
STATUTORY INSTRUMENTS

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 registered pupils at 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.

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, the board for the area in which the school is situated 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.

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;”.