



Dros ddysgwyr, dros Gymru
For learners, for Wales

Ymateb i Ymgynghoriad / Consultation Response

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Background information about Estyn

Estyn is the Office of His Majesty's Inspectorate for Education and Training in Wales. As a Crown body, we are independent of the Welsh Government.

Our principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000¹ and the Education Act 2005. In exercising its functions, we must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by those receiving education and training in Wales;
- Quality of leadership and management of those education and training providers, including whether the financial resources made available to those providing education and training are managed efficiently and used in a way which provides value for money;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Our remit includes (but is not exclusive to) nurseries and non-maintained settings, primary, secondary, special and all age schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and initial teacher training.

We may give advice to the Welsh Parliament on any matter connected to education and training in Wales. To achieve excellence for learners, we have set three strategic objectives:

¹ This act to be replaced by the Tertiary Education and Research (Wales) Act 2022 when the quality provisions are commenced.

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Response

Introduction

The draft guidance provides comprehensive and practical information that is relevant for a wide range of educational professionals. It links policy with practice, underlying whole-school responsibility and individual accountability. With some refinement it has potential to support schools and settings in preventing and responding to all forms of bullying.

The draft is well-aligned with wider Welsh Government policy areas, legislative frameworks, and guidance documents. It shows consistent commitment to the inclusion, protection, and support of learners with protected characteristics. The draft guidance provides a clear and detailed articulation of the legal responsibilities placed on schools and governing bodies in relation to preventing and addressing bullying.

The guidance clearly defines the responsibilities of local authorities (LAs) in relation to the prevention and management of bullying across educational settings in Wales. However, while the guidance names local authorities as key stakeholders throughout, there is no discrete, dedicated section outlining their responsibilities in one place. This may limit the ease with which LAs can navigate and operationalise their duties.

The draft guidance demonstrates strong and deliberate integration with a wide range of broader Welsh Government policy areas, legislative frameworks, and guidance documents.

The draft guidance demonstrates a strong and consistent commitment to the inclusion, protection, and support of learners with protected characteristics. The draft guidance is, on the whole, clearly structured, logically sequenced, and written in accessible professional language.

Structurally, the guidance is logically sequenced and professionally written, but at 88 pages, its length may limit day-to-day usability. It would benefit from summary formats,

visual tools, and implementation resources. While the emphasis on data, equality, and accountability is strong, practical tools for reporting, recording, and training are limited.

The guidance could also better support diverse settings, particularly PRUs, EOTAS, early years, and transition periods. A clearer focus on Welsh language equality and phased implementation support would further strengthen the offer

Additional considerations to strengthen the guidance include the following:

- Given the significant updates to the guidance, schools, especially smaller or under-resourced settings, would benefit from a phased implementation plan and accompanying support.
- The Welsh Government could consider producing a summary of changes from previous versions.
- A timeline for policy review and training updates.
- A webinar or e-learning module to walk staff and governors through the key elements.
- While learner voice and community engagement are referenced, the guidance could be strengthened by more concrete tools or frameworks for co-producing anti-bullying policies with learners and parents.
- Bullying behaviours can begin in early years, yet specific guidance for such settings is limited.
- Additionally, transition periods (e.g. Year 6 to Year 7) are high-risk for bullying emergence. Additional advice or case studies around preventative work during these transitions would be helpful.
- As schools are increasingly asked to collect and analyse bullying data, further clarification around data protection and anonymisation protocols (e.g. under GDPR) would be helpful, especially in small schools where reporting can risk identifying individuals.

Consultation questions

Q 1: Does the draft ‘Rights, respect, equality anti-bullying guidance’ provide suitable useful, practical information for leaders, teachers and other practitioners in schools, pupil referral units and education otherwise than at school settings to inform approaches to preventing and responding to all forms of bullying?

Yes

Supporting comments: Overall, the draft guidance is comprehensive, practical, and well-designed to support school leaders, teachers, and other practitioners across a range of settings in Wales. It offers a clear framework for tackling bullying in a way that is both inclusive and evidence-based. It is both suitable and practical for leaders, teachers, and support staff working in maintained schools, pupil referral units (PRUs), and education otherwise than at school (EOTAS) settings. It draws on research, aligns with legislative duties, and reflects recent societal and educational developments.

The document offers a robust and nuanced definition of bullying (section 2.24), emphasising its repetitive, intentional, and harmful nature. It distinguishes bullying from one-off conflicts and outlines specific features such as power imbalance, repetition, and emotional harm. It categorises forms of bullying comprehensively, including prejudice-related, sexual, relational, online, and physical, aiding practitioners to accurately identify. Whole-School and strategic focus supports a whole-school approach (WSA), which is embedded across policies, leadership, the curriculum, and pastoral care. It recommends appointing anti-bullying leads in schools and outlines their responsibilities in practical terms (section 6.4). Strong emphasis is placed on developing inclusive school cultures, where learner and community voice are key drivers.

The guidance includes detailed sections on bullying related to protected characteristics (e.g. race, disability, gender identity, sexual orientation) and tackles intersectionality thoughtfully. The document connects policy with current issues such as the Anti-Racist Wales Action Plan, LGBTQ+ inclusion, and the Peer-on-Peer Sexual Harassment Action Plan. The guidance devotes an entire section (Section 4) to online bullying, discussing challenges posed by anonymity, escalation via social platforms, and preservation of evidence. It offers specific advice on safeguarding, logging incidents, and responding appropriately. The guidance aligns with statutory obligations (section 5). These legal guidelines help school leaders ensure compliance while strengthening accountability frameworks. It provides step-by-step procedures for identifying, reporting, and responding to incidents (section 9), including engagement with all parties: targets, perpetrators, and bystanders. Section 10 outlines suitable interventions such as mediation, restorative approaches, and peer support, giving schools a toolkit of responses. The guidance references an online toolkit on Hwb and encourages the use of surveys, data collection, and self-evaluation frameworks for continuous improvement. Includes a comprehensive appendix of external support agencies, making it practical for immediate referral or partnership work.

Areas to consider for improvement

The draft guidance could be strengthened further by:

- including editable templates for policies, monitoring forms and parental-communication letters directly in the guidance.
- providing setting-specific examples and adding contextualised case studies tailored to PRUs and EOTAS settings, addressing challenges such as supporting learners with complex trauma histories.
- expanding curriculum and CPD support by offering further curriculum guidance and map clear CPD pathways to help schools, PRUs and EOTAS providers implement the guidance effectively.

Q 2: Does the ‘Rights, respect, equality anti-bullying guidance’ clearly set out the legal responsibility of the school and governors?

Yes

Supporting comments:

The draft guidance provides a clear and detailed articulation of the legal responsibilities placed on schools and governing bodies in relation to preventing and addressing bullying. It grounds these responsibilities in statutory duties, clarifies the expectations of the Welsh Government, and provides concrete direction on how governing bodies and headteachers should embed anti-bullying practices into school governance and operational procedures.

Q 3: Does the ‘Rights, respect, equality anti-bullying guidance’ clearly set out the responsibilities of the local authority?

Yes

Supporting comments: The guidance clearly defines the responsibilities of local authorities (LAs) in relation to the prevention and management of bullying across educational settings in Wales. While not as detailed as the responsibilities outlined for schools and governing bodies, the document provides a coherent and consistent framework for LA involvement in leadership, compliance, support, and accountability functions. It also positions LAs as key agents in ensuring that anti-bullying practices align with statutory obligations and broader Welsh Government policy. While the guidance names local authorities as key stakeholders throughout, there is no discrete, dedicated section outlining their responsibilities in one place. This may limit the ease with which LAs can navigate and operationalise their duties.

Q 4: Does the ‘Rights, respect, equality anti-bullying guidance’ connect properly with broader policy areas and guidance on separate but related topics?

Yes

The draft guidance demonstrates strong and deliberate integration with a wide range of broader Welsh Government policy areas, legislative frameworks, and guidance documents. These connections help ensure that schools’ approach anti-bullying work in a holistic, rights-based, inclusive and preventative manner, rather than treating bullying in isolation. The document actively promotes a systems-thinking approach, embedding bullying prevention within national frameworks for wellbeing, equality, inclusion, safeguarding, and curriculum reform.

If not, are there links with related areas that are not made in the guidance which should be made?

Q 5: Are learners with protected characteristics included?

Yes

Supporting comments:

The draft guidance demonstrates a strong, explicit, and consistent commitment to the inclusion, protection, and support of learners with protected characteristics. It recognises the specific vulnerabilities these learners face in terms of bullying, discrimination, and marginalisation and provides detailed expectations for how schools and settings should prevent and respond to prejudice-related bullying in both strategic and practical ways. There may be an opportunity for the guidance to explicitly reference high-risk cohorts not named in the Equality Act, such as looked-after children, refugees and asylum-seeking learners, and young carers.

Q 6: Is the ‘Rights, respect, equality anti-bullying guidance’ explained clearly?

Yes

If not, which areas could be improved and why? Are there aspects that you particularly like, and if so, why?

The draft guidance is, overall, well structured, logically sequenced and written in clear, professional language. It succeeds in explaining both statutory duties and recommended good practice in terms that are readily understood by school leaders, teachers, governors, support staff and local-authority officers.

The document is arranged in numbered, thematic sections that flow coherently. Each section is broken down by concise sub-headings, with explanatory text that helps readers locate information quickly. Definitions of bullying and related concepts—such as prejudice-related bullying, power imbalance and repetition—are comprehensive and clearly distinguished from other behaviours (conflict, safeguarding concerns, rough play). Phrases such as “must”, “the Welsh Government expects” and “we recommend” make the status of each requirement unambiguous.

Throughout, practical illustrations show what effective practice looks like (for example, logging incidents, using restorative approaches, setting policy aims). Scenario-based risk factors are outlined, and examples draw on various settings (mainstream, PRU, EOTAS), even if some receive less depth. Cross-references to related guidance, policies and tools help providers navigate the wider policy landscape without overloading the main

narrative. The tone remains professional yet accessible: jargon is minimal or explained, and key terms are introduced early and revisited when helpful.

Areas to strengthen

Addressing the following points would make the guidance even more user-friendly while preserving its comprehensive coverage:

- At 88 pages, the guidance may be daunting for time-pressed staff. A concise executive summary or “quick-reference” version would aid day-to-day use.
- Visual aids such as flowcharts, infographics or model templates could clarify reporting pathways, roles and links to related policies (safeguarding, inclusion) at a glance.
- Brief “getting started” checklists or annotated exemplars would help newer practitioners and smaller settings with limited capacity.
- Where examples reference PRUs or EOTAS provision, consider expanding the detail or signposting to supplementary material.

Q 7: Is the ‘Rights, respect, equality anti-bullying guidance’ user friendly?

Yes

If not, which areas could be improved and why? Are there aspects that you particularly like, and if so, why?

The draft Rights, Respect, Equality guidance is, overall accessible, with clear policy intent and logical structure. However, its user-friendliness is currently limited by its length, lack of visual tools and navigational links.

To enhance usability for a wider audience, especially those working in time-pressured environments, the Welsh Government should consider: developing supplementary tools and templates, creating visual summaries and flowcharts, including interactive digital versions and providing role-specific quick guides. Such improvements would ensure that the guidance is not only understood, but actively and effectively used across Wales’s education settings.

Q 8: Should other areas which you have not had an opportunity to comment on above be included in the 'Rights, respect, equality anti-bullying guidance'? If yes, please provide details.

Yes

Supporting comments:

It may be beneficial for the guidance to include a flow-chart linking school procedures to local-authority safeguarding teams, Police Cymru hate-crime routes and duties arising from the Online Safety Bill, to clarify multi-agency escalation.

Q 9: How helpful do you find the ‘Rights, respect, equality anti-bullying guidance’?

Very helpful

If you have answered ‘somewhat helpful’, ‘slightly helpful’ or ‘not at all helpful’, what are the improvements you would like to see?

Q 10: Does the current suite of training on Hwb support the use of the ‘Rights, respect, equality anti-bullying guidance’?

Yes

Q 11: How helpful is the ‘Rights, respect, equality anti-bullying guidance’ in supporting you to report and record incidents of bullying?

Somewhat helpful

Supporting comments:

While the guidance effectively highlights the critical importance of recording and reporting bullying incidents, particularly in relation to equalities and accountability, it would be strengthened by the inclusion of clearer operational tools and detailed procedural frameworks.

Schools would benefit from more practical support, such as templates, step-by-step protocols, and case study examples, to help establish consistent and robust reporting systems. Without these practical elements, implementation may vary widely, potentially undermining the consistency and effectiveness the guidance seeks to promote.

It may be worth exploring the possibility of establishing a national or local digital platform for recording bullying incidents (adapt through Hwb/G6 for example), with suitable data fields and automatic exports to local authority dashboards.

It may be beneficial for the Welsh Government set clear national key performance indicators and commit to a formal review after two years (summer 2027) to measure uptake and impact—for example the proportion of schools using the template, reductions in repeat incidents and improvements in learner “feeling safe” survey scores.

Q 12: To what extent do you agree that the ‘Education (School Premises) Regulations 1999’ should be amended to make clear that schools may provide gender-neutral toilets in addition to sex-separated toilets?

Strongly agree

Supporting comments:

Amending the Education (School Premises) Regulations 1999 to clarify that schools may provide gender-neutral toilets would bring the law in line with: The Equality Act 2010, particularly in supporting transgender and non-binary learners under the protected characteristic of gender reassignment. The UN Convention on the Rights of the Child (UNCRC) – upholding the right to dignity, privacy, safety, and non-discrimination. The draft guidance highlights the need to create safe, respectful, and inclusive environments for all learners, especially those at risk of bullying due to gender identity or expression. Providing gender-neutral toilets alongside the required sex-separated ones offers greater dignity and choice for learners, a reduction in anxiety or distress related to gendered facilities and a proactive measure to prevent harassment or exclusion. This position is consistent with:

the LGBTQ+ Action Plan for Wales, which supports inclusive spaces and services., the RSE Code, which includes teaching about respect for diverse gender identities and the Anti-Racist Wales Action Plan, which stresses that safe spaces must reflect the diversity of learner identities and experiences. The current regulations from 1999 predate these major inclusion reforms and do not reflect contemporary safeguarding or equality contexts. An amendment would offer clarity and reassurance to school leaders that gender-neutral provision is lawful if additional to the sex-separated provision and reduce the risk of inconsistency or controversy when implementing inclusive practice.

Q 13: What in your opinion, would be the likely effects of revising the ‘Rights, respect, equality anti-bullying guidance’ on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

By providing fully bilingual versions of the guidance and associated materials, schools are supported to operate confidently in Welsh, reinforcing its use in policy development, staff training, learner engagement, and reporting systems.

Do you think that there are opportunities to mitigate any adverse effects?

Ensure all supporting materials and training (e.g. Hwb resources, staff development, learner surveys) are available in Welsh and English simultaneously. Promote the use of Welsh in learner voice initiatives, e.g. school councils, peer-led anti-bullying campaigns, restorative practices—ensuring that learners can discuss wellbeing and identity in the language of their choice.

Q 14: In your opinion, could the revised ‘Rights, respect, equality anti-bullying guidance’ be formulated or changed so as to:

-have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English, or

-mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

To strengthen the status and use of Welsh in line with the Welsh Language Standards and Cymraeg 2050 strategy, the guidance could be revised to explicitly include language-based bullying as a recognised form of prejudice-related harassment, whether against Welsh speakers or English learners in Welsh-medium settings. Promote the idea that using Welsh is not only a right but a form of cultural identity that should be protected and celebrated as part of whole-school inclusion.

To prevent unintentional marginalisation of Welsh, the guidance could also ensure All supplementary materials are published simultaneously in Welsh and English. This includes tools referenced on Hwb, CPD modules, templates, visual guides, and data-tracking sheets. Include a brief statement confirming that Welsh and English should be treated equally in all anti-bullying communication, policy, and practice would reinforce compliance with the Welsh Language (Wales) Measure 2011. Note the risks of language-based discrimination. Include a section clarifying that mocking, marginalising, or discouraging the use of Welsh (or any language) is a form of prejudice-related behaviour and must be addressed through the school’s anti-bullying procedures.

Q 15: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

The Rights, Respect, Equality guidance is a timely and forward-thinking policy framework.

While the guidance is comprehensive, there are several related issues worth highlighting that have not been directly addressed in the preceding questions:

Given the significant updates to the guidance, schools—especially smaller or under-resourced settings—would benefit from a phased implementation plan and accompanying support. The Welsh Government could consider producing a summary of changes from previous versions. A timeline for policy review and training updates. A webinar or e-learning module to walk staff and governors through the key elements. While learner voice and community engagement are referenced, the guidance could be strengthened by more concrete tools or frameworks for co-producing anti-bullying policies with learners and parents. Bullying behaviours can begin in early years, yet specific guidance for such settings is limited. Additionally, transition periods (e.g. Year 6 to Year 7) are high-risk for bullying emergence. Additional advice or case studies around preventative work during these transitions would be helpful. As schools are increasingly asked to collect and analyse bullying data, further clarification around data protection and anonymisation protocols (e.g. under GDPR) would be helpful—especially in small schools where reporting can risk identifying individuals.