

The Hague, 25 March 2013

Plan of action against bullying

Within this letter, we present our plan of action against bullying. It is unique for a Secretary of State and the Ombudsman for Children to work together to prepare and present a plan to the Tweede Kamer (Lower House). Normally the Ombudsman for Children provides a signal, the Cabinet responds and the House carries out a check. However, the suicides of Tim Ribberink and Fleur Flowers made it tragically clear that there is an urgent requirement for attention to be paid towards bullying and social safety in schools. We all feel that we have a moral obligation to look at our contribution towards finding a solution.

This plan has been achieved as a result of close cooperation between the Ministry of Education, Culture and Science and the Ombudsman for Children. Furthermore, we have spoken with a great deal more people. Members of Parliament, students, parents, teachers, school leaders, governments and civil society organisations have all shared their ideas about ways in which we can achieve safe schools for children. The results of these discussions can be found in this plan.

With the plan we are providing a follow up to the written questions from the Members of Parliament, Bergkamp (D66) and Smits (SP), as well as answering the call from Member of Parliament Beertema (PVV), in order to better address and beat bullying.¹ Furthermore, Member of Parliament Van der Burg (VVD) requested the approach for tackling bullying to be aligned to existing structures.² Finally, the Cabinet is formalising the recommendation for a safe school through the UN Committee on the Rights of the Child.³

This letter is only about social safety for children in school. Teachers and other school staff may also be victims of aggressive or intimidating behaviour. This undesirable behaviour is detrimental to the school environment and also deserves attention at a structural level. In the Annual Safety Letter, you will be informed about activities that are taking place in that context. Hereby, the Safe Public Duties programme of the Ministry of the Interior and Kingdom Relations will be involved.

1. Requirement for an approach

The Dutch government believes all children have a right to carefree school days that are dedicated to development, exploration and learning. Children must be kept safe so that they are able to learn and develop. Young people can only learn languages and mathematics in an environment where they deal with each other correctly and where they learn to respect one another.

The problem is that a safe school cannot be run from The Hague. Furthermore, it is not realistic to think that we can completely eliminate bullying altogether.

¹ Question Time - 18 December 2013. Acts II 2012/13, no. 36.

² Debate bill no. 33 062 on 31 January 2013. Acts II 2012/13, nr. 47.

³ Committee on the Rights of the Child, Concluding Observations of the Committee on the Rights of the Child: The Kingdom of the Netherlands, CRC/C.NLD/CO/3, 30 January 2009.

However, that does not absolve us from the responsibility to do whatever is in our power to prevent bullying as much as possible. We all have a duty to ensure that children and young people do not stand alone. This obligation applies to parents, peers, teachers, school leaders, community organisations, the Ombudsman for Children, Members of Parliament and the Cabinet.

This plan of action is therefore intended to help them to meet their responsibilities. We have chosen to take a generic approach to bullying because we believe that if we develop steps that really work, and promote them in a socially safe school environment, every child will be able to act freely and learn in a safe environment. This means that a generic approach must be sensitive to certain vulnerable groups, such as young people with disabilities, particular cultural or religious backgrounds, or LGBT youth (lesbian girls, gay boys, bisexuals and transgenders). This plan focuses on primary and secondary education where bullying should form a part of the social safety policy.

2. Why bullying is difficult to control

We all know what bullying is. It is a form of aggressive behaviour, whereby a relatively powerless person is attacked, humiliated or excluded by one or more individuals. Bullying has three characteristics: it is intentional, it is repeatedly carried out over a long period of time, and there is a power difference between the perpetrator and the victim. Bullying takes place in groups and often no clear distinction can be made between the bully and the bullied; moreover, these roles can easily be reversed. Bullying can take place on-line and off-line.

What is not so clear is how we can reduce bullying. We talked to many experts during the build up of this plan of action, including parents, students and other persons concerned, about the things that can hinder an effective approach to bullying in schools. The main hindrances can be found below.

There is insufficient insight of bullying. Every two years, the Ministry of Education, Culture and Science perform a safety check at primary and secondary education schools.⁴ Within this check, various aspects of anti-social behaviour can be accurately identified and measured. The current check does not provide a good insight into the problem of bullying. The monitoring of the social climate in school classes is sometimes inadequate.

Bullying remains under the radar. Bullying often remains unseen by fellow students, parents and teachers. Children and young people who are bullied are silent about it. Children do not feel safe enough to talk about it. They dare not inform the teacher because they are afraid of being seen as pathetic or a snitch. Also, children who bully do not admit to it, or do not understand the full effects of their own behaviour.

Bullying is a taboo. Signs of bullying will sometimes be explained away as teasing. Recognising bullying is difficult for all persons concerned. No parent wants their child to be bullied or to be a bully. Nobody seems to want to be open about bullying. Headmasters, school leaders and teachers do not want the school to be known as a school with a bullying problem. Therefore, the signals are not always handled in the best way.

Parents and students sometimes do not know where to turn. Parents and students are often not sure where they can go in the event of bullying. The teacher and the head teacher are the first point of contact. The next step is not always known to the school leadership. And when a complaint does not lead to a solution, parents feel the problem is being passed from person to person.

⁴ Check of social safety in and around schools (Primary education from 2010 - 2012, Secondary education from 2006 - 2012), Tweede Kamer (Lower House), 2012-2013, 29 240, no. 50.

Teachers are not always able to effectively detect bullying and act. Teachers say that they do not always have a clear view of the group dynamics in the classroom. In secondary education, it is also difficult for teachers to get to grips with inappropriate behaviour. After all, children often move from teacher to teacher, even though they stay in the same group. However, it is also true that teachers in primary education fail in many cases to detect, prevent or tackle intimidating behaviour in pupils.

There is a proliferation of anti-bullying programs. There are many programs and agencies that are focused on the prevention of bullying and the promotion of school safety. Not all methods are effective, and some may even be counter-productive. Schools often find themselves reinventing the wheel. In secondary education, there does not appear to be a proven approach that is available. The systematic implementation of programs is also missing.

Limited role of the inspectorate. The Education inspectorate (hereinafter: inspectorate) investigates whether schools have a safety policy. However, the level of safety is not sufficiently investigated. The inspectorate has few points of entry to identify socially unsafe situations in schools and to encourage schools to improve. During the school visits made by the inspectorate, bullying problems rarely come to the surface. In addition, not all signals concerning socially undesirable behaviour reach the inspectorate.

With this plan of action, we want to provide an appropriate response to solve these hindrances. In developing the solutions it was shown that they fall into three categories. We have therefore chosen to develop the plan along the lines of these three categories: standardisation and awareness, supporting medium and the formal framework. Of course, we are aware that addressing bullying involves human actions, and that not every incident can be prevented, but we can make a lot of progress by taking a number of definite actions. In the next section we develop the various actions that can be taken.

3. Plan of action

Our plan has the following three categories:

Standardisation and awareness. It must be made clear to everyone inside and outside education that bullying by and against children is unacceptable. We will disseminate the standard ourselves, but we also expect schools and parents to actively play their role.

Providing parents, students, teachers and schools with the supporting medium they require. With the emergence of hindrances, it is obvious that the position of parents and teachers need to be strengthened when it comes to raising the issue of bullying and addressing it.

Formal framework. The freedom to address the issue of bullying and to provide the inspectorate with more opportunities to monitor and enforce.

Obviously, the Cabinet sets the total package of ongoing measures against bullying. An overview of these can be found in the appendix. This letter simply contains the information about the new measures.

1. Standards and awareness

It is crucial that countering bullying becomes an issue for all of us. The recognition that bullying exists in schools and that we have a joint responsibility to do something about it is a necessary first step in addressing bullying. It must be made clear that bullying is unacceptable in any situation. If this standard is violated, there must be a follow-up response that makes it clear that harassing conduct, or behaviour that excludes others, will not be tolerated.

It is not just the government's job to set standards. At home and at school, children learn how to deal with each other and how they will be dealt with. They also learn social skills that will be important for the rest of their lives.

A good school is able to fulfil its formative task with the help of parents or guardians. Therefore, we want to encourage schools and parents to pull together - along with students - and hold conversations about what one can expect from the other. By making agreements at the beginning of a child's school career a great deal of uncertainty will be removed, such as how the school deals with bullying. These are clear agreements that the school and parents can keep together.

The methodology of these agreements is of secondary importance. There are good examples of schools and parents signing a school-parent contract, but other effective methods can be just as effective. It also makes sense to come to an agreement with pupils about their manners, how conflicts will be resolved and when parents will be called in. The medezeggenschapsraad (representative advisory board) is a formal forum for discussing the school's anti-bullying policy.

The final piece of the jigsaw for setting the standard is criminal law. Bullying can manifest itself in many different ways and to many different degrees. Some manifestations are punishable; but abuse, threats and stalking are also examples of punishable offenses through which bullying can take shape. It is important that, in the event of a criminal offense, a report is made. The school can also take precautionary measures against bullies. A notorious bully may be suspended, removed or temporarily sent to a Reboundvoorziening (Rebound facility). In this plan, we explain bullying prevention and the promotion of a socially safe school environment. After all, prevention is better than cure and additionally, it is often difficult to apportion blame. Bullying often happens in groups and sometimes forms part of a complex group dynamic.

Schools and parents working together

It is crucial that schools and parents work together. We are therefore sending a letter to all schools in primary and secondary education about the plan of action in order to bring the issue of bullying to their attention. In this letter we are calling on schools to regularly talk to parents and to work with them to combat bullying, including cyber-bullying.

Maintaining a focus on bullying

The meetings that held in order to develop this plan of action were all in all useful and helpful for all parties involved. For the summer we are organising another four regional meetings with members of parliament, schools, parents and students. We want to talk about how each one can contribute to tackling bullying.

The meetings are just a start. We want to keep the focus on bullying, even after the publicity has died down. At a fixed time every year, probably at the beginning of the school year, we want to hold meetings with primary and secondary schools to reflect on bullying. Afterwards we will gather the students into groups, which will be a good time to draw attention to good manners at school. We will meet and discuss the interpretation and planning of this with schools, interest groups and the media. We are also looking at examples from the countries around us.

II. Supporting medium

Supporting medium concerns sharing and developing knowledge about bullying. In the conversations we had with parents and students, it was often evident that they did not know who to turn to if they were not involved with the school. We want to improve this situation. The fact that teachers cannot always identify bullying in the classroom, and they do not know what to do if they do, also requires targeted action.

Improvement of the complaints procedure

Complaints about bullying should be treated with high priority. The effectiveness of the complaints procedure in primary and secondary education will be evaluated at this time. In the spring, the Secretary of State will inform the House about the results of the evaluation. The preliminary results of the evaluation indicate that in general, the complaints procedure functions reasonably. Most schools have a complaints procedure and a complaints commission. However, the main concern is how schools make use of these. Every complaint that is not handled properly is one too many.

Messages to the Ombudsman for Children

Complaints about bullying at school should be solved at source in the school itself; students and parents can approach the teacher or a school leader to make a complaint or let the confidential complaints inspector⁵ know. In such cases where the parents or students do not feel they are receiving the support they require after going through the existing complaints procedures, they can contact the Ombudsman for Children as a last resort. The Ombudsman for Children can then speak to those responsible. With the improvement of the complaints procedure and the Ombudsman for Children hotline, we have made the system more balanced so students and parents can be well supported.

Provide teachers with better support medium, also for cyber-bullying

Teachers play a crucial role in addressing bullying. To support teachers and enable them to better detect, prevent or tackle bullying, the Secretary of State will make additional administrative agreements⁶ with the sector councils to provide further training to incumbent teachers in primary and secondary education. For prospective teachers, it is important that they learn how to detect, prevent or tackle bullying.

Teacher training courses and teacher training colleges pay attention to the creation of a safe learning environment in their curricula. They will be asked to pay particular extra attention to bullying behaviour. To support them in this, the Secretary of State will have a teaching module, "dealing with differences and bullying", developed for the teacher training colleges and teacher training courses. In addition, a similar module will be developed and presented to the profession in order to provide further training to current teachers. Teachers are better educated and trained to detect, prevent or tackle bullying.

The Secretary of State will start a project soon to help schools and teachers work together more effectively to provide better guidance to young teachers. This package is worth €20 million. The project is specifically focused on the dissemination of knowledge about how to tackle bullying.

Tackling cyber-bullying requires special attention from teachers. Not all schools feel responsible for this. Teachers are less aware of the ways in which children bully each other via *social media*. This is often because teachers are less familiar with the use of *social media* than their students; cyber-bullying is also not immediately visible and it takes place outside school. The Secretary of State will appeal to schools to take their responsibility in combating cyber-bullying. To support them, practical tools to help them combat cyber-bullying will be brought to the attention of schools.

Expanding pilot schemes with anti-bullying programs

The action programme (Actieprogramma Onderwijs Bewijs) is a shared initiative of the Ministry of Education, Culture and Science and the Ministry of Economic Affairs and Finances, and includes three projects aimed at the prevention of bullying. There are

⁵ Confidential complaints inspectors are special inspectors within the education inspectorate who act as point of contact, advisor and supervisor for following up on complaints and reports. They work on behalf of students who are the victims of, for example, sexual harassment, physical and psychological violence, as well as serious harassment.

⁶ Additionally, administrative agreements were made with the sector councils from late 2011/early 2012 about the professionalisation of teachers in dealing with differences between pupils.

programs for primary education and a program to support victims of cyber-bullying in secondary education. The first intermediate results of anti-bullying pilot programs in primary education are expected to be available in June of this year. Tested programs will then be made available in primary education, but for secondary education, such programs do not yet exist. Therefore, the pilots will be extended to secondary schools if the outcome of the pilots schemes are successful in primary education.

More attention will be paid to sporting behaviour and being respectful towards one another during PE lessons

During PE lessons, children come into close contact with one another. Here, basic rules, such as treating each other with respect become very important, as well as regulations and authority. In May, the House will receive a proposal for the development of the ambition to realise more PE lessons. This will include the development of how sporting behaviour and treating each other with respect during PE lessons can be developed.

Better oversight on bullying

We think it's important that schools track the status of social safety within the school, for example, through Vensters Voor Verantwoording (Windows for Accountability). To identify the nationwide extent of bullying as accurately as possible, the Secretary of State has now placed the subject of bullying into the safety check. A deep analysis about bullying will be carried out based on the data from the latest safety check. In the annual safety letter, which the Secretary of State sends to the House before the summer break, you will be able to see the results of the in-depth analysis.

III. Formal framework

Considering the damage incurred by children as a result of bullying, we prefer there to be an emphasis on the prevention of bullying and the promotion of a socially safe school environment. A socially safe school environment cannot be dictated from The Hague, but at the same time, there must be some form of freedom to work on this. All schools must take their responsibility and approach bullying, including cyber-bullying, school-wide. The Secretary of State supports schools by providing a clear workable framework in the law. In consultation with experts in the field, the Secretary of State is working on the frameworks so that they fit the school practice. In this way, a school-wide and structural approach to bullying will be mandatory. The legal definition of the obligation offers the inspectorate the ability to monitor compliance. Therefore, the formal framework forms the final part of the plan of action.

A school-wide and structural approach to bullying is required

It is a core task of schools to ensure they provide a safe school, with an emphasis on prevention. The Secretary of State for Education, Culture and Science intends to ensure that a bill will be filed in the short term to ensure that the responsibility of the school to prevent and address bullying is clearly embedded in law.

At the moment, we are seeing that different schools deal with bullying in very different ways; some schools pay more attention to manners and have an effective approach to bullying, but at some other schools, almost nothing is done about it. We do not wish children to be subjected to this arbitrariness. Whether you are teased should not depend on the school you attend. Furthermore, a proliferation of anti-bullying campaigns has clearly emerged. There are so many different programs that it is difficult for schools to see the wood for the trees. It is our desire to stop this proliferation. Finally, we would like to see all schools being committed to preventing all forms of bullying. The situation should be such that action is taken only when unpleasant events occur. In this way, a school-wide and structural approach to bullying will be mandatory.

Contents of the draft bill and phasing it in

The draft bill will be used to ensure primary and secondary education schools have (a) a proven effective anti-bullying program, (b) a social safety monitoring program at the school, (c) a confidential person who acts as a bullying coordinator, and (d) that the inspectorate monitors this.

Schools in primary and secondary education are required by law to have a structural approach to bullying. In addition, they must implement a scientifically and empirically proven method. At this time, these methods have not yet been identified. That's why we are doing it in phases. In the first phase we are asking experts (and industry representatives) to identify the characteristics of a theoretically sound and effective method. They test which programs are theoretically strong and use these characteristics. This will be stipulated in regulations, but schools can also - in anticipation of the bill coming into force - begin to implement them in the short term.

Meanwhile, research money will be released to begin the second phase of the anti-bullying program so that a list of programs can be put into practice and validated in order to scientifically and empirically prove them to be effective. At this point, the regulations will be tightened and it will no longer be sufficient for programs to be theoretically proven effective, they must also work in practice.

Intended result

There will be no more choice or arbitrariness: each primary and secondary education school must do something to prevent and stop bullying. By making proven effective methods obligatory, we will be able to reduce the proliferation of anti-bullying programs and use a limited number of methods that really work, focusing on the prevention of all forms of bullying. The inspectorate will also get a bigger role to ensure schools are using methods that are effective.

Increased role for the education inspectorate

The education inspectorate will take a more active role and monitor compliance with the new legal framework for schools. The starting point for this enhanced monitoring is the effectiveness of the approach adopted by the school alongside the safety policy. The inspectorate monitors whether schools have implemented a proven effective anti-bullying program. To this end, the inspectorate will gain an insight into the data collected by schools. This means the actual social safety in schools will be emphasised in the supervision of the inspectorate. The inspectorate is developing clear indicators to measure social safety.

Draft bill for the registration of incidents

The former Minister of Education, Culture and Science presented the draft bill for the registration of incidents (Parliamentary documents II, 2010/11, 32 857, nr. 2) to the House in August 2011. This bill requires the competent authority of schools and institutions to record all incidents that occur within a school or establishment. This relates to incidents such as possession of weapons, sexual abuse, discrimination, intimidation and serious harassment.

It is useful and necessary for this bill to be passed so that an effective approach to bullying can be carefully examined. Hereby, previously critical questions are taken into consideration in the House. This leads to the following considerations:

- The draft bill for the registration of incidents requires serious incidents to be registered, because without that, the inspectorate will have no data. This will lead to a lot of extra bureaucracy without intervention possibilities.
- We want a sophisticated, and for bullying, a tailored approach to the monitoring of social safety at the school level whereby the inspectorate can obtain a good understanding on social safety in schools.
- Additionally, we expect offences to be reported. Registration is then unnecessary.

- Pupils in primary and secondary education would benefit from a uniform and structural approach to bullying, which would, above all, be aimed at preventing all forms of bullying. This draft bill does not contribute to this.

Therefore, we find that the underlying draft bill adds no value to the desired approach to approach. The Secretary of State intends to ask permission from the Queen to withdraw the draft bill for the registration of incidents as it is currently stands in the Tweede Kamer (Lower House). The new legislation will put the emphasis where, in our opinion, it should lie: the prevention of all forms of bullying.

4. Conclusion and follow-up

We are going to tackle bullying by

- improving the monitoring of bullying behaviour in schools,
- drawing more attention to the subject,
- promoting co-operation between schools, parents and students,
- expanding anti-bullying program pilot schemes,
- improving the complaints procedure,
- better equipping teachers, requiring schools to prevent and deal with bullying,
- giving the inspectorate a greater role. You will receive a progress report early next year.

Our ambition is that bullying will no longer be handled as a taboo subject or be ignored. Government, schools, teachers, parents and children should each take responsibility for promoting a socially safe school environment. We are under no illusions that bullying can be eradicated, but we are morally obliged to do our utmost to reduce it as much as possible by working together. Commitment is required from all of us.

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