

## Educational visits and other off-site activities



advice for teachers  
and school leaders

## **About this document**

This briefing provides advice and guidance on educational visits and other circumstances where pupils may be educated away from school sites in the Isle of Man.

## **Who is this document for?**

Teachers and school leaders employed in schools operated by the Department of Education and Children (DEC)

## **Key points**

- The Isle of Man Government has confirmed its view that the law as currently drafted does not give teachers or school leaders the authority to discipline pupils away from school sites.
- NASUWT members are therefore advised to consider carefully whether or not to participate in any off-site activities, insist that schools provide suitable risk assessments when such activities are being contemplated and confirm how disciplinary issues arising when pupils are off-site should be addressed.

## **Background and context**

The NASUWT is currently in dispute with the DEC on issues related to the promotion of good behaviour in schools and tackling incidents of pupil indiscipline, particularly those that occur away from school sites.

The legal powers available to schools are set out in the 2001 Education Act and their relevant Articles and Instruments of Government. The NASUWT has continued to insist that the Act gives teachers and school leaders the ability to discipline pupils for incidents that occur away from school premises on the same basis as those that occur on-site.

During the course of the dispute, it has been made clear to the NASUWT that the DEC does not share this interpretation. The DEC's position remains that the Act only permits teachers and other relevant members of the school workforce to exercise their authority to discipline while they, and relevant pupils, are on school premises. For this reason, the DEC has continued to reject the NASUWT's request that the Articles and Instruments of Government for schools should be amended to give teachers the ability to discipline pupils for poor behaviour that takes place off-site. The NASUWT will continue to challenge this interpretation.

However, the view taken by the DEC on the meaning of the Act in this respect raises important concerns about the ability of teachers and school leaders to discipline pupils during the course of educational visits and in other circumstances when pupils are off-site. The consequence of DEC's position is that it must regard all attempts by teachers and school leaders to discipline pupils away from school sites as unlawful.

## Advice

Notwithstanding the validity or otherwise of DEC's interpretation of the Education Act, it places teachers and school leaders engaging in off-site activities with pupils in a wholly intolerable position as it means that their employer is not prepared to view disciplining pupils off-site as legally acceptable.

Teachers must always be confident of the support of their employer when exercising their powers to discipline pupils. The NASUWT is concerned that teachers in the Isle of Man cannot embark on educational visits safely if their employer believes they have no power to discipline pupils away from school premises and will not support them if they do so.

The NASUWT has significant experience in supporting teachers and school leaders in the effective management of off-site activities. The Union is clear that in all circumstances, the ability of teachers to retain good order and discipline among pupils is essential to the safety of pupils and staff. However, this is especially the case away from school sites where the risks created by poor behaviour may be even greater than they are on a day-to-day basis in schools.

Members are therefore advised to consider carefully whether they should organise, participate in or lead any off-site educational activities. These activities include, but are not restricted to, educational visits of any type, including those of a day or less in duration, and any other

form of off-site activity during which teachers and school leaders are expected to supervise and manage the behaviour of pupils, such as sports events held away from school premises either during, before or after the normal school day.

When members are instructed to organise or take part in off-site activities with pupils, they should insist that schools provide suitable risk assessments. They should also secure confirmation in writing from their headteacher of the arrangements they are expected to establish to secure good pupil order and conduct during such activities and how any episodes of pupil indiscipline should be addressed.

### **Next steps**

The NASUWT recognises that the DEC's interpretation of the Education Act places teachers and school leaders in an entirely invidious position. The Union will continue to engage directly with the DEC to clarify the position in respect of powers to discipline pupils away from school sites and to secure meaningful and unambiguous provisions in this respect. The NASUWT reserves the right to take such action as may be necessary and appropriate to protect the position of members who may be at risk as a consequence of the position adopted by the DEC.



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