Officer

- 9.1 Every School in Victoria shall have a Dedicated Bullying Support and Prevention Officer. This role shall be responsible for;
- (a) Offering support to students experiencing bullying;
 - (b) Running activities which promote building good mental health and develop resilience techniques within cohorts of students.
- 9.2 The role of Bullying and Prevention Officer shall have a minimum 1.0 FTE;
- (a) Each School shall receive funds to ensure that the role can employ the minimum of 1.0 FTE;
 - (b) The FTE shall have the capacity to be split into multiple roles at the school's discretion;
 - (i) Each role shall be no less than 0.4 FTE or two full days.

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- (c) The FTE funding for this role shall be allocated as 1.0 or 5 days per 300 students and an extra 0.6 FTE or 3 days per every 200 students.
- 9.3 This role shall include its own job title and shall not be absorbed by pre-existing roles;
- (a) This role shall require appropriate checks including;
 - (i) Working With Children's Check;
 - (ii) National Police Check;
 - (iii) A current Youth Mental Health First Aid Certification;
 - (iv) Current knowledge on trauma informed care.
 - (b) This role shall be outlined in each school's Bullying and Prevention Policy;
 - (c) The role and its purpose shall be made clear to students through;
 - (i) Regular announcements in school assemblies;
 - (ii) Regular announcements in school newsletters.
- 9.4 Upon commencement of this role, the staff member shall have a period of 3 weeks to complete the compulsory learning modules;
- (a) Compulsory learning modules shall be completed within work hours;
 - (b) Refusal of this shall result in a review of the school's compliance with procedures associated with implementing the Bullying and Prevention Policy.

Clause 10 Professional Development for Staff at Schools

- 10.1 All Victorian school staff shall be required to hold a current Youth Mental Health First Aid qualification.
- 10.2 Professional development on bullying shall be run at least once every school year for all school staff. This shall include the following;

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- (a) Knowing the signs and symptoms of poor mental health;
- (b) Understanding the long-term effects of bullying;
- (c) Referring students to mental health support both inside and outside of school.