

Equality Commission

FOR NORTHERN IRELAND



# Tackling Bullying and Challenging Stereotypes

Policy Recommendations

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# 1 Introduction

- 1.1 Prejudice-based bullying at school can blight the lives of young people, negatively affecting their attendance and attainment as well as having a long-term impact on their life chances.
- 1.2 The Commission's *Statement on Key Inequalities in Education*<sup>1</sup> highlighted prejudice-based bullying as a persistent problem<sup>2</sup> for certain equality groups, including: trans pupils; minority ethnic students including Irish Travellers; students with SEN or a disability; and students with same sex attraction.
- 1.3 We welcome that the Addressing Bullying in Schools Act (NI) 2016<sup>3</sup> provides a definition of bullying, places new duties on Boards of Governors to prevent bullying and requires schools to record all bullying incidents including those motivated by prejudice. We are of the view that this legislation, if implemented effectively, has the potential to support the development of more inclusive learning environments. Specific recommendations in relation to the legislation and its implementation are made below.
- 1.4 The Addressing Bullying in Schools Act came into force in September 2021. It remains clear however that up-to-date research is required on the impact and prevalence of prejudice-based bullying, as existing sources are now dated.
- 1.5 The need to tackle the high incidence of prejudice-based bullying, both within schools and the wider community is a key challenge for Government and has been recognised as such by international treaty bodies, such as UNCRC Committee, CEDAW Committee, CERD Committee, and the Advisory Committee on the Framework Convention on National Minorities (FCNM)<sup>4</sup>.

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<sup>1</sup> ECNI (2017) [Statement on Key Inequalities in Education in Northern Ireland](#)

<sup>2</sup> This finding is also reflected in the 2017 Young Life and Times Survey. Ark (2018) [Young Life and Times Survey Summary of Results](#)

<sup>3</sup> Northern Ireland Assembly (2016) [Addressing Bullying in Schools Act](#)

<sup>4</sup> See [Concluding Observations of Committee on Rights of the Child \(2016\)](#); [Concluding Observations of the Committee on the Elimination of Racial Discrimination on UK \(2016\)](#); [Fourth Opinion on the United Kingdom of the Advisory Committee on the Framework Convention for the Protection of National Minorities \(2017\)](#); and [Concluding Observations on UK, CEDAW Committee \(2013\)](#).

- 1.6 While the Commission will work to encourage prompt action to address the above, we also encourage action by stakeholders and government to advance our full range of recommendations, with a particular focus on tackling the inequalities identified in *2017 Statement on Key Inequalities in Education*<sup>5</sup>.
- 1.7 The remainder of this document sets out our specific recommendations relating to tackling bullying and challenging stereotypes. Each recommendation is accompanied by a supporting rationale and key evidence.
- 1.8 We encourage you to take steps to raise awareness and secure implementation of our recommendations. Help us make change by sharing these recommendations with colleagues, officials, and friends and family; writing to your local political representatives; and by responding to any consultation related to equality in education in support of our recommendations.
- 1.9 Our full range of recommendations relating to education is available at [www.equalityni.org/Education/Policy](http://www.equalityni.org/Education/Policy)

### *Summary of recommendations:*

- The Department of Education should undertake comprehensive research to establish, and track over time, the prevalence and nature of prejudice-based bullying, and to assess school compliance with the Addressing Bullying in Schools Act;
- The Department of Education and Education Authority should ensure their guidance on complying with the requirements of the Addressing Bullying in Schools Act, and on responding to and preventing incidents of bullying behaviour, is comprehensively implemented and updated as required;
- The Department of Education should ensure actions to tackle unintentional<sup>6</sup> acts of prejudice-based bullying, which are not covered by the statutory definition of bullying<sup>7</sup>, are adequately dealt with in guidance;

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<sup>5</sup> ECNI (2017) [Key Inequalities in Education](http://www.equalityni.org/KeyInequalities-Education). For a summary of the identified inequalities and gaps in available data, and links to further information, please visit [www.equalityni.org/KeyInequalities-Education](http://www.equalityni.org/KeyInequalities-Education).

<sup>6</sup> Acts without an explicit intent to bully can still cause harm, fear, or distress to pupils for reasons associated with their equality characteristics.

<sup>7</sup> Addressing Bullying in Schools Act (NI) 2016, S1(1) "Bullying" includes (but is not limited to) the repeated use of (a) any verbal, written or electronic communication (b) any other act, or (c) any combination of those, by a

- 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;
- The Department and other stakeholders should ensure that support materials and opportunities within the curriculum comprehensively address prejudice-based bullying;
- Measures to tackle bullying should include challenging gender roles to further the broader societal aim of preventing gender-based violence;
- Legislative protection from disability-based harassment should be extended to schools.

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pupil or group of pupils against another pupil or group of pupils, with the intention of causing physical or emotional harm to that pupil or group of pupils.’

## 2 Recommendations

- 2.1 We have set out below our recommendations relating to tackling bullying and challenging stereotypes.
- 2.2 Our full range of recommendations relating to education is available at [www.equalityni.org/Education/Policy](http://www.equalityni.org/Education/Policy).

***The Department of Education should undertake comprehensive research to establish, and track over time, the prevalence and nature of prejudice-based bullying, and to assess school compliance with the Addressing Bullying in Schools Act.***

- 2.3 Records of incidents of prejudice-based bullying, as required by the Addressing Bullying in Schools Act, are currently retained at school level and are not collated or analysed by the Department of Education (DE). In this context, it is essential that data is collected now (at the commencement of the legislation) and thereafter on a rolling basis, potentially via an all-pupil Northern Ireland level survey, to track the prevalence of bullying. The findings must be disaggregated by equality categories. This will allow the Department and wider stakeholder groups, including the Education Authority, management bodies and representative groups, to gauge the effectiveness of current interventions and focus attention on areas of concern. Consideration should also be given as to how best to gather data on the prevalence, nature and any specific impacts of cyber-bullying.
- 2.4 Linked to this is the need to establish levels of compliance by schools and Boards of Governors with their duties under the Addressing Bullying in Schools Act. This would allow analysis of practice generally, and specifically in relation to areas where the legislation is not prescriptive. Schools have discretion within the legislation to collect and monitor one-off incidents of bullying and cyber-bullying. Data could be gathered via qualitative and quantitative surveys in addition to routine Education and Training Inspectorate inspections. This analysis would highlight any inconsistencies across schools and allow training needs to be identified. It would also provide information on the extent to which particular bullying

motivations<sup>8</sup> are recorded and may demonstrate a requirement, as permitted under the legislation, for the list of motivations to be amended.

### Supporting rationale

- 2.5 The Addressing Bullying in Schools Act places a duty on boards to:
- ensure that policies designed to prevent bullying are followed in the school;
  - determine and review the measures needed to prevent bullying;
  - consult with the principal, pupils and parents before drafting or reviewing measures;
  - prepare an anti-bullying policy and make it freely available.
- 2.6 In addition, they must make sure that a record of all incidents of bullying or alleged bullying, including the motivation for it, is kept.
- 2.7 During the legislation's passage through the Assembly, concerns were raised that if bullying records were published 'league tables' would develop<sup>9</sup>. The Department has stated that: '...there are no plans to collect or publish any information in relation to records of bullying incidents held by schools'<sup>10</sup>.
- 2.8 While equality grounds-based research has been undertaken on a piecemeal basis, the last comprehensive assessment of bullying by DE was in 2011<sup>11</sup>.
- 2.9 The discretion within the legislation relating to the collection and monitoring of one-off incidents of bullying and cyber-bullying has raised concerns. Purdy noted<sup>12</sup> that it would: 'undoubtedly lead to continued definitional confusion within

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<sup>8</sup> At Section 3(3) motivations *may* include (a) differences of religious belief, political opinion, racial group, age, sex, sexual orientation or marital status; (b) differences between persons with a disability and persons without; (c) differences between persons with dependants and persons without; (d) differences between persons based on gender reassignment; (e) differences between persons based on pregnancy.

<sup>9</sup> NI Assembly (2016) [Report on the Addressing Bullying in Schools Bill, NIA291/11-16, Committee for Education](#)

<sup>10</sup> Scope NI (8 December 2021) [Stormont opts out of collating schools' records of bullying](#)

<sup>11</sup> DENI (2011) [The nature and extent of pupil bullying in schools in the north of Ireland](#), RSM McClure Watters

<sup>12</sup> Noel Purdy, (Ed.Law 20216, 17(3) 164-172), The Addressing Bullying in Schools (NI) Bill and Act 2016, Legislative Comment

schools' as regards one-off incidents, and in relation to cyber-bullying 'could lead to unreasonable demands being placed on schools' with incidents taking place outside school hours while under parental responsibility.

- 2.10 We had recommended that where one-off incidents of prejudice-based behaviour are dealt with under the school's disciplinary procedure, they should be accurately recorded, including as regards nature, motivation and outcome.
- 2.11 We retain our concerns about the focus and range of motivating factors included in the legislation<sup>13</sup>. We previously recommended 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<sup>14</sup>; 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.
- 2.12 The Education and Training Inspectorate should 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 and Education Authority should ensure their guidance on complying with the requirements of the Addressing Bullying in Schools Act, and on responding to and preventing incidents of bullying behaviour, is comprehensively implemented and updated as required.***

- 2.13 We welcome the comprehensive guidance developed by DE, EA and the NI Anti-Bullying Forum – Effective Responses to Bullying Behaviour<sup>15</sup>, and recommend that it is promoted within schools to ensure consistency of approaches in recording, responding to and preventing incidents of bullying behaviour. It

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<sup>13</sup> ECNI (2015) [Response to the Department of Education's consultation on Addressing Bullying in Schools](#)

<sup>14</sup> ECNI (2015) [Response to the Department of Education's consultation on Addressing Bullying in Schools](#)

<sup>15</sup> DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#)



is essential that pupils are encouraged to be open about reporting incidents of bullying. Implementation of this guidance can contribute to such openness.

- 2.14 The Commission welcomes the duty on boards of governors to secure measures to prevent prejudice-based bullying. We welcome the guidance and training materials provided to assist schools, including the senior management team and Governors, on their specific remit and role(s). We recommend that this should also be incorporated within initial teacher education. Regularly updated in-service training for staff on the impact of prejudice-based bullying and on the strategies to tackle and prevent it is also necessary. A review of the effectiveness of the guidance and training materials is recommended in the fifth year of its operation.

### Supporting rationale

- 2.15 Tackling prejudice-based bullying will be most effective if it is dealt with at a range of levels within the school ('a whole school approach'). This includes addressing and exploring prejudicial attitudes and identifying issues proactively through the curriculum in an age-appropriate way<sup>16</sup>.
- 2.16 A 2014 report<sup>17</sup> by Estyn found that the best schools use a range of methods to gain a true picture of the extent and nature of bullying that included collecting the views of pupils, parents or carers, and staff about bullying. There needs to be recognition that parents or carers may feel uncomfortable when engaging with a school, particularly if a prejudice-based incident has occurred.
- 2.17 Training for teachers (within initial teacher education and as part of continuous professional development) on prejudice-based bullying can empower and assist staff to better understand their responsibility to prevent and respond to prejudice-based bullying; become more confident to tackle prejudice; and have increased knowledge of where to access appropriate signposting information.

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<sup>16</sup> ECNI (2015) Response to the Department of Education's consultation on Addressing Bullying in Schools at para 5.4

<sup>17</sup> Estyn (2014) Action on bullying. A review of the effectiveness of action taken by schools to address bullying on the grounds of the pupils' protected characteristics

***The Department of Education should ensure actions to tackle unintentional acts of prejudice-based bullying, which are not covered by the statutory definition of bullying<sup>18</sup>, are adequately dealt with in guidance.***

- 2.18 The common definition of bullying included in the 2016 Act contributes to ensuring a consistent approach is taken across schools to tackling prejudice-based bullying.
- 2.19 However, we consider that guidance for schools to support the implementation of the legislation should also encourage schools to address unintentional<sup>19</sup> acts by pupils that can cause harm, fear or distress to pupils for reasons associated with their equality characteristics<sup>20 21</sup>. Training for teachers, within initial teacher education and continuing professional development, should include guidance on dealing with such acts.

**Supporting rationale**

- 2.20 Unintentional acts of prejudice-based bullying are not covered by the statutory definition of bullying. However, DE, EA and NI Anti-Bullying Forum<sup>22</sup> guidance provides an opportunity to ensure that schools are aware of the need to proactively address these types of behaviour.
- 2.21 Unintentional prejudice-based incidents may not be considered serious enough to constitute bullying but may nevertheless have a significant impact on a pupil causing distress and disengagement from learning.
- 2.22 Without action to tackle such incidents and acts, prejudice and stereotypes may be perpetuated. For example, pupils may use homophobic or disablist terms without the intention of causing harm or realising that their comments are inappropriate, but with the effect of causing harm, potentially on an ongoing basis.

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<sup>18</sup> Addressing Bullying in Schools Act (NI) 2016, S1(1) “ ‘Bullying’ includes (but is not limited to) the repeated use of (a) any verbal, written or electronic communication (b) any other act, or (c) any combination of those, by a pupil or group of pupils against another pupil or group of pupils, with the intention of causing physical or emotional harm to that pupil or group of pupils.’

<sup>19</sup> Acts without an explicit intent to bully can still cause harm, fear or distress to pupils for reasons associated with their equality characteristics.

<sup>20</sup> Acts without an explicit intent to bully can still cause harm, fear or distress to pupils for reasons associated with their equality characteristics.

<sup>21</sup> ECNI (2015) Response to the Department of Education’s consultation on Addressing Bullying in Schools

<sup>22</sup> DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#)

It is important that schools, teachers and pupils understand that what they may regard as low-level forms of bullying can cumulatively be as serious as those that cause physical harm.

***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.***

- 2.23 High-level leadership is essential to ensure the consistent and robust implementation of policies and practices designed to address bullying, including bullying experienced by Section 75 groups.
- 2.24 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. This awareness raising should extend to the families of pupils and include signposting to relevant guidance.
- 2.25 The Effective Responses to Bullying Behaviour guidance<sup>23</sup> provides a range of whole school interventions which can be used to establish and maintain an anti-bullying culture. Interventions include improving school ethos by assessing how safe, happy and welcome pupils feel; integrating anti-bullying measures across the curriculum; and considering thematic responses should a particular form of prejudice-based bullying (e.g. racist, sectarian) occur. The recommendations made by Estyn, the Welsh schools' inspectorate, in relation to effective actions to address bullying should be adopted<sup>24</sup>.

**Supporting rationale**

- 2.26 The Addressing Bullying in Schools Act states that schools must have a preventative anti-bullying policy which is updated at least every four years. Furthermore, it states that governors have a key role in ensuring that measures are taken to prevent and address bullying behaviour. However, it simply refers to

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<sup>23</sup> DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#)

<sup>24</sup> Estyn (2014) [Action on Bullying, a review of the effectiveness of action taken by schools to address bullying on the grounds of pupils' protected characteristics](#), at page 7. For example, schools should raise awareness, consult, plan age-appropriate opportunities, and ensure a clear understanding by staff of the interplay between bullying and equality, and the requirements to record incidents aligned to protected equality characteristics etc.

providing copies of a 'written statement of measures' and leaves any other actions at the school's discretion.

- 2.27 To achieve an anti-bullying culture, it is important that schools recognise the range of factors to be considered as part of a whole school approach. These include creating an inclusive culture and environment; ensuring the participation of learners and their parents / carers; staff training; relationship and sexuality education (RSE) and using curriculum opportunities to cover controversial topics.
- 2.28 Guidance is available in the Effective Responses to Bullying Behaviour publication. It states that: 'It is important for the senior leadership team to track and monitor how effectively the preventative and whole school approaches are consistently delivering agreed outcomes to reduce the likelihood of bullying behaviour and promote restoration<sup>25</sup>.'
- 2.29 A 2014 report<sup>26</sup> reviewing the effectiveness of action taken by schools in Wales to address bullying on the grounds of pupils' protected characteristics found that 'there is a close link between how pupils treat one another and how well leaders communicate expectations about pupil behaviour'.

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

- 2.30 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 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<sup>27</sup>. This includes, for example, gender identity; ethnicity; and sexual orientation.
- 2.31 We welcome that the Effective Responses to Bullying Behaviour guidance states that: 'the use of curriculum resources and staff development opportunities can help within

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<sup>25</sup> At page 31

<sup>26</sup> Estyn (2014) Action on Bullying, a review of the effectiveness of action taken by schools to address bullying on the grounds of pupils' protected characteristics

<sup>27</sup> ECNI (2015) [Response to the Department of Education's consultation on Addressing Bullying in Schools](#)

a prevention framework if a particular issue has been highlighted by repeated incidents. It may be appropriate for the school community as a whole to reflect on how the school's ethos tackles bias, discrimination and prejudice around specific issues such as sectarianism, racism, social class and so on<sup>28</sup>.'

### ***a. Gender identity***

- 2.32 The 2013 Grasping the Nettle report<sup>29</sup> 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 DE was 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.

### **Supporting rationale**

- 2.33 The Grasping the Nettle report also stated that 'typically staff lack the appropriate awareness and knowledge to respond to incidences of transphobic bullying' which presents a barrier to trans young people in education.
- 2.34 The report also highlighted that 'being forced to wear a school uniform that did not match a young trans person's gender identity caused stress, anxiety and discomfort for the young person. In turn, it can encourage truancy<sup>30</sup>'.
- 2.35 Missing school time is negatively correlated with educational attainment and 'many young trans people in Northern Ireland are dropping out of education permanently because of the negative impact transphobic bullying has on their lives and the inability of schools to adequately support them<sup>31</sup>'.

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<sup>28</sup> DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#), at page 27

<sup>29</sup> McBride, RS (2013) Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Belfast: Institute for Conflict Research

<sup>30</sup> McBride, RS (2013) Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Belfast: Institute for Conflict Research

<sup>31</sup> McBride, RS (2013) Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Belfast: Institute for Conflict Research

2.36 A 2017 report on research undertaken for DE<sup>32</sup> found that over 50%<sup>33</sup> of respondents stated that issues about transgender or sexual orientation had not come up in any of their classes with 63%<sup>34</sup> stating that transgender issues were ‘handled badly’ or ‘very badly’. Participants in focus groups linked to the same research recognised that transgender young people were significantly disadvantaged by schools not understanding them or their needs and that particular attention needed to be paid to names, pronouns, uniforms, toilets and changing facilities<sup>35</sup>.

2.37 A 2017<sup>36</sup> update of 2003 Youthnet research revealed that little had apparently changed for young trans people in relation to the availability and presentation of LGBT specific information and support. One example cited was

*‘Being a transgender guy in an all-girls school, they refused to allow me to wear the right uniform stating that it was an all-girls school and while I was there I was a ‘girl’ and should act like one’.*

### ***b. Ethnicity***

2.38 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<sup>37</sup>.

2.39 We note the proposed action in the Racial Equality Strategy<sup>38</sup>, the Executive Office (TEO) to work with DE to identify ways to tackle racist bullying in schools. We understand that inter-Departmental discussions have taken place with regard to the

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<sup>32</sup> DE (2017) [Post-Primary School Experiences of 16-21 year old people who are Lesbian, Gay, Bisexual and/or Transgender Research Report](#) by Public and Corporate Economic Consultants

<sup>33</sup> at page 41 (54.5% or n=289)

<sup>34</sup> n=147

<sup>35</sup> at page 3

<sup>36</sup> Cara Friend and Youth Action, (2017) Still shouting, The needs and experiences of young people in Northern Ireland who identify as lesbian, gay, bisexual and/or transgender (LGBT), Cara-Friend and Youth Action NI, Belfast

<sup>37</sup> ECNI (2014) Racial equality position paper, Promoting Racial Equality - Priorities and Recommendations

<sup>38</sup> TEO (2015) Racial Equality Strategy 2015 – 2025

action, and we call on the TEO to set out, as a matter of urgency, how it intends to implement this 2015 proposal.

### Supporting rationale

- 2.40 Research<sup>39</sup> carried out by DE in 2011 highlighted bullying as a factor that can hinder academic success. The research found that 14% of Year 6 (aged 9-10 years) and 7.6% of Year 9 (aged 12-13 years) pupils admitted being bullied 'with mean names or comments about my race or colour'.
- 2.41 Research by NICEM<sup>40</sup> (2011) found that 'the response of schools to the issue of racist bullying appears to vary enormously', and that in the majority of cases, 'schools tend to lack knowledge of how to effectively confront the issue and in some cases have difficulty acknowledging that a problem exists. In cases where action is taken, the measure is often unsatisfactory.'
- 2.42 In addition, minority ethnic students, including Irish Traveller children, experienced lower levels of belonging and higher levels of exclusion than their white, settled Northern Irish peers<sup>41</sup>.
- 2.43 Research from Queen's University Belfast<sup>42</sup> (2013) found that the most negative experiences of education were encountered by Irish Traveller children.
- 2.44 The research also found that while educational aspirations were high among Chinese/Asian children, 'less positive outcomes were found in relation to other outcomes like their self-worth, participation in clubs and their subjective health'. It noted the need 'to look beyond achievement gaps in assessing minority ethnic children's differential experiences in education, highlighting the potential of belongingness as a concept for further study.'

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<sup>39</sup> DENI (2011) Nature and extent of bullying in schools in the north of Ireland

<sup>40</sup> NICEM (2011) Promoting Racial Equality in Northern Ireland's Post Primary Schools

<sup>41</sup> Biggart, A., O'Hare, L. & Connolly, P. (04 Feb 2013) In A need to belong?: The prevalence of experiences of belonging and exclusion in school among minority ethnic children living in the 'White hinterlands': Irish Educational Studies. 32, 2

<sup>42</sup> Biggart, A., O'Hare, L. & Connolly, P. (04 Feb 2013) In A need to belong?: The prevalence of experiences of belonging and exclusion in school among minority ethnic children living in the 'White hinterlands': Irish Educational Studies. 32, 2, p. 179-195

### ***c. Sexual orientation***

2.45 A 2011 Cara-Friend/Rainbow Project report<sup>43</sup> 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 Rainbow<sup>44</sup> 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.

#### **Supporting rationale**

2.46 Despite the existence of limited data<sup>45</sup> on the presence of LGB young people in the education system, various surveys and reports state that young people who report same sex attraction are more likely to be bullied in school than their peers and often self-exclude from school. Barriers for LGB students who are being bullied include lack of support from staff and unwillingness by schools to recognise and address homophobic bullying.

2.47 Findings<sup>46</sup> from research published in 2017 and undertaken for DE on the post-primary experience of 16–21-year-old LGBT students found that 48%<sup>47</sup> of respondents had experienced bullying as a result of their sexual orientation or gender identity<sup>48</sup>. The main forms of bullying included name-calling, lies or false rumours being circulated, being isolated by other pupils and being hit, kicked and shoved around.

2.48 54.5% stated that issues about sexual orientation or gender identity had not come up in any of their classes.

2.49 38% stated that they had been made to feel uncomfortable by teachers through the use of inconsiderate or derogatory

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<sup>43</sup> 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

<sup>44</sup> O'Hara (2013) Through our minds, exploring the emotional health and wellbeing of LGBT people in Northern Ireland, Belfast Rainbow

<sup>45</sup> ECNI (2008) Every Child an Equal Child

<sup>46</sup> DE (2017) [Post-Primary School Experiences of 16-21 year old people who are Lesbian, Gay, Bisexual and/or Transgender Research Report](#) by Public and Corporate Economic Consultants

<sup>47</sup> n=257

<sup>48</sup> Table 2:27: Q27. Have you experienced bullying at school because of your sexual orientation or gender identity?



language, taking a heteronormative approach, poor coverage of LGBT issues.

- 2.50 Key findings from focus group participants stated that Relationships and Sexuality Education (RSE) provided to them either ignored the needs of LGBT young people or actively advocated against their interests.
- 2.51 This problem is a persistent inequality. It was identified from an analysis of Young Life and Times data by Burns et al (2015)<sup>49</sup> and was also highlighted in the Commission's earlier *2007 Statement on Key Inequalities*. Just under half of the respondents to research<sup>50</sup> commissioned in 2003 by DE said they had been bullied at school because of their sexual orientation and 33% believed that they achieved lower grades as a result of their perceived sexuality.

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

- 2.52 In support of actions to aid the prevention of domestic and sexual abuse, the Commission has recommended<sup>51</sup> specific action to institute coordinated, comprehensive and coherent measures to counter gender-based stereotypes and prejudicial attitudes from an early age and across all areas of life, including in all stages of education. It is essential to challenge gender stereotypes and prejudicial attitudes from an early age, as gender-based stereotyping can begin in childhood and continue throughout life stages<sup>52</sup>.
- 2.53 In addition, we note that the Gillen Review<sup>53</sup> recommended that 'The Department of Education should strongly encourage school boards of governors to introduce awareness sessions to

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<sup>49</sup> Burns, S., Leitch, R., Hughes, J., (2015) [Education Inequalities in Northern Ireland](#)

<sup>50</sup> DENI and Youthnet (2003) ShOUT The needs of young people In Northern Ireland who identify as lesbian, gay, bisexual and transgender

<sup>51</sup> ECNI (2016) [Gender Equality - Policy Priorities and Recommendations](#)

<sup>52</sup> NI Executive (2013) [Together: Building a United Community Strategy](#) which notes: "We recognise that the early years in a child's life are the most formative and it is at this early stage that children can establish opinions, mindsets and attitudes that shape their behaviours for the rest of their lives"

<sup>53</sup> Gillen Review (2019) [Report into the law and procedures in serious sexual offences in Northern Ireland](#), Sir John Gillen

ensure students understand the consequences of posting on social media’.

### Supporting rationale

- 2.54 Evidence from DE’s 2011 research<sup>54</sup> into bullying in schools revealed that boys and girls frequently experience bullying with a sexual context. A 2014 survey for Girlguiding<sup>55</sup> 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 2017 survey<sup>56</sup> found an increase in sexual harassment since 2014, in particular on social media. These findings demonstrate the need to challenge gender stereotypes and negative behaviours, including across the curriculum generally, and within relationships and sexuality education (RSE) specifically.
- 2.55 2010 Equality and Human Rights Commission research<sup>57</sup> on identity-based bullying referred to improving young people’s attitudes toward gender roles and relationships through specific programmes within the curriculum that focused on sex and relationships. It called for curriculum activities to be age-appropriate reflecting the developmental capabilities of pupils.
- 2.56 This research also ‘suggested that sexual bullying is prevalent in primary schools where this behaviour serves to create and reinforce gender stereotypes and heterosexual hierarchies’. It highlighted the importance of interventions to address these issues in younger students while their gender identities are still developing. It called for curriculum activities to be age-appropriate reflecting the developmental capabilities of pupils.
- 2.57 A 2017 study<sup>58</sup> on sexism in schools in England and Wales found that sexual harassment is highly prevalent. It also found that the harassment was gendered and overwhelmingly involving boys targeting girls, with the use of misogynist language commonplace and gender stereotyping a typical

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<sup>54</sup> DENI (2011) Nature and extent of bullying in schools in the north of Ireland

<sup>55</sup> Girlguiding (2014) Girls’ attitude survey 2014

<sup>56</sup> Girlguiding (2017) Girls’ attitude survey 2017

<sup>57</sup> EHRC (2010) Prevention and response to identity-based bullying among local authorities in England, Scotland and Wales

<sup>58</sup> National Education Union/UK Feminista (2017) It’s just everywhere, A study on sexism in schools and how we tackle it,

feature of school culture, often reinforced through mundane, everyday actions.

***Legislative protection from disability-based harassment should be extended to schools.***

- 2.58 The Commission continues to call for reform to Northern Ireland’s disability discrimination laws<sup>59</sup>.
- 2.59 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.
- 2.60 This contrasts with protection which exists within legislation in Great Britain and under Northern Ireland equality law on other equality grounds, for example there is a freestanding right giving protection against harassment under the race equality legislation across both employment and non-employment areas (on the grounds of race, ethnic origin, and national origin only).

**Supporting rationale**

- 2.61 In 2017 Burns et al.<sup>60</sup> highlighted that protection against harassment and discrimination against pupils with a disability in primary and post-primary schools is currently weaker than the protection offered to students in further or higher education. Current SEN legislation does not specifically provide protection against disability-based harassment.
- 2.62 DE research (2011)<sup>61</sup> on the nature and extent of bullying in Northern Ireland schools found that ‘there is evidence that disabled children and young people are more vulnerable to bullying’. A 2010 report<sup>62</sup> by the then ELBs also indicated that there was a clear link between the incidence of bullying and SEN.

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<sup>59</sup> ECNI (2011) Strengthening Protection for Disabled People

<sup>60</sup> Burns, S., Leitch, R., Hughes, J., (2015) [Education Inequalities in Northern Ireland](#)

<sup>61</sup> DENI (2011) Nature and extent of bullying in schools in the north of Ireland

<sup>62</sup> Northern Ireland Education and Library Boards (2010) It’s Good to Listen – Experiences of Pupils with Special Educational Needs

### **3 Conclusion**

- 3.1 We have set out in this document a number of specific recommendations for action to tackle bullying and challenge stereotypes.
- 3.2 The Commission will continue to engage with government, relevant Departments and key stakeholders to secure advocacy and adoption of our recommendations
- 3.3 We encourage you to take steps to raise awareness and secure implementation of our recommendations. Help us make change by sharing these recommendations with colleagues, officials, and friends and family; writing to your local political representatives; and by responding to any consultation related to equality in education in support of our recommendations.

#### ***Further information***

- 3.4 For further information visit [www.equalityni.org/Education/Policy](http://www.equalityni.org/Education/Policy)

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