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STATUTORY INSTRUMENTS

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**2003 No. 424**

**The Education and Libraries (Northern Ireland) Order 2003**

**PART IV  
SCHOOLS**

*Welfare and protection of pupils*

**Duty on Boards of Governors to safeguard and promote the welfare of pupils**

**17.**—(1) It shall be the duty of the Board of Governors of a grant-aided school to safeguard and promote the welfare of [<sup>F1</sup>pupils attending] the school at all times when such pupils are—

- (a) on the premises of the school; or
- (b) in the lawful control or charge of a member of the staff of the school.

(2) Paragraph (1) does not apply in relation to pupils for whom accommodation is provided by the Board of Governors of a voluntary school (as to whom broadly corresponding provision is made by Article 176(1) of the Children (Northern Ireland) Order 1995 (NI 2)).

(3) Article 101 of the 1986 Order (directions by Department as to performance of duties imposed by or under the Education Orders) shall apply in relation to the duty imposed on the Board of Governors of a voluntary school by Article 176(1) of the Children (Northern Ireland) Order 1995 as it applies in relation to duties imposed on such a Board of Governors by or under any provision of the Education Orders.

**F1** Words in art. 17(1) substituted (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4)(c), 44(1), [Sch. 2 para. 45](#); S.R. 2007/197, [art. 2\(a\)](#)

**Child protection measures**

**18.**—(1) It shall be the duty of the Board of Governors of a grant-aided school—

- (a) to determine the measures to be taken at the school (whether by the Board of Governors, the staff of the school or other persons) with a view to protecting pupils from abuse (whether at school or elsewhere);
- (b) to review those measures—
  - (i) from time to time; and
  - (ii) (without prejudice to head (i)) at such times as the Department may direct;
- (c) in determining or reviewing those measures to have regard to any guidance given by the Department, [<sup>F2</sup>the Authority]<sup>F3</sup>... and (in the case of a Catholic maintained school) the Council for Catholic Maintained Schools;
- (d) to prepare a written statement of such measures and to secure that—

- (i) a copy of that statement is given (free of charge) to the parents of all registered pupils at the school and to the staff of the school; and
- (ii) copies of the statement are available for inspection (at all reasonable times and free of charge) at the school; and
- (e) to secure that such measures are taken.
- (2) Directions under paragraph (1)(b)(ii) may be given—
  - (a) in relation to grant-aided schools generally;
  - (b) in relation to a class or description of grant-aided school; or
  - (c) in relation to any particular grant-aided school or schools.
- (3) In this Article “abuse” includes sexual abuse and abuse causing physical or mental harm to a child.

- F2** Words in *Order* substituted (1.4.2015) by *Education Act (Northern Ireland) 2014 (c. 12), s. 7(2)(c), Sch. 3 para. 1(1)(a)* (with *Sch. 2 para. 4(3), Sch. 3 para. 1(2)*); S.R. 2015/35, art. 2(b)
- F3** Words in art. 18(1)(c) repealed (1.4.2015) by *Education Act (Northern Ireland) 2014 (c. 12), s. 7(2)(c), Sch. 4* (with *Sch. 2 para. 4(3)*); S.R. 2015/35, art. 2(b)

### School discipline measures to prevent bullying

**19.**—(1) Article 3 of the 1998 Order (responsibility of Board of Governors and principal for discipline) shall be amended as follows.

(2) In paragraph (2)(b) (consultation by Board of Governors before making or revising statement of general principles concerning discipline) for the words “the parents of registered pupils at the school” there shall be substituted “the registered pupils at the school and the parents of those pupils”.

(3) In paragraph (3)(a)(ii) (principal to determine measures to be taken to encourage good behaviour and respect for others on the part of pupils) at the end there shall be added “and, in particular, preventing all forms of bullying among pupils”.

(4) In paragraph (3) after sub-paragraph (a) there shall be inserted—

- “(aa) before determining such measures, to consult the registered pupils at the school and the parents of those pupils;” .

**Changes to legislation:**

There are currently no known outstanding effects for the The Education and Libraries (Northern Ireland) Order 2003, Cross Heading: Welfare and protection of pupils.