



2016 CHAPTER 25

Duty to keep a record of incidents of bullying

3.—(1) The Board of Governors of a grant-aided school must ensure that a record is kept of all incidents of bullying or alleged bullying involving a registered pupil at the school that occur—

- (a) on the premises of the school during the school day;
- (b) while travelling to or from the school during the school term;
- (c) while the pupil is in the lawful control or charge of a member of the staff of the school; or
- (d) while the pupil is receiving educational provision arranged on behalf of the school and provided elsewhere than on the premises of the school.

(2) A record under subsection (1) must—

- (a) state what, from all of the circumstances, appears to be the motivation of the incident;
- (b) state the methods of bullying, as defined by section 1; and
- (c) include information about how the incident was addressed.

(3) For the purposes of subsection (2)(a), motivation may, for example, relate to—

- (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.

Changes to legislation: *There are currently no known outstanding effects for the Addressing Bullying in Schools Act (Northern Ireland) 2016, Section 3. (See end of Document for details)*

(4) The Department may by order subject to negative resolution amend subsection (3).

(5) The Department may from time to time publish guidance as to how a Board of Governors is to comply with the duty to keep a record under this section; and in complying with the duty under this section a Board of Governors must have due regard to any guidance for the time being published under this subsection.

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Commencement Information

II S. 3 in operation at 1.9.2021 by S.R. 2021/107, **art. 2**

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