

## PROGRESSING A BILL OF RIGHTS FOR NORTHERN IRELAND; AN UPDATE NASUWT RESPONSE

NASUWT as a teachers' trade union welcomes a Bill of Rights as a helpful addition to the law for individuals in Northern Ireland.

As a teachers' trade union the Association will restrict its comments to those sections of the proposed bill which have, or could have a direct impact on teachers.

### **SECTION 4 EQUALITY AND NON-DISCRIMINATION**

NASUWT recognises the example given with regard to Section 4 (4). However, the Association would be concerned that this could allow schools and colleges to continue to discriminate against certain groups of teachers in an inappropriate way.

### **SECTION 6 THE RIGHT TO BE PROTECTED AGAINST VIOLENCE**

NASUWT is puzzled by the distinction drawn between 'workplace' and 'school'. In particular because there are other educational establishments which would not fall under the general heading of school in which members of NASUWT are employed e.g. FE colleges. Further detail is needed on this distinction. Bullying and/or harassment in schools can occur within and between all groups of individuals present in schools.

NASUWT assumes that;

- a) bullying includes harassment
- b) this section refers to all employees and students
- c) there is a recognition that employees need protection against bullying/harassment by students as well as by other employees and/or management

## **SECTION 7 RIGHT TO LIBERTY**

NASUWT must insist that when Section 7 (7)(c) is implemented any teacher required to undertake educational and/or vocational training for children in these circumstances is adequately protected.

## **SECTION 8 THE RIGHT TO A FAIR TRIAL**

NASUWT assumes that this is underpinned by the recognition that persons accused are 'innocent until proved guilty'. This is clearly not the case currently with regard to teachers accused of child protection issues.

NASUWT expects the Bill of Rights to be worded in such a way that teachers, as with any other persons accused, are granted anonymity until such times as the accusation is proven. Should the accusation be found to have no substance then the teacher's name should never be made public.

## **SECTION 11 THE RIGHT TO A FAMILY LIFE AND A PRIVATE LIFE**

NASUWT is pleased to see the reference to personal data; Section 11 (3)(4).

NASUWT expects this to strengthen the current Data Protection Act with regard to a teacher's right of access to any files held by his/her employers.

## **SECTION 12 THE RIGHTS OF CHILDREN**

NASUWT supports the rights of children. However, it is vital that there is recognition that these rights must not contravene the rights of others. Teachers, whose work automatically brings them into close contact with children, can be particularly vulnerable. As indicated in Section 8 teachers' rights need to be protected.

## **SECTION 13 EDUCATION RIGHTS**

NASUWT accepts the principles of equality of opportunity within education.

However, the rights of individual parents to choose specific educational establishments for their children must not put at risk the educational rights of other

children. Neither must such right to choose put unequal burdens on schools which they are required to meet out of budgets not geared to such purpose.

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