## Recording a Potential Human Rights Issue

Use this table as a guide to accurately record information about an issue that you think could be a breach of human rights. Recording an issue like this will make it easier for you to explain the situation to the public body you are complaining to.

It is helpful to record:

* exactly what the issue is,
* when it started and how long it has been going on for,
* what the impact of the issue is,
* which human rights are potentially at risk.

When you raise the issue, you should then include what is the minimum level of change that you think would resolve the issue.

[Find out how many rights there are and what they mean here.](https://www.bihr.org.uk/get-informed/what-rights-do-i-have/the-right-to-education)

If a right is absolute, it can never be restricted. If a right is non-absolute it can be restricted if it passes the ‘Three-stage test’ of lawful, legitimate and proportionate. [Watch this video to find out about absolute and non-absolute rights.](https://youtu.be/Q-S--6HV_7U)

**Instructions:**

Explain in detail what is happening. If it is a wider issue, try and break it down into measurable smaller chunks. Talk about exactly what has happened, where and who is involved - focusing on facts. Explain what the impact of these events was in the other column.

If it is many smaller issues make sure you explain why all of them together is making it more serious.

Be as specific as possible with dates.

Focus on how the facts you identified have affected your child/you/your family.

You should show how the decision is what has caused any issues.

Refer to our previous blogs and linked explainers. If multiple rights are at risk you should work through each one separately.

The red text is a fictional example of the sort of thing to write. If you want, you can download and save this document then remove the red text.

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| **What is the issue?** | **When did it start and how long has it been going on?** | **What is the impact of the issue?** | **Which human rights may be at risk?** |
| My child is required to wear a school uniform that causes them substantial discomfort. This discomfort is due their sensory issues.  The specific issue is with the tie.  I have raised this point several times and nothing has been done. | Since my child started this school in September. We informally raised the issue around the tie on the 11th of September.  We formally raised it on the 23rd of September.  A back and forth has continued until today’s date 19th October with no resolution. | My child is unable to focus properly when wearing as it is very itchy to them.  To concentrate and be comfortable they take it off whenever possible. As soon as this happens, on more than one occasion now a teacher reprimands them.  The reprimands add up to multiple detentions. This causes my child distress. My child’s well-being is suffering due to repeatedly being told off and getting punished. This upsets them and is leading to a refusal to attend school at all on some days.  It has led to many arguments at home, which is upsetting to not only myself, but my other children. | The Right to Private and Family Life, Home and Correspondence – Article 8.  This is because their wellbeing is being impacted by constant punishment for something out of their control.  I do not believe it is a lawful restriction of this right.  This is because although the Education Act says schools may enforce uniforms to the legitimate aim of providing better education, it is not proportionate to my child. The policy is having a disproportionate impact on them.  No alternative is being considered. |
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