

Tackle prejudice- based bullying and challenge stereotypes



Equality Commission

FOR NORTHERN IRELAND

Tackle prejudice-based bullying and challenge stereotypes

Ensure actions to tackle one-off incidents and unintentional acts of prejudice-based bullying, which may not be covered by the statutory definition of bullying, are adequately dealt with in guidance from the Department of Education.

1. The common definition of bullying included in the 2016 Act should contribute to ensuring a consistent approach is taken across schools to tackling prejudice-based bullying.
2. However, we consider that guidance for schools to support the implementation of the legislation should also encourage schools to address *unintentional acts* by pupils that can cause harm, fear or distress

to pupils for reasons associated with their equality characteristics.

3. Further, where *one-off incidents* of prejudice-based behaviour are dealt with under the school's disciplinary procedure, we recommend that they should be accurately recorded, including as regards nature, motivation and outcome.

Improve the monitoring of bullying incidents by education providers across the equality grounds.

4. We support the requirement for all grant-aided schools to centrally record complaints of bullying behaviour, including motivating factors behind the bullying and outcomes.

5. We however retain our concerns about the focus and range of motivating factors included in the legislation. We therefore recommend the inclusion of ‘community background’ in the list of motivations included in the legislation; use of the term ‘gender identity’ rather than ‘gender reassignment’; the race category being further broken down, as a minimum by Roma and Irish Traveller; and the inclusion of a wider set of indicative motivations, such as being an asylum seeker, refugee, entitled to free school meals, or associated with social class.

6. We further recommend that the Education and Training Inspectorate (ETI) use the inspection process to assess how schools are addressing

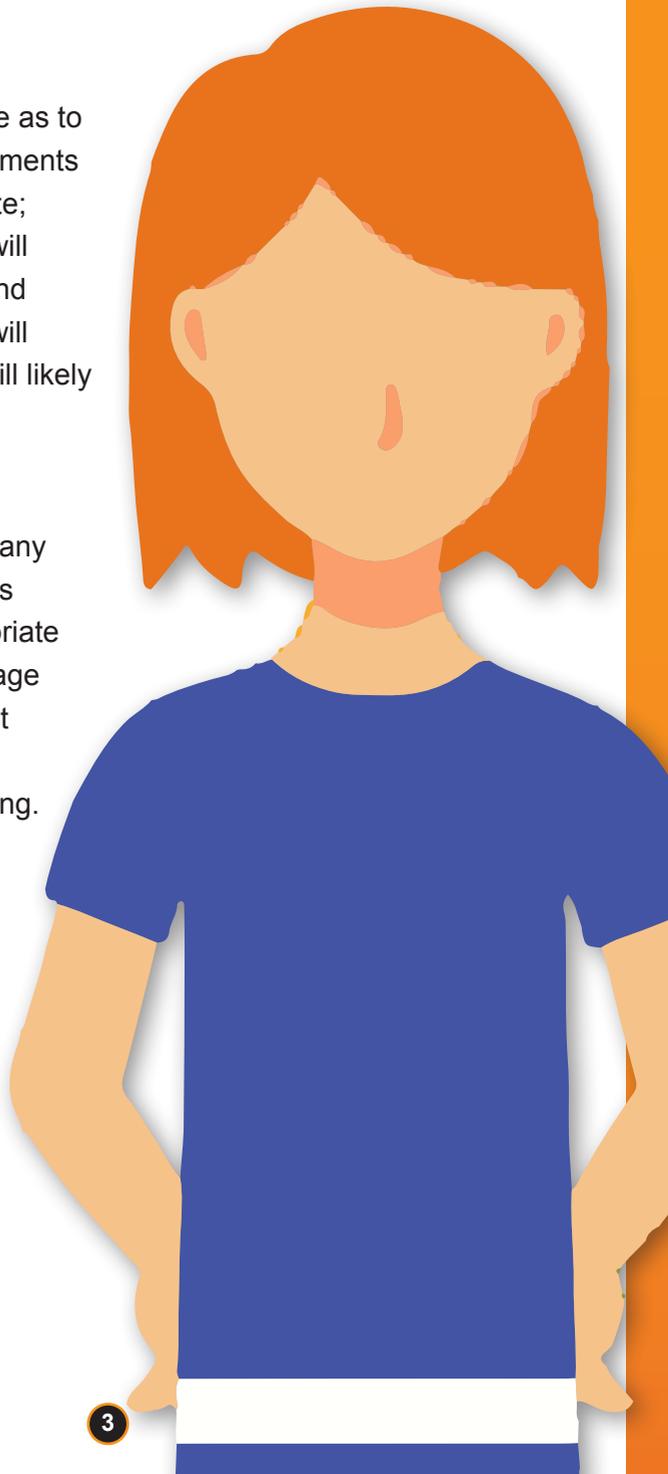
prejudice-based bullying, particularly for those groups where evidence shows that there is a persistent problem as regards racist, homophobic, transphobic and disablist bullying.



The Department of Education should provide guidance to schools on how to comply with the recording requirements in the legislation.

7. We note that the Addressing Bullying Schools Act does not explicitly include detail as to how schools should report on the incidents of prejudice-based bullying that they have recorded (or how they will use the information gathered), or as to how their anti-bullying policy has been implemented.

8. Departmental guidance as to how recording requirements are intended to operate; how the Department will ensure compliance; and how the Department will publish information, will likely therefore be required.
9. We reiterate our recommendation that any duty placed on schools should include appropriate safeguards to encourage them to be open about reporting incidents of prejudice-based bullying.





Education

Strong and visible leadership from the school Principal, senior management team and board of governors is needed to promote an anti-bullying culture in every school



There is a close link between how pupils treat one another and how well leaders communicate expectations about pupil behaviour.*

Supplementary guidance to support the Addressing Bullying in Schools Act, should provide clear guidance to schools, including governors and senior management on their specific roles.

10. The Commission welcomes the duty on boards of governors to secure measures to prevent prejudice-based bullying. We however recommend

that supplementary guidance be provided to assist schools, including the senior management team and Governors, on the specific remit and role(s) that they will be required to discharge. This should be supplemented with training for Boards of Governors.

11. The guidance should ensure that: schools take steps to consider the views of pupils, parents, carers and staff, as well as Section 75 groups, when implementing, monitoring and reviewing bullying policies and practices; that training on prejudice-based bullying is incorporated within initial teacher training; and that schools provide regularly updated in-service training to staff on the impact of prejudice-based bullying and on the strategies to tackle and prevent it.
12. High-level leadership is essential to ensuring the consistent and robust implementation of policies and practices designed to address bullying, including bullying experienced by Section 75 groups.
13. We also consider that schools should proactively promote awareness of the existence, content and intent of the anti-bullying policy and procedure within the school; and respective roles, responsibilities and expected behaviours.

Strong and visible leadership from the school Principal, senior management team and board of governors is needed to promote an anti-bullying culture within every school.

14. We consider that for schools to develop a strong anti-bullying culture, it is important that they go beyond the measures included in the Act.



Education

The Department and other stakeholders should ensure that support materials and opportunities within the curriculum address prejudice-based bullying



48% of 16-21 year old students experienced bullying as a result of their sexual orientation or gender identity.

50% stated that issues about transgender or sexual orientation had not come up in any of their classes.*

The Department and other stakeholders should ensure that support materials and opportunities within the curriculum address prejudice-based bullying.

are used to draw attention to prejudice-based bullying and to encourage a greater understanding of and respect for pupils covered by the Section 75 grounds. This includes, for example, gender identity; ethnicity; and sexual orientation.

15. We have impressed upon the Department the need to ensure that equality and good relations are embedded within the curriculum, and that opportunities within it



Gender identity

16. The 2013 Grasping the Nettle report¹ highlighted that *'[t]he exclusion of trans issues from the school curriculum reduces trans equality and inhibits good relations from developing.'* The report acknowledged that while the Department of Education (DE) is undertaking work to address this problem, *'much more needs to be done to increase awareness, understanding and knowledge of trans issues in educational settings.'* We recommend that steps are taken to increase awareness, understanding and knowledge of trans issues in educational settings.

Ethnicity

17. We reiterate our recommendation that the Department should seek to ensure that ethnic minority children see their culture and language reflected in the classroom and school curriculum; disseminate best practice procedures around induction and admissions; and provide guidance on promoting the participation of newly-arrived children in the wider life of the school.
18. We note the proposed action in the Racial Equality Strategy for OFMDFM (now the Executive Office (TEO)) to work with the DE to identify ways to tackle racist bullying in schools. We call on the TEO to set out, as a matter of urgency, how it intends to implement this 2015 proposal.

¹ McBride, RS (2013) Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Belfast: Institute for Conflict Research

Sexual orientation

19. A 2011 Cara-Friend/Rainbow Project report² conveyed that there were ample opportunities within the statutory curriculum to challenge negative stereotypes and present the diversity of sexual orientation to children and young people, but that the experience of lesbian, gay and bisexual (LGB) young people is that these opportunities are not taken up by teachers in schools. 2013 research by Rainbow³ on the emotional health and well-being of young LGBT people found that 88.1% reported that teachers never or rarely talked about LGBT issues.

Measures to tackle bullying should include challenging gender roles to further the broader societal aim of preventing gender-based violence.

20. Evidence from the Department of Education's (DE) 2011 research⁴ into bullying in schools revealed that boys and girls frequently experience bullying with a sexual context.
21. A 2014 survey for Girlguiding⁵ found that three in five of those aged 13 to 21 (59%) had experienced sexual harassment at school, college or work in the last year and one in five girls aged 7 to 12 had experienced jokes of a sexual nature from boys (22%). The 2017⁶ survey

2 Cara Friend and Rainbow Project (2011) Left out of the equation. A report on the experiences of lesbian, gay and bisexual young people at school

3 O'Hara (2013) Through our minds, exploring the emotional health and wellbeing of LGBT people in Northern Ireland, Belfast Rainbow

4 DENI (2011) Nature and extent of bullying in schools in the north of Ireland

5 Girlguiding (2014) Girls' attitude survey 2014

6 Girlguiding (2017) Girls' attitude survey 2017

found an increase in sexual harassment since 2014, in particular on social media. These findings demonstrate the need to challenge gender roles, including across the curriculum generally, and within relationships and sex education (RSE) specifically.

Extend to schools legislative protection from disability-based harassment.

22. The Commission continues to call for reform to Northern Ireland's disability discrimination laws.

23. Currently, under disability discrimination legislation in Northern Ireland, there is no freestanding protection for disabled people against harassment related to their disability outside employment and further and higher education. This contrasts with protection which exists under Northern Ireland equality law on other equality grounds and with legislation in Great Britain.

