



HOËRSKOOL
BOSMANSDAM
HIGH SCHOOL



Adam Tas Avenue, Bothasig
Cape Town 7441



office@bosmansdam.co.za



021 558 1070
021 558 6380

BULLYING AND CYBERBULLYING POLICY

1. Introduction

This document is the bullying and cyberbullying policy of Bosmansdam High School, as approved by the school governing body on 1 February 2016. The policy has been drafted in accordance with the provisions of the Constitution of South Africa, 1996; the South African Schools Act 84 of 1996 ('SASA'); the National Education Policy Act 27 of 1996; applicable provincial legislation on school education; the Protection from Harassment Act 17 of 2011; the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, and the United Nations Convention on the Rights of the Child, 1989.

All learners have the right to attend a public school that is a safe and secure learning environment. It is the intent of Bosmansdam High School to provide all learners with an equitable opportunity to learn. To that end, the school has a significant interest in providing a safe, orderly and respectful school environment, which is conducive to teaching and learning.

Bullying is detrimental to the school environment and to learners' learning, achievement and well-being. It interferes with the mission of the school to educate learners, and disrupts school operations. Bullying affects not only learners who are targets, but also those who participate in and witness such behaviour. It must be addressed to ensure learner safety and an inclusive learning environment.

This policy must be read in conjunction with the school's Code of Conduct for Learners, of which it forms an integral part.

2. Definitions

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more learners, educators, non-educators or visitors to the school premises. It is further defined as unwanted and repeated written, verbal or physical behaviour, including any threatening, insulting or dehumanising gesture, by a learner or adult, which is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the learner's school performance or participation, and may involve, but is not limited to:

- (i) teasing;
- (ii) social exclusion;
- (iii) threat;
- (iv) intimidation;

- (v) stalking;
- (vi) physical violence;
- (vii) theft;
- (viii) sexual, religious or racial harassment;
- (ix) public humiliation; and
- (x) destruction of property.

Crimen iniuria means the unlawful, intentional and serious violation of the dignity or privacy of another person.

Criminal defamation means the unlawful and intentional publication of a matter concerning another, which tends to seriously injure his or her reputation.

Cyberbullying means bullying through the use of technology or any electronic communication, including, but not limited to, the transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

Examples of conduct that may constitute cyberbullying include, but are not limited to:

- (i) posting slurs or rumours or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane or sexually oriented material about a learner on a website or other online application;
- (ii) posting misleading or fake photographs or digital video footage of a learner on websites, or creating fake websites or social networking profiles in the guise of posing as the target;
- (iii) impersonating or representing another learner through use of that other learner's electronic device or account to send e-mail, text messages and instant messages (IMs) or make phone calls;
- (iv) sending e-mail, text messages and IMs or leaving voicemail messages that are mean or threatening, or so numerous as to bombard the target's e-mail account, IM account or cellphone; and
- (v) using a camera phone or digital video camera to take and/or send embarrassing or 'sexting' photographs of other learners.

Electronic communication means any communication through an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager, which communication includes, but is not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

Extortion means when a person unlawfully and intentionally obtains some advantage, which may be of either a patrimonial or non-patrimonial nature, from another by subjecting the latter to pressure, which induces him or her to hand over the advantage.

Harassment means directly or indirectly engaging in conduct that the perpetrator knows or ought to know:

- (i) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably:
 - (a) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside or near the building or place where the

- complainant or a related person resides, works, carries on business, studies or happens to be;
 - (b) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or
 - (c) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person, or leaving them where they will be found by, given to or brought to the attention of the complainant or a related person; or
- (ii) amounts to sexual harassment of the complainant or a related person.

Retaliation means an act or gesture against a person for asserting or alleging an act of bullying. 'Retaliation' also includes reporting an act of bullying when it is not made in good faith.

Sexting means sending and sharing nude or semi-nude photos or videos and/or sexually suggestive messages via mobile phone texting or instant messaging to and from other learners.

3. Application

- 3.1 This policy applies to any learner, educator and non-educator employed at the school as well as any visitor or volunteer who engages in conduct that constitutes bullying, cyberbullying or retaliation, all of whom have the responsibility to comply with this policy.
- 3.2 This policy applies to bullying that:
- 3.2.1 takes place at the school or on school grounds, meaning a school building; on property on which a school building or facility is located, and in/on property that is owned, leased or used by a school for a school-sponsored activity, function, programme, instruction or training, with 'school grounds' also including vehicles used for school-related transport;
 - 3.2.2 takes place while learners are being transported to or from schools or school-sponsored events;
 - 3.2.3 takes place at any school-sponsored event, activity, function, programme, instruction or training;
 - 3.2.4 takes place through the use of data, telephone, computer software or technology that is accessed through a computer, computer system or computer network of the school; or
 - 3.2.5 takes place elsewhere, but only if the bullying also infringes on the rights of the learner at school, or if the school itself is in any way involved or implicated.

4. Prohibited activities or behaviour

- 4.1 The following behaviour is prohibited:
- 4.1.1 Bullying
 - 4.1.2 Cyberbullying
 - 4.1.3 Harassment
 - 4.1.4 Retaliation against those reporting such defined behaviour
 - 4.1.5 False accusations of bullying behaviour
 - 4.1.6 Defamation of the school's good name

Any person who engages in any of these prohibited behaviour shall be subject to consequences.

4.2 With regard to cyberbullying, the following acts as well as harassment and sexting constitute criminal offences, and shall therefore also be regarded as misconduct in terms of the school's code of conduct:

- Crimen iniuria – Any act that violates the dignity of another person, which may also be committed by communicating to somebody else a message containing, expressly or implicitly, an invitation to, or a suggestion of, sexual immorality or impropriety, or by sending indecent photos.
- Criminal defamation – Defamatory remarks in chat rooms, on social networking sites, or in e-mails, text messages or instant messages to third parties are some methods of committing cyberbullying.
- Extortion – Where a person intentionally and unlawfully threatens to electronically distribute information or compromising images about another person.

5. Reporting

5.1 Bullying, suspected bullying or any other prohibited action mentioned under paragraph 4.1 above is reportable in person or in writing (including anonymously) to school staff. Any person aware of any bullying, suspected bullying or any other prohibited action mentioned under paragraph 4.1 is required to report incidents to the school principal or other school staff designated by the principal.

5.2 If any person suspects or is told about a cyberbullying incident, follow the protocol outlined below:

Mobile phones

- Ask the pupil to show you the mobile phone in question.
- Note clearly everything on the screen relating to an inappropriate text message or image, including the date, time and names.
- Make a transcript of a spoken message, and again record the date, times and names.
- Instruct the pupil to save the message/image.
- Accompany the pupil to the principal or the person designated by the principal.

Computers

- Ask the pupil to pull up the material in question on the screen.
- Ask the pupil to save the material.
- Immediately make a printout of the offending material.
- Ensure that you have all the pages and information in the right order and that there are no omissions.
- Accompany the pupil, taking the offending material along, to the principal or the person designated by the principal.
- Normal procedures to interview pupils and to take statements will then be followed.

5.3 Parents and other adults who are aware of incidents of bullying are encouraged to report this behaviour to a staff member.

5.4 All other members of the school community, including learners, parents/legal guardians, volunteers and visitors, are encouraged to report any act that may be a

violation of this policy anonymously or in person to the principal or principal's designee.

- 5.5 Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. If it is determined that a learner has falsely accused another of bullying, such learner shall be subject to disciplinary consequences.
- 5.6 In terms of section 54 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, any person who knows that a sexual offence has been committed against a child must report such knowledge immediately to a police official. Failure to report such information is an offence. Therefore, any person involved in sexting or sexual harassment, or who has knowledge of such acts, is obliged to report such knowledge.

- 5.7 In case of a violation of any provision prescribed in this policy, the disciplinary procedure as set out in part 3, section 2 to 5, of the school's code of conduct is to be followed.

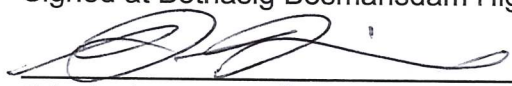
Alternative disciplinary measures include, but are not limited to:

- (i) meeting with the learner and the learner's parents;
- (ii) reflective activities, such as requiring the learner to write an essay about the learner's misbehaviour;
- (iii) counselling;
- (iv) anger management;
- (v) health counselling or intervention;
- (vi) mental health counselling;
- (vii) participation in skills-building and dispute resolution activities, such as social-emotional cognitive skills building, dispute resolution circles and restorative conferencing;
- (viii) community service; and
- (ix) in-school detention or suspension, which may take place during lunchtime, after school or on weekends.

6. Policy amendments

The school governing body may from time to time amend, supplement, modify or alter this policy.

Signed at Bothasig Bosmansdam High School on 27-10-2025


Principal


Chairman: School Governing Body



HOËRSKOOL
BOSMANSDAM
HIGH SCHOOL



Adam Tas Avenue, Bothasig
Cape Town 7441



office@bosmansdam.co.za



021 558 1070
021 558 6380

Addendum to Bosmansdam High School Bullying and Cyberbullying Policy

This Addendum updates the procedures contained within Section 5 (Reporting) of the Bullying and Cyberbullying Policy (approved 1 February 2016) by incorporating mandatory reporting and disclosure management protocols as required by relevant child protection legislation and departmental directives, particularly concerning acts that constitute child abuse, deliberate neglect, or sexual offences.

Addendum to Section 5: Reporting and Management Procedures (Child Abuse/Bullying)

The conduct defined in this policy, including **bullying, cyberbullying, harassment, and sexting**, may constitute a form of "child abuse" or "sexual offence". All educators and staff must follow these updated management procedures, prioritising the **best interests of the child** (victim or offender).

1. Mandatory Legal Duty to Report

The duty to report is compulsory, and failure to report certain knowledge is a criminal offence.

1.1

Sexual Offences (Mandatory, Immediate Report to Police): Any person who has knowledge, reasonable belief, or suspicion that a sexual offence has been committed against a child must report this knowledge immediately to a police official.

1.2

Abuse Causing Injury or Deliberate Neglect (Mandatory Report by Professionals): An educator (Teacher) who has reasonable grounds to conclude that a child has been abused (in a manner causing physical injury, sexual abuse, or deliberate neglect) must report this conclusion in the prescribed form (Form 22A) to the **Provincial Department of Social Development or a Police Official**.

2. Disclosure Management Protocol

When a learner victim makes a disclosure (whether learner-on-learner or involving an employee or external person), the process must be managed with care, sensitivity, and confidentiality. Actions and interventions must be **immediate**.

2.1

Role of the Educator/Principal (Receiving the Disclosure): The role of the educator or principal is **merely to receive the report**. Under **no circumstances** must the learner victim be questioned to verify the truthfulness of the allegations. It is sufficient only to obtain information regarding the type of abuse and the suspected perpetrator to adequately manage the disclosure process.

2.2

Confidentiality Limits: At the time of disclosure, the educator must clearly explain the limits of confidentiality to the learner victim, including that, in order to help them, the staff member is **legally obliged to report the case** to other role-players such as a social worker and/or the South African Police Service (SAPS).

2.3

Immediate Safety Measures: The **safety of the child** must be ensured immediately. If the alleged perpetrator is a parent, it may be advised **not to contact the other parent** before the designated social worker or SAPS is involved, in order to prevent intimidation of the learner victim.

2.4

Timeliness of Reporting: There should be **no delays** in involving the relevant role-players. SAPS (Family Violence, Child Protection and Sexual Offences Unit - FCS Unit) and the Department of Social Development (DSD) should be contacted on the **same day** the disclosure is made.

3. Required Role-Player Notification (Learner-on-Learner Bullying/Abuse)

Sexual Offence (Bullying/Sexting/Harassment):

- **Mandatory Immediate Notification:** SAPS (FCS Unit)
- **Additional Support/Notification:** School social worker; Parents of victim and alleged offender

Abuse other than Sexual Offence (e.g., physical bullying involving dangerous objects, assault, repeated harm, or severe emotional bullying/harassment):

- **Mandatory Immediate Notification:** Designated Social Worker or Police
- **Additional Support/Notification:** School social worker; Parents of victim and alleged offender

Employee Offender (including SGB staff):

- **Mandatory Immediate Notification:** School social worker (to manage the process); SAPS (FCS Unit) for sexual offences; Designated Social Worker or SAPS for non-sexual abuse; Directorate: Employee Relations or the SGB (if they employ the offender)

- **Additional Support/Notification:** Parents of the victim

4. Disciplinary and Support Measures

4.1

Referral for Discipline: If the bullying transgression constitutes a violation of the school's Code of Conduct, the disciplinary procedure must be followed as set out in the Code. This process must include provisions of **due process safeguarding the interests of the learner**.

4.2

Suspension and Expulsion: For serious misconduct, the Governing Body may impose a **precautionary suspension** or, if the learner is found guilty, suspend them for a period **not longer than seven school days**, or recommend to the Head of Department that the learner be expelled.

4.3

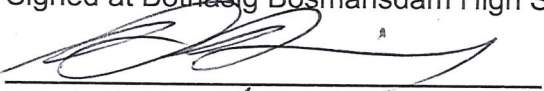
Counselling and Support: Both the learner victim and the alleged learner offender must be referred to the relevant role-players (such as the school social worker, where applicable) for **emotional support and therapy/counselling**. This support for alleged offenders should be viewed as an attempt to prevent further abuse.

4.4

Disciplinary Hearings (Protecting the Victim): During any internal disciplinary hearing (SGB hearing), the following measures must be taken to protect the learner victim:

- Ensure the safety of the child.
- Ensure the child has access to an **intermediary** (irrespective of age) to assist in giving evidence.
- Ensure separate seating arrangements to avoid contact between the learner victim and the alleged offender.
- Questions must take into account the learner victim's developmental age, concentration, language, and emotional status.
- Debriefing should be ensured if needed.
- The victim is entitled to legal representation if they choose.

Signed at Bothasig Bosmansdam High School on 27-10-2025


Principal


Chairman: School Governing Body



Standard Operating Procedure (SOP): Responding to Reports of Bullying and Sexual Harassment

1. Purpose

To provide a clear, consistent, and legally compliant process for addressing reports of bullying and sexual harassment at Bosmansdam High School.

2. Scope

This SOP applies to all staff, learners, and parents and includes all forms of:

- Bullying (physical, verbal, psychological, social, cyber)
- Sexual harassment (verbal, physical, visual, or online)

These apply on school premises, during school-related events, and on online platforms involving learners.

3. Legal and Policy Framework

- South African Schools Act (Act 84 of 1996)
 - Children's Act (Act 38 of 2005)
 - Constitution of the Republic of South Africa, 1996
 - Department of Basic Education's Anti-Bullying and Violence Prevention Guidelines
 - Employment of Educators Act (for cases involving staff)
 - Department of Basic Education Guidelines on Sexual Harassment in Schools
-

4. Definitions

- **Bullying:** Repeated, intentional harm involving a power imbalance.
- **Sexual Harassment:** Unwelcome sexual advances, comments, gestures, or contact that creates a hostile or intimidating environment.

- **Victim:** Learner who experiences harm.
 - **Perpetrator:** Learner or staff member engaging in harmful behaviour.
 - **Reporter:** Any person who brings an incident to the school's attention.
-

5. Reporting Procedure

Step	Responsible	Action
5.1	Any staff, learner, or parent	Report verbally or in writing to the class teacher, Grade Head, or Deputy Principal.
5.2	Grade Head / Designated Officer	Log the incident on Staffroom (TIME) - contact the parent.
5.3	Grade Head	Inform Deputy Principal within 24 hours and begin the investigation. If sexual harassment is alleged, initiate Form 22 reporting. Contact the parent.

6. Investigation Procedure

Step	Responsible	Action
6.1	Grade Head or Deputy Principal	Interview all parties. Take written statements.
6.2	Grade Head	Compile a written report and submit it to the Deputy Principal.
6.3	SMT & Principal	Assess severity. If sexual harassment is evident, complete and submit Form 22 to WCED immediately. Decide on an intervention meeting, disciplinary meeting or disciplinary hearing.

7. Disciplinary and Legal Response

Level	Response
Minor / First Offence	Verbal warning, counselling, parent meeting (Intervention Meeting)
Moderate	Written warning, behavioural contract, support intervention. (Disciplinary meeting)
Severe / Repeated	Suspension or referral to SGB for expulsion (Disciplinary Hearing)
Sexual Harassment or Criminal Conduct	Form 22 submission , lay charges with SAPS, referral to WCED and external authorities

8. Victim Support

The school is committed to ensuring the emotional safety, dignity, and academic continuity of any learner who experiences bullying or sexual harassment. The following structured support measures will be implemented:

8.1 Immediate Emotional and Psychological Support

- A School Psychologist or Counsellor meets with the learner.
- Confidential counselling sessions for emotional stabilisation and trauma debriefing.
- Assessment for ongoing therapy or external referral (Form 22)

8.2 Monitoring and Follow-Up

- Grade Head conducts weekly check-ins for a minimum of 3 weeks.
- Coordinate with subject teachers for academic catch-up and support.

8.3 Protective Measures

- Classroom relocation (victim or perpetrator) as advised by the Disciplinary Committee.
- No-contact contracts.
- Escorting to/from classes or gates (if required).
- Restricted area access for the perpetrator (if required).
- Separation during breaks or shared spaces (if required).

8.4 Family Involvement

- Parent/guardian meeting to discuss interventions.
- Offer parental counselling (Form 22).
- Referral to external support where necessary.

8.5 Academic and Social Reintegration

- Develop a reintegration plan for absentees.
- Facilitate peer support through RCL or peer mediators.
- Monitor the social environment to prevent isolation.

NOTE: These are best practices and resources, and the ability to offer may not necessarily be available yet, but should be aspired to.

9. False Reporting

False or malicious reports will result in disciplinary action against the reporter following a thorough investigation.

10. Prevention and Education

Activity	Responsible Party
Quarterly anti-bullying/harassment campaigns	Life Orientation Dept.
Peer mediation and leadership training	Counsellor / RCL Coordinator
Annual staff training on bullying & harassment	Deputy Principal

NOTE: These are best practices and resources, and the ability to offer may not necessarily be available yet, but should be aspired to.

11. Documentation & Record-Keeping

- All reports, investigations, and outcomes are to be logged on Staffroom.
 - **Form 22** must be completed for all sexual harassment cases/ severe repeated bullying and securely filed.
 - Confidentiality maintained per POPIA Act.
-

12. Review

This SOP is reviewed annually by the SMT and SGB to ensure legal and contextual alignment.

In the context of the **Western Cape Education Department (WCED)**, the terms **intervention meeting**, **disciplinary meeting**, and **disciplinary hearing** each refer to specific types of responses to learner misconduct, escalating in seriousness depending on the nature and severity of the behaviour. Here's a clear breakdown:

1. Intervention Meeting

Definition:

An informal, supportive meeting held to address minor or early-stage behavioural issues before they escalate into serious misconduct.

Purpose:

To identify underlying causes of behaviour, offer counselling or support, and set behaviour expectations. It is a proactive measure.

Who attends:

- Grade Head or class teacher
- Learner
- Parent/guardian
- Possibly a counsellor or school psychologist

Typical outcomes:

- Verbal agreement or behavioural contract
- Referral for counselling or mentorship
- Monitoring of the learner's behaviour
- No formal disciplinary action is recorded

WCED context:

Aligned with **intervention and support measures** recommended in the **WCED's Code of Conduct** and **SIAS Policy** (Screening, Identification, Assessment and Support).

2. Disciplinary Meeting

Definition:

A more formal school-based meeting following repeated or moderately serious misconduct. It is administrative, not judicial.

Purpose:

To discuss the incident, allow the learner to respond, and determine appropriate consequences in line with the school's Code of Conduct.

Who attends:

- Grade Head or Head of Discipline
- Deputy Principal
- Learner
- Parent/guardian
- Witnesses (if applicable)

Typical outcomes:

- Written warning
- Behavioural contract
- Detention or community service
- Referral to a disciplinary hearing if the matter is serious

WCED context:

This stage still resides **within the school's authority**, with the **principal or designated official** managing the process. No SGB is involved yet.

3. Disciplinary Hearing

Definition:

A formal legal proceeding convened by the **School Governing Body (SGB)** to determine guilt and decide on serious consequences such as **suspension or recommendation for expulsion**.

Purpose:

To ensure procedural fairness when addressing **serious misconduct** (e.g., assault, repeated bullying, possession of weapons or drugs).

Who attends:

- SGB Disciplinary Committee (minimum of 3 members)
- School Principal
- Learner and parent/guardian
- Witnesses
- Legal or union representatives (if requested)

Typical outcomes:

- Suspension (max 7 days without WCED approval)
- Recommendation to WCED for expulsion
- Rehabilitative recommendations

WCED context:

Required by the **South African Schools Act (Section 9)**. Any decision to expel must be approved by the **Head of Education (WCED)**.

Summary Table

Type of Meeting	Formality	Led by	Purpose	Possible Outcomes
Intervention	Informal	Grade Head	Support, prevent escalation.	Counselling, monitoring, parent involvement.
Disciplinary Mtg	Semi-formal	Deputy/Principal	Address misconduct, issue sanctions.	Warnings, contracts, and referral to hearing.

Signed at Bothasig Bosmansdam High School on 27-10-2025


Principal


Chairman: School Governing Body