



Transferor Representatives' Council submission to the Northern Ireland Assembly Committee for Education on the Addressing Bullying in Schools Bill

January 2016

The TRC welcomes the introduction of the Addressing Bullying in Schools Bill and the opportunity to provide comment. All kinds of bullying are wrong and should not be tolerated. We want schools to be safe and welcoming places for all children and young people.

Clause 1: Definition of “bullying”

The TRC broadly agrees with the definition set out in the Bill, which we believe will help to bring about a more consistent approach to tackling bullying.

We recognise that a power imbalance of some kind will feature in most incidents of bullying. However, this will not always be obvious or easy to determine. We can foresee circumstances in which inability to prove a power imbalance leads to difficulties in classifying otherwise clear cases of bullying as such. We therefore believe that exclusion of power imbalance from the definition is justified to ensure that the effectiveness of the legislation is not reduced.

The inclusion of repetition is helpful to demarcate from isolated incidents. However, we recognise that social media and other forms of electronic communication pose particular challenges in this regard, as single messages and posts can be repeatedly viewed, shared and distributed. We believe that further discussion is needed around the classification of hurtful messages or images posted on social networks or online public forums.

Clause 2: Duty of Board of Governors to secure measures to prevent bullying

The TRC welcomes the objective to enable boards of governors to play a more direct role in addressing bullying.

We share the desire for the Bill to enshrine appropriate roles and responsibilities for boards of governors and principals. It is important that legislation reflects the fact that boards of governors are not present in schools on a daily basis, and that principals have an absolutely vital role in implementing anti-bullying measures. We believe that the role of boards of governors under Clause 2(1)(g) and the responsibilities of principals to address bullying under the scheme of management require further clarification and exploration.



Clause 3: Duty to keep a record of incidents of bullying

As boards of governors take on a duty to ensure that a record is kept of all incidents and alleged incidents of bullying, it is important that they are provided with appropriate support by the Department. Particularly as this is a new and substantial duty, we would welcome an amendment to Clause 3(4) that would require the Department to publish guidance.

During the Second Stage debate, the issue was raised of whether the use of the word 'may' in Clause 3(3) restricts the possible motivations to those listed. We would welcome further clarification on this point, with a view to ensuring that the list of motivations under 3(3) is not exhaustive.

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