



Holy Family School

Code of Behaviour

Introduction

The Holy Family School Code of Behaviour has been devised by the Board of Management, School Principal and in consultation with all staff members. It replaces the existing school Code of Behaviour and follows guidelines issued by the National Education Welfare Board and Education Welfare Act 2000.

Rationale

The Board of Management of the Holy Family School decided to review the Behaviour Policy to ensure that it is in compliance with legal requirements and good practice as set out in *Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008*.

It is a requirement under the Education Welfare Act, 2000, Section 23 (1) which refers to the obligation on schools to prepare a code of behaviour in respect of the students registered at the school. It details in Section 23 (2), that the code of behaviour shall specify:

- (a) The standards of behaviour that shall be observed by each student attending the school
- (b) The measures that shall be taken when a student fails or refuses to observe those standards
- (c) The procedures to be followed before a student may be suspended or expelled from the school concerned
- (d) The grounds for removing a suspension imposed in relation to a student
- (e) The procedures to be followed in relation to a child's absence from school.

The Holy Family School's Code of Behaviour defines the responsibilities that all members of the school community are expected to uphold and recognizes the significance of appropriate and meaningful relationships.

It outlines a consistent standard of behaviour for the school community, inclusive of students, staff and parents. The Code has been developed to deliver the best possible outcomes for students, recognizing the close relationship between learning, achievement and behaviour.

The Code of Behaviour is to be used as a basis for providing:

- Positive support to promote high standards of achievement and behaviour
- Clearly articulated responses and consequences for inappropriate behaviour

Relationship to Characteristic Spirit of the School

The Holy Family School strives to promote a child friendly secure and caring environment where the talents of each child are nurtured and valued. By catering for the individual needs of all the students in as far as is practicable the school seeks to enable each student to develop his/her potential. This can best be done where there is a high level of openness and co-operation between staff, parents and pupils and where there is a clear understanding among all staff of the standards of behaviour required and of procedures adapted where there are breaches of the code.

Aims of the Code

By implementing the Code of Behaviour the Board of Management of the Holy Family School wishes to promote the following aims:

- To allow the school to function in an orderly and harmonious way
- To enhance the learning environment where students can make progress in all aspects of their development
- To create an atmosphere of respect, tolerance and consideration for others
- To facilitate the education and development of every child and promote self esteem and positive relationships
- To promote positive behaviour and self-discipline recognizing the differences between children and the need to accommodate these differences
- To ensure the safety and well-being of all members of the school community
- To assist parents and pupils in understanding the systems and procedures that form part of the Code of Behaviour and to seek their co-operation in the application of these procedures
- To ensure that the system of rules, rewards and sanctions are implemented in a fair and consistent manner
- To build positive relationships of mutual respect among students, staff and parents.

Guidelines for Behaviour in the School

The school recognizes the variety of differences that exist between children and the need to accommodate these differences. It is agreed that a high standard of behaviour requires a strong sense of community within the school and a high level of co-operation among staff and between staff, parents and pupils. Every effort will be made to ensure that the code of behaviour is implemented in a reasonable, fair and consistent manner. The limits of behaviour are clearly defined and children become familiar with the consequences of behaviour beyond these limits. The over-riding principle governing this code is respect – respect for ourselves and others and their property. The school expects the highest standards of behaviour from all the school community.

Board of Management Responsibilities

- Provide a comfortable and safe environment.
- Support the Principal and staff in implementing the code.

- Ratify the code when needed.

Pupils' Responsibilities

Pupils are assisted to

- Listen to teacher and act on instructions / advice
- Listen to other pupils and await their turn to communicate
- Respect the right of other pupils to learn
- Care for their own property
- Respect all school property
- Avoid behaving in any way that would endanger others
- Avoid any nasty remarks, swearing and name calling
- Include other pupils in games and activities where appropriate
- Follow school rules and class rules
- Work to the best of their ability within class / school and for homework

Teachers Responsibilities

- To make themselves aware of the code of behaviour and be guided it.
- To liaise with parents, other staff and students to devise behaviour strategies and plans
- To inform principal of recurring incidents of students behaviour as per agreed procedure.
- To inform staff about behaviour plans
- To ensure behaviour plans are implemented consistently by the class team.
- Maintain accurate records of behaviour
- Attend all training recommended by the school and ensure training is kept up to date.
- Be cognisant of their duty of care
- Create a safe, welcoming environment for each pupil
- Develop and nurture a sense of self-esteem in each pupil
- Praise positive behaviour
- Facilitate pupils to reach their full potential
- Recognize and provide for individual talents and differences among pupils
- Be courteous, consistent and fair
- Keep opportunities for disruptive behaviour to a minimum
- Deal appropriately with misbehavior
- Keep a record of serious misbehavior or repeated instances of misbehavior
- Provide support for colleagues
- Communicate with parents when necessary
- Provide reports on matters of concern to the principal
- To ensure the classroom enables communication – via visuals, assistive technology, staff wearing visual lanyards

Responsibilities of Parents / Guardians

The principal shall, before registering a child as a pupil at the Holy Family School, in accordance with section 20, NEWB provide the parents with a copy of the Code of Behaviour in respect of the school and will require his or her parents to confirm in writing that the code

of behaviour is acceptable to them, and that they shall make all reasonable efforts to ensure compliance with such code by the child by:

- Encouraging their child to have a sense of respect for themselves, for others, for their own property and that of others
- Ensure their child attends school regularly
- Be interested in and support and encourage their child's school work and homework and where appropriate use daily class emails.
- Be familiar with and support the Code of Behaviour and other school policies.
- Co-operate with teachers in instances where their child's behaviour is causing difficulties for others
- Communicate to the school problems which may affect a child's behaviour
- Make an appointment to meet with class teacher/principal to discuss areas of concern
- Protect the confidentiality of students and staff.

Responsibility of all staff and all personnel working in the school

- The adults that encounter children throughout the day at school have a responsibility to model high standards of behaviour both in their relationships with the pupils and with each other.

As adults we should aim to:

- Create a positive climate with realistic expectations.
- Promote, through example, honesty and courtesy.
- Encourage relationships based on kindness, respect and understanding of the needs of others.
- Provide a caring environment.
- Ensure fair treatment for all regardless of age, gender, race, ability and disability.
- Show appreciation for the efforts and contribution of all those in the school community.

Whole School Approach to Promoting Positive Behaviour

It is the policy of the Holy Family School to actively promote good behaviour. Children learn best by modeled behavior and positive reinforcement. Children will be encouraged, praised and listened to at all times by adults in the school. Praise is earned by the maintenance of good standards as well as by personal achievements.

As part of our on-going efforts to promote positive behaviour, time will be allocated at some staff meetings for discussion regarding the implementation of the code. Staff will be given opportunities to share their experience of both positive and negative behaviour and to learn from collective wisdom.

To facilitate new members of staff becoming familiar with practices within the school, discussion regarding the implementation of the code will always form part of the first staff meeting held each September. A copy of the code will be included in all teachers' documents. The code will also be given to parents whenever they enroll a child in the school.

Positive Strategies for Managing Behaviour

It is the policy of the Holy Family School to put in place strategies for managing behaviours within class, playground and in all areas of the school and in events outside school.

Classroom

- Each class has their own 'ground rules / behaviour expectations' that are consistent with class teaching and which set a positive atmosphere for learning.
- Pupils will have some input in devising class rules where appropriate.
- In situations where pupils are having particular behavioural issues the teacher will have a (Positive Support Plan, Risk assessment, Weekly Behaviour log chart) – Appendix 3
- The Social, Personal and Health Education programme and extra- curricular opportunities (music, drama, sport, Social training/community outings and breaktimes) will all be used as opportunities to teach skills for responsibility and relationships.
- The skills required to develop positive behavior will be taught at whole class, small group and individual level where necessary. (Assistance will be given from pupil's previous class pupil, team teacher or therapies available within the school)
- Rules and expectations around positive behaviour will be displayed in the classroom and throughout the school to help teach, reinforce and remind students how to behave in a positive way.
- The skills will also be reinforced when students are in different situations
- Teachers will ensure that pupils understand and are frequently reminded of how to behave in given circumstances – to peers, visitors etc.
- Teachers will have a clear system of acknowledging and rewarding good behaviour and sanctions for misbehavior. (Approved/reviewed by management)
- To ensure that children are monitored at all times – class timetables (individual or group) will be followed.
- Each class teacher will ensure that there is a variety of activities and methodologies to sustain pupil interest and motivation

Playground

- Playground rules are distributed to all staff
- Staff (teachers and SNAs) follow rules for playground supervision.
- Pupils who need extra supervision /assistance are allocated to staff members usually from their own class.
- Playground activities are timetabled for senior pupils weekly for groups with Senior teachers and PE teacher. These include basketball, soccer dodgeball and are weather dependent.

- Any equipment used by a class such as PE equipment, Go Karts, bicycles or scooters must be returned to storage after use.
- Pupils who leave playground for use of toilet or are unwell do so with teacher or SNA on duty. Teacher / SNA will inform another staff member on duty that they are leaving the playground
- Incidents of misbehavior to be reported to class teacher or teacher on duty. Where deemed necessary incidents to be recorded on an incident report form located on the drive, brought to the office and signed by the principal on the day of the incident. (Appendix 6)

Other Areas in School

- Positive strategies are implemented by all staff to ensure that pupils behave appropriately within school setting.
- Pupils are escorted to and from school transport (bus timetables) by teachers/SNAs.
- Pupils are supervised on toilet visits where necessary
- Pupils are supervised in the sensory room, on sensory walks, sensory circuits and on school grounds.
- Pupils are supervised at all times during the school day.

Additional strategies used by the school to promote positive behavior include:

- **Reinforce Positive Behaviour**

Acknowledging good behavior will ensure that the behavior is repeated. This strategy can be used in conjunction with planned ignoring of inappropriate behavior where attention is not given to the pupil so the inappropriate social behaviour is not reinforced.

- **Social stories.**

Social stories are used with pupils who have poor social skills. Appropriate social skills are presented in story form or in a visual way as a means of helping the pupils understand and develop appropriate social behavior.

- **Active Listening.**

This allows the pupils to express their point of view and are listened to in a non judgmental way.

- **Self Management.**

Pupils are taught to (depending on the level of understanding) coping skills that equip them to deal with feelings of anger, frustration or anxiety. EG Zones of regulation, Mindfulness techniques

- **Replacement skills.**

Pupils are taught to find a different way to express a need instead of using negative behaviour to get a response.

- **Behaviour modification**

This strategy specifies basic rules and routines. The rewards that will accrue if the rules are followed and the consequences if the rules are not followed are agreed by the pupils and class teacher.

Greater emphasis is placed on rewards than on sanction in the belief that this will, in the long run give the best results. Rewards can be many and varied depending on the pupil. Some examples of rewards used in the Holy Family School are:

- ❖ Modeling behavior – peer tuition/buddy system.
- ❖ Positive body language- thumbs up
- ❖ Verbal praise – to student individually and in front of a group.
- ❖ Tangible rewards – stickers/smiley faces/fruit.
- ❖ Conventional rewards – stars on a chart
- ❖ Student of the week
- ❖ Time at a chosen activity – computer, Ipad, toys, games, books.
- ❖ Opportunity to show work to an adult or another teacher.
- ❖ Delegate some privilege - messages to another class.
- ❖ Inform parents in the daily emails
- ❖ Reinforce and encourage good behavior.
- ❖ Create a sense of fairness and consistency, taking into account the

competence, understanding and functional abilities of all students. These are crucial in deciding the appropriate responses to behaviours.

A pupil's ability to communicate can have a significant impact on their behavior so The Holy Family school is committed to help students communicate to the best of their ability.

Developing communication skills provides the student with the means to express themselves and their needs and to understand and interact with the world around them. Not every student will communicate in the same way and each student's learning styles are different. Some of the strategies used to enable students to communicate include: LAMH/PECS/ visual schedules/objects of reference/Switches/IT devices/Assistive Technology.

Developing and Promoting social skills.

Great emphasis is placed on the development of social skills within the school. Opportunities are provided throughout the school day and across the curriculum for students to develop their ability to behave appropriately in social contexts, to develop friendships and to be valued members of their community.

Differentiated programmes.

When teachers are planning they take into account the individual learning styles of the students and differentiate so that each student is engaged with the learning process at their level. Positive and meaningful learning is important in the development of positive behavior. As part of the planning process each student has an IEP devised along with the parents/guardians and targets are set to develop positive behaviour in school and at home.

Planning the environment

Planning and adapting the environment is another important consideration when promoting positive behaviour and reducing the chances of a negative behaviour occurring. This may include some of the following:

- Appropriate individual space, taking into consideration proximity to others.
- Quiet corner in the classroom.
- Personal workspace.
- Visual instruction – letting the student know what is happening throughout the day and what is expected of him/her in terms of work, behaviour and what to do if they need a break from the classroom.
- Scheduling in Sensory breaks from the classroom.
- Examining at the impact another student's behaviour might have on another student.

Out of School Activities

- All pupils are supervised by class teacher / SNAs at following activities – school tours, social outings, trips out to use other facilities.
- Pupils that are presenting with serious behaviours of concern will not participate in outings off the school grounds until the behaviour has been reviewed.

Rewards and Sanctions

In devising the code, consideration has been given to the particular needs and circumstances of this school. The aim is to ensure that the individual needs of each child are met while acknowledging their right to education in a relatively disruption free environment.

Every effort will be made by all members of staff to adopt a positive approach to the question of behaviour in the school. The code offers a framework within which positive techniques of motivation and encouragement are utilized by staff.

The school places greater emphasis on rewards than on sanctions in the belief that this will, in the long run, give the best results. Rewards can be many and varied, depending on the pupil. Some examples of rewards used in the Holy Family School are:

- Positive body language – thumbs up
- Verbal praise – to student individually / in front of group
- Tangible rewards i.e. stickers, smiley faces, small sweets / fruit
- Conventional rewards i.e. ticks and stars on a chart
- Student of the week
- Time at a chosen activity i.e. computer, toys, books – free choice given
- Opportunity to show work to another teacher /adult
- Delegate some privilege i.e. messages to another class
- Inform parents through daily emails
- Reinforce and encourage good behaviour

When appropriate, pupils should be told why they are being rewarded. Tangible and conventional rewards will always be accompanied by verbal praise. All students are constantly supervised by staff.

Where deemed necessary, some students have one to one supervision. Class rotas for teachers / SNAs are strictly followed for all playground duties.

Strategies for Responding to Inappropriate Behaviour

The Education (Welfare) Act 2000 (section 23) states that a school must outline 'The measures that may be taken if a student fails to observe the standards of behaviour that the school has outlined'

The nature of the behaviour and the cognitive ability of the student will determine the nature of the strategies employed. The following strategies will be used to show disapproval or inappropriate behaviour:

- Reasoning with pupils including advising them about the consequences of their actions
- Reprimands either verbal or through the use of visuals or AAC or sign language (including advice on how to improve).
- Removal from the group (within the class) If constant misbehavior continues, removal from classroom to another supervised area.
- Use of the "Traffic light" behavior system where the child who is on "red" can earn his way back to green before the end of the day.
- Carrying out a useful task within the school e.g. tidying the library, shelves, sorting games
- Recording instances of repeated misbehavior using the behaviour record, recording of the behaviour incident on a report form and bring the report to the Principal to be signed.
- Verbal / written communication with parents /guardians
- Referral to the Principal and the Chairperson or other members of the Board of Management
- Meeting with parents/ guardians

Additional supports for some students.

Some students who have additional needs which might impact on their behaviour may need additional support. All factors involved will be assessed and additional behavioural supports will be put in place. The school will work closely with parents/guardians as partners in addressing challenging behaviours, however the complex needs of the individual students will always determine the ultimate approach needed.

- Individual Positive behavior support plan that will include setting targets with the student (where possible) and monitoring them in a supportive way, Strategies on how to maintain the pupil at baseline and strategies on how each behaviour the child presents with is addressed/managed.

- Risk Assessments are in place and signed by all staff working with the pupil, the principal and parents/guardians. When approaches/guidelines are identified to address the behaviours in the risk assessment, it is important that all members of the school community, parents/guardians operate in a consistent manner.
- Look for and remove if possible triggers that produce challenging behaviour.
- Conversations held after the incident to help the student get back to where they were before the incident.
- Referral to another member of staff who can work with the student.
- Student can request a break/time out from activity/class.
- Refer the student to the Child Development team.
- Seek help from outside agencies to provide support to the student and the school in addressing challenging behaviours., NCSE behaviour support.

Procedures for managing and modifying inappropriate behaviours

As each student is unique and reacts to their environment differently, when challenging behaviour presents in a student the strategies to address it will vary from student to student. When serious behaviours become apparent, School Principal and teachers liaise with parents and the Child Development Team to provide support for the family and the student themselves.

Basic strategies used where there is potential for aggression.

- Provide students with a means to communicate
- Support pupils
- Encourage pupils
- Provide Clear Rules and expectations
- Use Positive Support Plan as a guideline, staff work as a team
- Be aware of triggers and remove them
- Alter environmental as necessary
- Redirect pupils
- Distract pupils
- Provide structured visual timetable and daily routine
- Give sense of purpose – responsibilities-classroom jobs
- Quiet calm approaches.
- Clear communication
- Consistent responses
- Positive trusting relationships.
- Putting in place programmes which address sensory issues and other needs specific to the student.
- Implement rewards and reinforcement systems that are meaningful to the student.

Health and Medical issues:

Often there can be underlying medical issues that impact on behaviour particularly if the student is unable to communicate so medical checks to rule out any issues are important.

Environmental issues:

There may be situations in the student's learning environment that trigger challenging behaviour so making changes such as minimizing unpleasant sensory stimuli, reducing the number of people working with the child, increasing structure through timetables and schedules and maintaining familiar routines where possible.

The positive school ethos extends to all members of the school community adopting a positive, calm approach to challenges that may be encountered from time to time. Every effort should be made to ensure that the classroom and school environment is enriched with frequent opportunities for students and staff to encounter social praise, acknowledge pupils for achievements and to experience a varied daily schedule of activities to be enjoyed throughout the school day.

Supervise and redirect:

Appointing a particular member of staff to work alongside the student may be necessary so they can closely supervise the student and redirect or remove the pupil to a quieter area if necessary.

Responding quickly and consistently to incidents of behaviour:

Keeping responses to a behaviour to a minimum by limiting verbal comments, facial expressions or displays of emotion is important.

Every effort will be made to resolve conflicts positively and without risk to students, staff property or the environment.

- Once anxiety behaviours (a change in behaviour – pacing, fidgeting, change in form) are recognized, staff can respond in a supportive manner in order to move into tension reduction without the behaviours escalating to a defensive/risk behaviour.
- Once a pupil presents with defensive behaviours (beginning to lose rationality – shouting, refusal, throwing) staff can respond in a directive manner in order to move to tension reduction without the behaviours escalating to risk behaviours.

Anger Management and Relaxation Strategies

Some students may experience difficulty in managing emotions such as stress, anxiety and frustration which may lead to behavioural outburst. Therefore it is extremely important where possible to teach the student to recognise the feelings they are experiencing and put in place activities that will help calm the student. The needs of the pupil are individualized therefore strategies are personalized. Examples of these include:

- Counting to ten
- Going for a walk
- Taking deep breaths

- Listening to music
- Walking away from the scene
- Asking for help.
- Time on the computer
- Using the trampoline or swing.
- Using relaxation techniques such as deep breathing and thinking positive thoughts.

Management of Actual or Potential Aggression (MAPA)

The Board of Management is satisfied that the CPI Verbal intervention and CPI Safety intervention programme will be used as an approach to manage serious incidents of defensive and risk behaviour that can cause barriers to learning and/or social inclusion. SNAs and teachers in The Holy Family School are trained in using CPI to support those students who present with severe challenging behaviours. Teachers and SNAs are upskilled every two years in order to maintain a level of competency required by CPI and in order to become and remain CPI certified.

This programme is a holistic behaviour management system based on the philosophy of providing the best care, welfare, safety, and security for students and staff even during moments of violence and aggression. The ultimate focus of CPI training is to ensure that staff gain the essential knowledge, skills and confidence to prevent, decelerate and de escalate difficult situations so that restrictive practices can be avoided. It focuses on preventing disruptive behaviour by communicating with the student respectfully and with concern for their wellbeing and welfare.

The programme provides the staff with a range of management techniques to protect the child from harming themselves or others.

It can only be considered and used as part of a behaviour support plan for a student with a history of intense levels of challenging behaviour that may pose a risk to self/others in agreement with the Board of Management.

Refer to the school's policy on Crisis Prevention Intervention for more detail on the use of MAPA as part of a Behaviour Support Plan for students who present with severe and challenging behaviour.

Single Separation.

The practice of isolating students is never done as a sanction. If a student appears to be agitated or anxious a staff member may offer /invite the student to accompany them to a quiet room or away from the sensory or social triggers to engage in activities that redirect the student before behavioural issues escalate. In some situations depending on the student's ability to communicate or to understand their emotional state the student themselves might request to go to a quiet room either by asking or by using a "time out" card. The student is always free to come back to the class room if they choose. Students while in the quiet room, are constantly monitored and supervised by a member of staff.

The use 'Take a break room'

A Timeout/Withdrawal room is an area for a pupil to safely de-escalate, regain control and prepare to return to the classroom.

It is used as part of the pupil's positive support plan (Appendix 4) which has been drawn up in conjunction with parents/ guardians.

Parents/Guardians are informed by letter about the use of the room in relation to their son/daughter on the days that the student is in the room stating the reason for the student being in the room and the length of time spent there.

The Take break room is used:

- When the pupil chooses to go to the room to withdraw from the classroom environment
- To be used in conjunction with a Positive Support Plan
- Where a student can be brought when his/her behaviour is extremely aggressive and challenging and the student poses a danger to himself/herself, to other pupils or to staff.
- Where a pupil can regain control in a quiet atmosphere away from the triggers that contribute to the behaviour occurring.
- Where the student is continually observed and monitored.
- Where the student can leave the room at any time.
- Is used for the minimum amount of time to allow the student to regain control.
- Parents must sign Risk Assessment and be made aware of the pupils use of the take a break room.
- Positive Support Plan is shared with the parents.

The overall responsibility for discipline within the school rests with the Principal.

- Each teacher has responsibility for the maintenance of discipline within his/her classroom while sharing a common responsibility for good order within the school premises.
- Initially instances of misbehavior will be dealt with by the class teacher. This will include children being advised about their behaviour and about how to improve.
- Discussion about behaviour and its consequences will form part of SPHE lessons at all class levels.
- Teachers will actively promote good behaviour and aim to 'catch' repeated offenders at activities where they can give positive feedback, thus promoting better behaviour.
- Teachers shall keep a written record of all instances of serious misbehavior as well as a record of improvements in the behaviour of disruptive pupils (Individual behaviour log). Appendix 3
- Before resorting to serious sanctions e.g. suspension, the normal channels of communication between school and parents will be utilized.

Involvement of Parents/Guardians

- Parents/guardians will be involved at an early stage rather than as a last resort.

- A pupil will be referred to the Principal for serious breaches of discipline and for repeated incidents or minor misbehavior.
- Aggressive, threatening or violent behaviour (physical or verbal) towards a member of staff or another child will be regarded as serious or gross misbehavior depending on circumstances.
- Communication with parents will be verbal, by email or by letter, depending on circumstances.
- The parents concerned will be invited to come to the school to discuss their child's case. For gross misbehavior or repeated instances of serious misbehavior, suspension will be considered.
- Aggressive, threatening or violent behaviour (physical or verbal) towards a member of staff or another child will be regarded as serious or gross misbehavior, depending on circumstances.
- Help will be sought from support services within the wider community e.g. Child Development Team, NEPS, Tusla and the NCSE for additional resources. These resources are not exhaustive and may include some or all of the following and may be for a short or sustained amount of time:
 - Additional SNA support
 - Any other clinical supports as deemed necessary by the Board of Management.
 - Additional support for individualized escort on school transport.
 - Individualised transport
 - Individualised teaching support.
- If any of the above resources are not granted to the school following application or, if there is a delay in accessing any of those recommended, the student may be required to remain at home until such time as the resources are available.
- Where a pupil has been suspended, and prior to returning to school, the parents and the child will be required to attend a meeting at the school to discuss:
 - (a) Reason for suspension
 - (b) Seriousness of misbehavior
 - (c) Seriousness of the sanction
 - (d) How to move forward promoting positive behaviour
 - (e) Agree to uphold the school's code of behaviour

Board of Management

- In the case of gross misbehavior the board shall authorize the Chairperson or the Principal to sanction an immediate suspension pending a discussion of the matter with the parents.
- Expulsion may be considered in an extreme case, in accordance with rule 130(6). (No pupil shall be struck off the roll from breaches of discipline without the prior consent of the Board of Management and unless alternative arrangements are made for the enrolment of the pupil at another school)

Suspension / Expulsion

When the student's behaviour is an actual risk to themselves and others the principal may, in consultation with the Chairperson of the Board of Management, suspend a student. The procedures as set out by the National Education and Welfare Board (NEWB) in developing a Code of Behaviour: Guidelines for schools will be followed (see Appendix 1)

A single incident of high risk behaviour may be grounds for suspension. The decision to suspend a student requires serious grounds such as that:

- The student's behaviour has had a seriously detrimental effect on the education of other students
- The student's continued presence in the school at this time constitutes a threat to safety
- The student is responsible for serious damage to property
- The student is responsible for serious injury or injuries to self, other students or staff.

Suspension may be necessary to allow time for the following

- To make changes to the physical environment
- To make the school environment a safer place for students and staff
- Planning and preparing a relevant intervention
- Consulting with the NCSE, CDT etc

The suspension will

- Enable the school to set behavioural goals with the student and their parents/guardians
- Give school staff an opportunity to plan other interventions, this may include the student returning to school on a phased basis or on a shorter day.

Before suspending a student the following factors will be taken into account

- The nature/seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date
- Whether suspension is a proportionate response
- The possible impact of suspension
- Suspension as part of the behaviour support plan.

The entitlement to education is protected in a range of constitutional and legal provisions and in human rights conventions. These legal protections for the individual students right to education means that decision to suspend or expel a student are open to appeal and may be subject to judicial review by the High Court.

Schools are required, under section 23(2) of the Education Welfare Act 2000, to include their procedures for suspension and expulsion in their code of behaviour.

Expulsion

The Board of Management has the authority to expel a student. In the event that the Board of Management decide to expel a student the procedures as laid out in the Education (Welfare) Act 2000, section 24 will be followed (See Appendix 2)

Parents have the right to appeal permanent exclusion from the school under section 29 of the Education Act, 1988/DES Circular 22/02

Expulsion should be a proportionate response to the student's behaviour. Expulsion of a student is a very serious step, and one that will only be taken by the Board of Management in extreme cases of high risk behaviour. The school will take significant steps to address the behaviour and to avoid the expulsion of a student as appropriate.

- Ensuring that all other possible options have been tried
- Meeting with parents/guardians and the student to try and find ways of helping the student to change their behaviour
- Seeking assistance of the relevant multi-disciplinary team members and relevant support agencies.

A proposal to expel a student requires serious grounds such as that:

- The student's behaviour is a persistent cause of significant disruption to the learning of others
- The student's continued presence in the school constitutes a real and actual risk to safety
- The student is responsible for physically assaulting another student or staff member.
- The student is responsible for serious damage to property

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors such as a degree of seriousness and the persistence of the behaviour, a key difference is that, where expulsion is considered, a series of other interventions have been tried and it is believed that all possibilities for changing the student's behaviour have been exhausted.

Given the seriousness of expulsion as a sanction the Board of Management will undertake a detailed review of a range of factors in deciding whether to expel a student.

Factors that will be considered before proposing to expel a student

- The nature and seriousness of the behaviour
- The context of the behaviour
- The impact of the behaviour
- The interventions tried to date
- Whether expulsion is a proportionate response
- The possible impact of expulsion

Suspension / Expulsions (Legal & Procedural Requirements) (Appendix 5)

Schools are required by law to follow fair procedures prescribed under the Education (Welfare) Act 2000, when proposing to suspend/expel a student.

Access to education shapes the life chances of children and young people in a fundamental way. For this reason, a proposal to exclude a student through suspension or expulsion, is a serious step, warranted only by very serious misbehavior.

The Board of Management and Holy Family School will:

- Ensure that all students and parents are aware of the schools policy on suspension and expulsion (copies of code of behaviour will be in introduction pack for parents when pupils start school)
- Ensure that fair procedures for expulsion and that all staff are aware of these procedures
- Ensure that fair procedures are accessible for pupils from different language and cultural backgrounds
- Ensure that Board of Management are equipped for their roles in relation to the use of suspension and expulsion
- Ensure that there are procedures for investigation and decision making
- The Board of Management and Principal will ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension and expulsion and that 'such other reasonable measures as it considers appropriate to ensure that good order and discipline are maintained in school and safety of students is secured' Section 24 Education Welfare Act 2000.
- Great care should be taken to ensure that all matters to do with an investigation of alleged misbehavior are dealt with in confidence. Any matters will be dealt with under fair procedure guidelines taking into account the (a) right to be heard and (b) right to impartiality.

According to the Education Welfare Act 2000 'A student shall not be expelled from a school before the passing of 20 school days following the receipt of a notification under this section by an Education Welfare Officer (Section 24)

Appeals

Under Section 29 of the Education Act 1998 parents (or pupils over (18) are entitled to appeal to the Secretary General of the Department of Education & Skills against some decisions of the Board of Management including (1) Permanent exclusion from school and (2) Suspension for a period which would bring the cumulative period of suspension to 20 school days or longer in any one school year. Appeals must be within 42 calendar days from the date the decision of the school to notify parents / students was made

In formulating this code, the Board of Management considered a submission relating to the possible content of a code received from, and discussed with, the body representing the parents of the pupils attending the school. All members of the teaching staff have been involved in planning the code. A copy of this code is available to all parents.

The Holy Family School believes that the most effective schools tend to be those with good communication and co-operation with parent/guardians. Every effort will be made by the Principal and staff to ensure that parent/guardians are kept well informed and that the school provides a welcoming atmosphere for parents. Parents/guardians are not only told when their children are in trouble but also when they have behaved particularly well.

Keeping Records

In line with the school's policy on record keeping, and data protection legislation, records in relation to pupils' behaviour are kept in a secure filing cabinet.

Records of more serious incidents are recorded on Behaviour incident report forms, signed by the principal and retained indefinitely.

Procedures for notification of pupil absence from school

Parents/guardians must notify the school in writing of a student's absence and the reason for this absence and every absence must be reported.

Reference to other Policies

The Code of Behaviour of the Holy Family School is also linked to the following policy documents that have bearing on Code of Behaviour e.g.

- Health & Safety
- Accident Policy
- Anti Bullying
- Stay Safe and Intimate Care
- Child Safeguarding statement.
- Enrolment Policy
- SPHE

Success Criteria

This policy will be deemed successful when the following are observed:

- Positive behaviour in classroom, playground and whole school environment.
- Practices and procedures listed in this policy being consistently implemented by teachers.
- Positive feedback from teachers, pupils and parents / guardians.

Ratification

The Board of Management of the Holy Family School have reviewed and examined all aspects of this policy and agree that the policy should be ratified as a school policy.

Signed:



Chairperson Board of Management

Date:

30/5/2023

Suspension

Appendix 2

Expulsion

Appendix 3

Weekly Behaviour Log chart

Appendix 4

Positive support Plan

Appendix 5

Suspensions and expulsions: legal and procedural requirements

Appendix 6

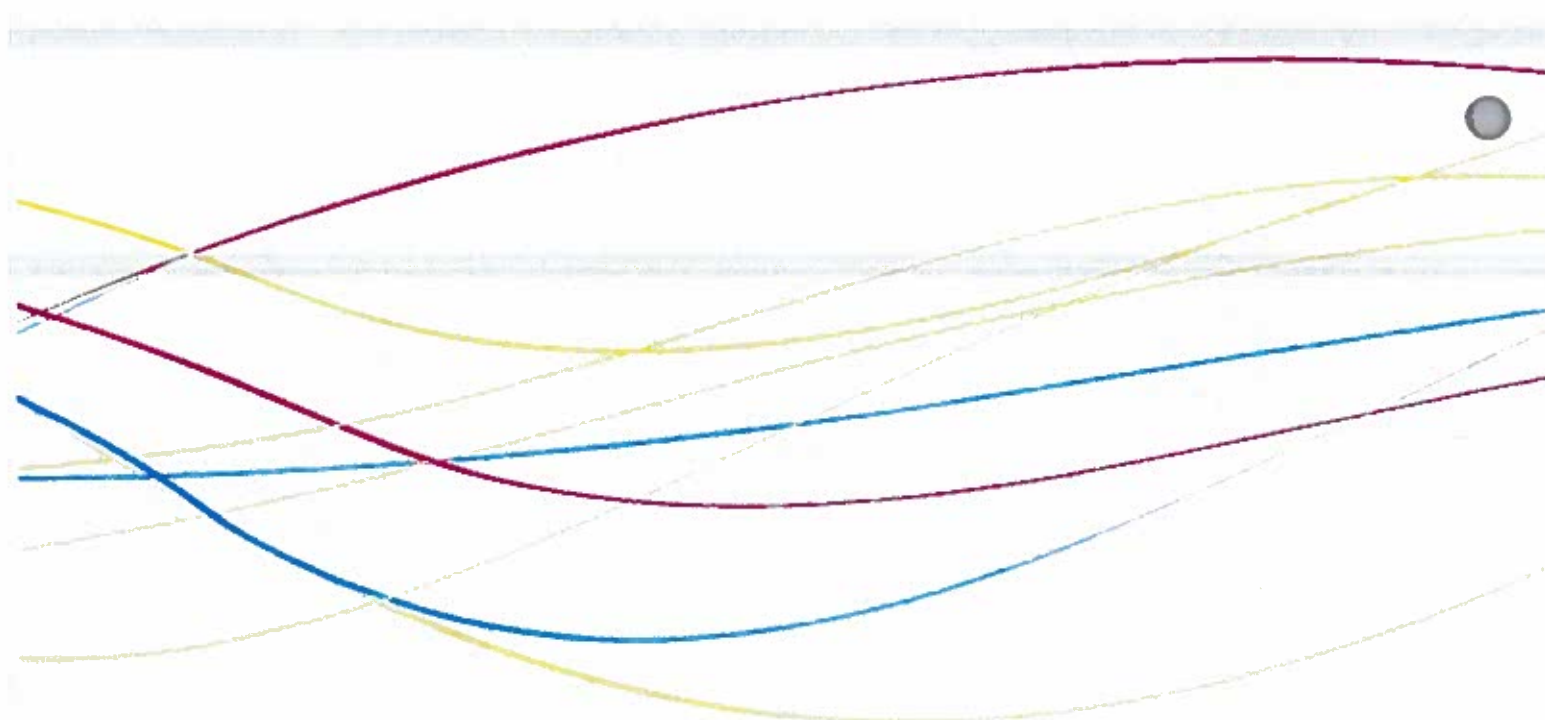
Incident Report Form

Code of Behaviour

Appendix 1

11

Suspension



Suspension

For the purpose of these Guidelines, suspension is defined as:

requiring the student to absent himself/herself from the school for a specified, limited period of school days.

During the period of a suspension, the student retains their place in the school.

As part of the code of behaviour, the Board of Management should ensure that the school has a policy on, and procedures for, the use of suspension which are in line with these Guidelines and with any additional requirements set down by the Patron.

11.1 Authority to suspend

The Board of Management of a recognised school has the authority to suspend a student. Where this authority is delegated to the Principal, the delegation should be done formally and in writing.

The authority delegated to the Principal in respect of suspension should state any limits on that authority, and specify how the Principal is accountable to the Board of Management for his or her use of that authority. The delegation of authority should reflect the provisions of these Guidelines, any relevant legal requirements and Articles of Management, where appropriate.

Schools and colleges established or maintained by a VEC

In the case of schools and colleges established or maintained by a VEC, the VEC holds the authority to suspend a student. That authority may be devolved under section 31 of the *Vocational Education (Amendment) Act 2001* by the VEC to the Board of Management of a school. The VEC should ensure that the scope of the authority given is in line with the provisions of these Guidelines, Articles of Management or Model Agreement and any relevant legal requirements.

Where a Board of Management proposes to delegate this authority to the Principal, the Board should make a formal delegation arrangement taking due account of the provisions of the *Vocational Education (Amendment) Act 2001*.

11.2 The grounds for suspension

Suspension should be a proportionate response to the behaviour that is causing concern.

Suspension should be a proportionate response to the behaviour that is causing concern. Normally, other interventions will have been tried before suspension, and school staff will have reviewed the reasons why these have not worked. The decision to suspend a student requires serious grounds such as that:

- the student's behaviour has had a seriously detrimental effect on the education of other students
- the student's continued presence in the school at this time constitutes a threat to safety
- the student is responsible for serious damage to property.

A single incident of serious misconduct may be grounds for suspension.

11.3 Determining the appropriateness of suspending a student

Where the purpose of a proposed suspension is clearly identified, and that purpose cannot be achieved in any other way, suspension can have value.

Suspensions can provide a respite for staff and the student, give the student time to reflect on the link between their action and its consequences and give staff time to plan ways of helping the student to change unacceptable behaviour.

However, suspension can be counter-productive if used without a clear rationale or without measuring its impact and value. School management should consider the risk of any unwanted outcomes from suspension, such as an increased sense of alienation from school that could lead to a cycle of behavioural and academic problems.

Factors to consider before suspending a student

The nature and seriousness of the behaviour

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been?
- Has the problem behaviour escalated, in spite of the interventions tried?

The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- What is the age, stage of development and cognitive ability of the student?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

The impact of the behaviour

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?
- Does the behaviour have a particular or greater impact on some students or teachers?
- Does the student understand the impact of their behaviour on others?

The interventions tried to date

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of those interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Are any other interventions such as peer mediation, restorative justice approaches or family conferencing available?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent services)?

Whether suspension is a proportionate response

- Does the student's behaviour warrant suspension?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

The possible impact of suspension

- Will suspension allow additional or alternative interventions to be made?
- Will suspension help the student to change the inappropriate behaviour?
- How will suspension help teachers or other students affected by the behaviour?
- Will suspension exacerbate any educational vulnerability of the student?

Suspension as part of a behaviour management plan

Suspension should be part of an agreed plan to address the student's behaviour. The suspension should:

- enable the school to set behavioural goals with the student and their parents
- give school staff an opportunity to plan other interventions
- impress on a student and their parents the seriousness of the behaviour.

11.4 Forms of suspension

Immediate suspension

In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of students or staff of the school, or any other person. Fair procedures must still be applied.

Suspension during a State examination

This sanction should normally be approved by the Board of Management and should only be used where there is:

- a threat to good order in the conduct of the examination
- a threat to the safety of other students and personnel
- a threat to the right of other students to do their examination in a calm atmosphere.

The sanction should be a proportionate response to the behaviour. For example, it would rarely be appropriate for a first offence, unless there is a threat to the good order of the conduct of the examination.

This sanction should be treated like any other suspension, and the principles and fair procedures governing suspensions should be applied.

The DES *Best Practice Guidelines concerning Certificate Examinations* offer guidance to schools.

'Automatic' suspension

A Board of Management may decide, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur suspension as a sanction. However, a general decision to impose suspension for named behaviours does not remove the duty to follow due process and fair procedures in each case.

Inappropriate use of suspension

Students should not usually be suspended for:

- poor academic performance
- poor attendance or lateness
- minor breaches of the code of behaviour.

However, any behaviour that is persistently disruptive to learning or potentially dangerous can be a serious matter. Behaviour must be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

Rolling suspension

A student should not be suspended again shortly after they return to school unless:

- they engage in serious misbehaviour that warrants suspension and
- fair procedures are observed in full and
- the standard applied to judging the behaviour is the same as the standard applied to the behaviour of any other student.

Informal or unacknowledged suspension

Exclusion of a student for part of the school day, as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension, and should follow the Guidelines relating to suspension.

Open-ended suspension

Students should not be suspended for an indefinite period. Any such suspension would be regarded as a de-facto expulsion and would be treated as such under section 29 of the *Education Act 1998*.

11.5 Procedures in respect of suspension

Schools are required by law to follow fair procedures when proposing to suspend a student (see **10.3** and **10.4** for more detail). Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school should observe the following procedures:

- inform the student and their parents about the complaint
- give parents and student an opportunity to respond.

Inform the student and parents

Let the student and their parents know about the complaint, how it will be investigated, and that it could result in suspension.

Parents may be informed by phone or in writing, depending on the seriousness of the matter. Informing parents in writing has the benefit of ensuring that there is a formal and permanent record of having let

parents know. It also ensures that parents are clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

Give an opportunity to respond

Parents and student should be given an opportunity to respond before a decision is made and before any sanction is imposed.

A meeting with the student and their parents provides an opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour. If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the negative behaviour. The school should record the invitations made to parents and their response.

Procedures in relation to immediate suspension

Where an immediate suspension is considered by the Principal to be warranted for reasons of the safety of the student, other students, staff or others, a preliminary investigation should be conducted to establish the case for the imposition of the suspension. The formal investigation should immediately follow the imposition of the suspension. All of the conditions for suspension apply to immediate suspension. No suspension, including an immediate suspension, should be open-ended.

In the case of an immediate suspension, parents must be notified, and arrangements made with them for the student to be collected. The school must have regard to its duty of care for the student. In no circumstances should a student be sent home from school without first notifying parents.

11.6 The period of suspension

A student should not be suspended for more than three days, except in exceptional circumstances where the Principal considers that a period of suspension longer than three days is needed in order to achieve a particular objective. Each Board of Management should provide guidance to the Principal concerning the kinds of circumstances under which suspensions of longer than three days might be approved.

If a suspension longer than three days is being proposed by the Principal, the matter should be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.

However, a Board of Management may wish to authorise the Principal, with the approval of the Chairperson of the Board, to impose a suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions.

The Board of Management should normally place a ceiling of ten days on any one period of suspension imposed by it.

The Board should formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the *Education Act 1998* (see **11.7 Appeals**).

These provisions enable school authorities to give the student a reasonable time to reflect on their behaviour while avoiding undue loss of teaching time and loss of contact with the positive influences of school. They recognise the serious nature of the sanction of suspension and ensure that this seriousness is reflected in school procedures. The provisions mean that the Board of Management takes ultimate responsibility for sanctions of significant length, especially where such suspensions might reach twenty days in one school year and therefore might lead to an appeal.

11.7 Appeals

The Board of Management should offer an opportunity to appeal a Principal's decision to suspend a student. In the case of decisions to suspend made by the Board of Management (see **11.6**), an appeals process may be provided by the Patron.

Section 29 Appeal

Where the total number of days for which the student has been suspended in the current school year reaches twenty days, the parents, or a student aged over eighteen years, may appeal the suspension under section 29 of the *Education Act 1998*, as amended by the *Education (Miscellaneous Provisions) Act 2007*.

At the time when parents are being formally notified of such a suspension, they and the student should be told about their right to appeal to the Secretary General of the Department of Education and Science under section 29 of the *Education Act 1998*, and should be given information about how to appeal.

If the student is attending a school under the management of a VEC, the appeal must be made in the first instance to the VEC. Where an appeal to the VEC is concluded, parents, or a student aged over eighteen years, may appeal to the Secretary General of the Department of Education and Science.

11.8 Implementing the suspension

Written notification

The Principal should notify the parents and the student in writing of the decision to suspend. The letter should confirm:

- the period of the suspension and the dates on which the suspension will begin and end
- the reasons for the suspension
- any study programme to be followed

- the arrangements for returning to school, including any commitments to be entered into by the student and the parents (for example, parents might be asked to reaffirm their commitment to the code of behaviour)
- the provision for an appeal to the Board of Management
- the provision for an appeal to the VEC, if appropriate
- the right to appeal to the Secretary General of the Department of Education and Science (*Education Act 1998*, section 29).

The letter should be clear and easy to understand. Particular care should be taken in communicating with parents who may have reading difficulties, or whose first language is not the language of the school.

Engaging with student and parents

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal or another staff member delegated by the Principal meets with the parents to emphasise their responsibility in helping the student to behave well when the student returns to school and to offer help and guidance in this.

Where parents do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

11.9 Grounds for removing a suspension

A suspension may be removed if the Board of Management decides to remove the suspension for any reason or if the Secretary General of the Department of Education and Science directs that it be removed following an appeal under section 29 of the *Education Act 1998*.

11.10 After the suspension ends

A period of suspension will end on the date given in the letter of notification to the parents about the suspension.

Re-integrating the student

The school should have a plan to help the student to take responsibility for catching up on work missed. This plan will help to avoid the possibility that suspension starts or amplifies a cycle of academic failure. Successful re-integration goes beyond academic work. A suspended student may feel angry or resentful about their suspension, and these feelings can trigger problems with re-integration which, in turn, may lead to further problem behaviour. Where possible, the school should arrange for a member of staff to provide support to the student during the re-integration process.

Clean slate

When any sanction, including suspension, is completed, a student should be given the opportunity and support for a fresh start. Although a record is kept of the behaviour and any sanction imposed, once the sanction has been completed the school should expect the same behaviour of this student as of all other students.

11.11 Records and reports

Records of investigation and decision-making

Formal written records should be kept of:

- the investigation (including notes of all interviews held)
- the decision-making process
- the decision and the rationale for the decision
- the duration of the suspension and any conditions attached to the suspension.

Report to the Board of Management

The Principal should report all suspensions to the Board of Management, with the reasons for and the duration of each suspension.

Report to NEWB

The Principal is required to report suspensions in accordance with the NEWB reporting guidelines (*Education (Welfare) Act, 2000*, section 21(4)(a)).

11.12 Review of use of suspension

The Board of Management should review the use of suspension in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.

Key Requirements: Suspension

Applying the Guidelines means:

Ensuring that the school has a policy on, and procedures for, the use of suspension that are approved by the Board of Management and in line with these Guidelines and any additional requirements set down by the Patron

Ensuring the policy is widely communicated

Developing and documenting good practice in relation to the use of suspension

Having fair procedures for investigation and decision-making

Having procedures for informing parents and students about their right to appeal

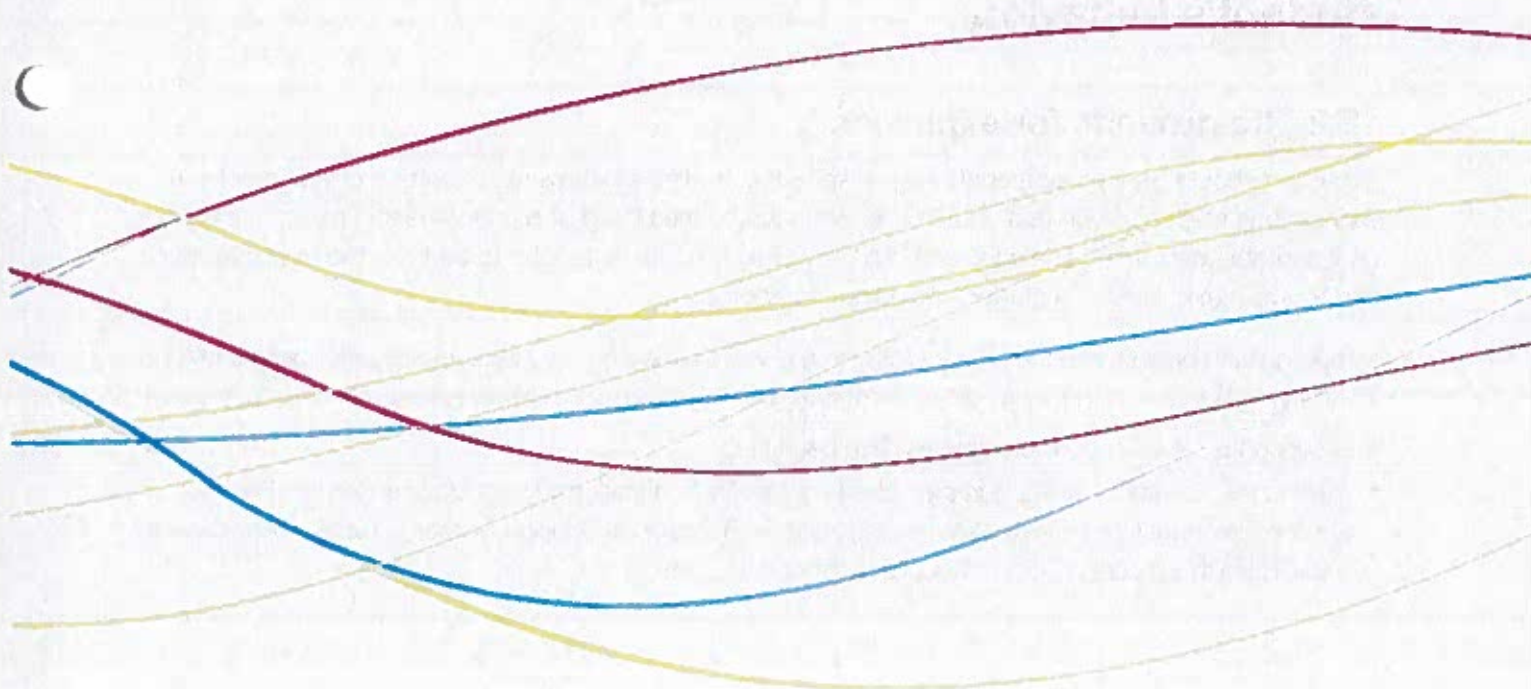
Having a system for regular review by the Board of Management of the use of suspension in the school

Code of Behaviour

Appendix 2

12

Expulsion



Expulsion

A student is expelled from a school when a Board of Management makes a decision to permanently exclude him or her from the school, having complied with the provisions of section 24 of the *Education (Welfare) Act 2000*. As part of the code of behaviour, the Board of Management should ensure that the school has a policy on, and procedures for, expulsion which are in line with these Guidelines and with any additional requirements set down by the Patron.

12.1 Authority to expel

The Board of Management of a recognised school has the authority to expel a student. As a matter of best practice, that authority should be reserved to the Board of Management and should not be delegated.

Schools and colleges established or maintained by a VEC

In the case of schools and colleges established or maintained by a VEC, the VEC itself holds the authority to expel. That authority may be devolved (under section 31 of the *Vocational Education (Amendment) Act 2001*) by the VEC to the Board of Management of individual schools. In devolving authority to a Board of Management, the VEC should ensure that the scope of the authority given is in line with the provisions of these Guidelines, Articles of Management and/or Model Agreement and all relevant legal requirements.

Expulsion should be a proportionate response to the student's behaviour.

12.2 The grounds for expulsion

Expulsion should be a proportionate response to the student's behaviour. Expulsion of a student is a very serious step, and one that should only be taken by the Board of Management in extreme cases of unacceptable behaviour. The school should have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- meeting with parents and the student to try to find ways of helping the student to change their behaviour
- making sure that the student understands the possible consequences of their behaviour, if it should persist
- ensuring that all other possible options have been tried
- seeking the assistance of support agencies (e.g. National Educational Psychological Service, Health Service Executive Community Services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education).

A proposal to expel a student requires serious grounds such as that:

- the student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process
- the student's continued presence in the school constitutes a real and significant threat to safety
- the student is responsible for serious damage to property.

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors such as the degree of seriousness and the persistence of the behaviour, a key difference is that, where expulsion is considered, school authorities have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

'Automatic' expulsion

A Board of Management may decide, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that particular named behaviours incur expulsion as a sanction. However, a general decision to impose expulsion for named behaviours does not remove the duty to follow due process and fair procedures.

Expulsion for a first offence

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

- a serious threat of violence against another student or member of staff
- actual violence or physical assault
- supplying illegal drugs to other students in the school
- sexual assault.

12.3 Determining the appropriateness of expelling a student

Given the seriousness of expulsion as a sanction the Board of Management should undertake a very detailed review of a range of factors in deciding whether to expel a student.

Factors to consider before proposing to expel a student

The nature and seriousness of the behaviour

- What is the precise description of the behaviour?
- How persistent has the unacceptable behaviour been and over what period of time?
- Has the problem behaviour escalated, in spite of the interventions tried?

The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher's class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?
- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

The impact of the behaviour

- How are other students and staff affected by the student's behaviour?
- What is the impact of the behaviour on the teaching and learning of the class?

The interventions tried to date

- What interventions have been tried? Over what period?
- How have the interventions been recorded and monitored?
- What has been the result of these interventions?
- Have the parents been involved in finding a solution to the problem behaviour?
- Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
- Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
- Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?
- Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?

Whether expulsion is a proportionate response

- Is the student's behaviour sufficiently serious to warrant expulsion?
- Is the standard being applied to judging the behaviour the same as the standard applied to the behaviour of any other student?

The possible impact of expulsion

- To what extent may expulsion exacerbate any social or educational vulnerability of the student?
- Will the student be able to take part in, and benefit from, education with their peers?
- In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?

Inappropriate use of expulsion

Expulsion should not be proposed for:

- poor academic performance
- poor attendance or lateness
- minor breaches of the code of behaviour.

However, any behaviour that is persistently disruptive to learning or dangerous can be a serious matter. Behaviour must be examined in context to understand both the behaviour itself and the response or sanction that is most appropriate.

12.4 Procedures in respect of expulsion

Schools are required by law to follow fair procedures as well as procedures prescribed under the *Education (Welfare) Act 2000*, when proposing to expel a student (see **10.3** and **10.4** for information about fair procedures). Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal.
2. A recommendation to the Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.
5. Consultations arranged by the Educational Welfare Officer.
6. Confirmation of the decision to expel.

These procedures assume that the Board of Management is the decision-making body in relation to expulsions.

It is a matter for each Board of Management to decide which of the tasks involved in these procedural steps requires separate meetings and which tasks can be accomplished together in a single meeting, consistent with giving parents due notice of meetings and a fair and reasonable time to prepare for a Board hearing.

Step 1: A detailed investigation carried out under the direction of the Principal

In investigating an allegation, in line with fair procedures, the Principal should:

- inform the student and their parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
- give parents and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parents should be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This also ensures that parents are very

clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

Parents and the student must have every opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation, and before a sanction is imposed. Where expulsion may result from an investigation, a meeting with the student and their parents is essential. It provides the opportunity for them to give their side of the story and to ask questions about the evidence of serious misbehaviour, especially where there is a dispute about the facts. It may also be an opportunity for parents to make their case for lessening the sanction, and for the school to explore with parents how best to address the student's behaviour.

If a student and their parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school should record the invitation issued to parents and their response.

Step 2: A recommendation to the Board of Management by the Principal

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal should:

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents have records of: the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management is being asked to consider expulsion
- provide the Board of Management with the same comprehensive records as are given to parents
- notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- advise the parents that they can make a written and oral submission to the Board of Management
- ensure that parents have enough notice to allow them to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing

It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with fair procedures. The Board should undertake its own review of all documentation and the circumstances of the case. It should ensure that no party who has had any involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

Where a Board of Management decides to consider expelling a student, it must hold a hearing. The Board meeting for the purpose of the hearing should be properly conducted in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case for lessening the sanction. In the conduct of the hearing, the Board must take care to ensure that they are, and are seen to

be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board should ensure that the Principal and parents are not present for the Board's deliberations.

Step 4: Board of Management deliberations and actions following the hearing

Having heard from all the parties, it is the responsibility of the Board to decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board of Management, having considered all the facts of the case, is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (*Education (Welfare) Act 2000, s24(1)*). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification (*Education (Welfare) Act 2000, s24(1)*).

An appeal against an expulsion under section 29 of the *Education Act 1998* will automatically succeed if it is shown that the Educational Welfare Officer was not notified in accordance with section 24(1) or that twenty days did not elapse from the time of notification to the Educational Welfare Officer to the implementation of the expulsion (*Education (Miscellaneous Provisions) Act 2007, s4A*).

The Board should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

Step 5: Consultations arranged by the Educational Welfare Officer

Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:

- make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
- convene a meeting of those parties who agree to attend (*Education (Welfare) Act 2000, section 24*).

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement about an alternative intervention that would avoid expulsion. However, where the possibility of continuing in the school is not an option, at least in the short term, the consultation should focus on alternative educational possibilities.

In the interests of the educational welfare of the student, those concerned should come together with the Educational Welfare Officer to plan for the student's future education.

Pending these consultations about the student's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (*Education (Welfare) Act 2000, s24(5)*). A Board may consider it appropriate to suspend a student

during this time. Suspension should only be considered where there is a likelihood that the continued presence of the student during this time will seriously disrupt the learning of others, or represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

Where the twenty-day period following notification to the Educational Welfare Officer has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management should formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents should be notified immediately that the expulsion will now proceed. Parents and the student should be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record should be made of the decision to expel the student.

12.5 Appeals

A parent, or a student aged over eighteen years, may appeal a decision to expel to the Secretary General of the Department of Education and Science (*Education Act 1998* section 29). An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

If the student is attending a school established or maintained by a VEC, the appeal must be made in the first instance to the VEC. Where an appeal to the VEC has been concluded, parents, or a student aged over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Science.

The appeals process

The appeals process under section 29 of the *Education Act 1998* begins with the provision of mediation by a mediator nominated by the Appeals Committee (Department of Education and Science). For further details about the Appeals process, including requirements for documentation, and the steps in the process, refer to current DES guidance.

12.6 Review of use of expulsion

The Board of Management should review the use of expulsion in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use are examined to identify factors that may be influencing behaviour in the school, and to ensure that expulsion is used appropriately.

Key Requirements: Expulsion**Applying the Guidelines means:**

Having a policy on, and procedures for, expulsion that are approved by the Board of Management, and in line with these Guidelines, and with any additional requirements set down by the Patron

Ensuring the policy is widely communicated

Developing and documenting good practice in the use of expulsion

Having fair procedures for investigation and decision-making

Having procedures for informing parents and students about their right to appeal

Having a system for regular review by the Board of Management of the use of expulsion in the school

Code of Behaviour

Appendix 3

Behaviour Record for : _____

W.B												
	Monday											
	Tuesday											
	Wednesday											
	Thursday											
	Friday											

Other Concerns	

Code of Behaviour

Appendix 4

Positive Support Plan For:		
When I am:	I Need to:	Staff need to:
Showing precursors/signs I am becoming annoyed/anxious/upset:		
At Baseline		

Positive Support Plan For:

When I am:

Staff need to:

Having an incident/very distressed/annoyed/anxious

Showing precursors/signs I am becoming annoyed/anxious/upset

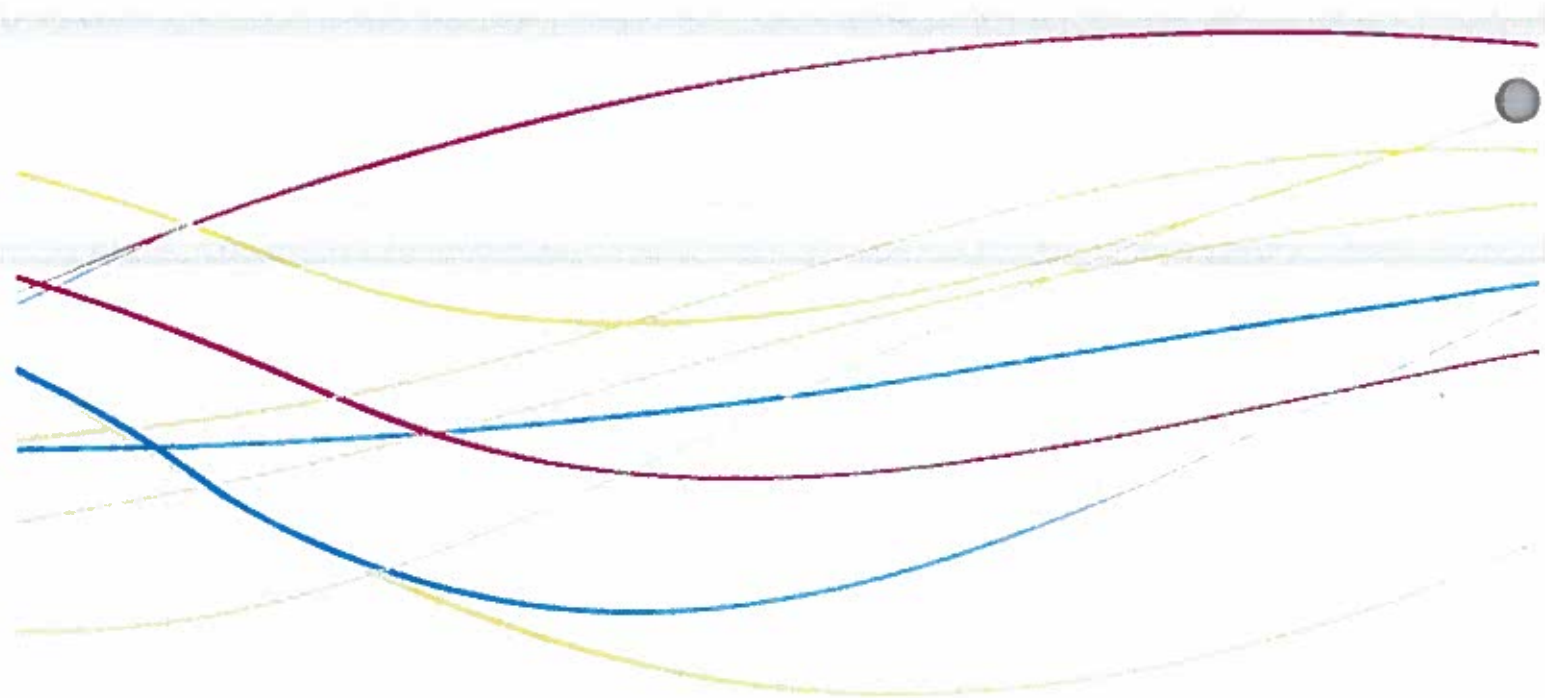
At Baseline

Code of Behaviour

Appendix 5

10

Suspensions and expulsions:
legal and procedural requirements



Suspensions and expulsions: legal and procedural requirements

Access to education shapes the life chances of children and young people in a fundamental way. For this reason, a proposal to exclude a student, through suspension or expulsion, is a serious step, warranted only by very serious misbehaviour.

10.1 The legal context

The entitlement to education is protected in a range of constitutional and legal provisions and in human rights Conventions. These legal protections for the individual student's right to education mean that decisions to suspend or expel a student are open to appeal and may be subject to judicial review by the High Court.

Schools are required, under section 23(2) of the *Education (Welfare) Act 2000*, to include their procedures for suspension and expulsion in their code of behaviour.

10.2 The responsibility of the Board of Management

The Board of Management should:

- ensure that the school has a policy on, and procedures for, the use of suspension and expulsion that are in line with these Guidelines and with any additional requirements set down by the Patron
- ensure that all students and parents are advised about, and aware of, the school's policy for suspension and expulsion
- ensure that fair procedures are used for suspension and expulsion and that all staff are aware of those procedures
- take special care to ensure that the fair procedures are accessible to people with disabilities or those from different language or cultural backgrounds
- ensure that the Board of Management and the Principal are equipped for their roles in relation to the use of suspension and expulsion.

Time and timeliness

The Board of Management and Principal have a duty to ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension or expulsion.

Confidentiality

Great care should be taken to ensure that all matters to do with an investigation of alleged misbehaviour are dealt with in confidence.

10.3 Fair procedures based on the principles of natural justice

Schools are required by law to follow fair procedures when proposing to suspend or expel a student. The requirement for fair procedures derives from the Constitution of Ireland, international Conventions and case law.

Fair procedures have two essential parts:

- **the right to be heard**
- **the right to impartiality.**

The **right to be heard** means:

- the right to **know** that the alleged misbehaviour is being investigated
- the right to know the details of the allegations being made and any other information that will be taken into account
- the right to know how the issue will be decided
- the right to respond to the allegations
- where the possible sanction is of a serious nature, the right to be heard by the decision-making body
- where the possible sanction is of a serious nature, the right to ask questions of the other party or witnesses where there is a dispute about the facts.

The **right to impartiality** means:

- the right to an absence of bias in the decision-maker
- the right to impartiality in the investigation and the decision-making.

Freedom from bias entails ensuring that a person with an interest in the matter is not involved in the investigation or decision-making. If a person has pre-conceived opinions, a vested interest or personal involvement in the matter, they should not attempt to settle that matter.

An impartial process is one that allows a decision to be made based on an unbiased evaluation of information and evidence. Generally, impartiality requires that the investigation is separated from the process of making a decision so that the decision-maker comes to the task with an open mind.

10.4 Applying fair procedures in school

In a school, fair procedures apply to:

- the **investigation** of alleged misbehaviour that may lead to suspension or expulsion and
- the process of **decision-making** as to (a) whether the student did engage in the misbehaviour and (b) what sanction to impose.

The way in which fair procedures are applied will take account of the seriousness of the alleged misbehaviour and will have regard to what is reasonable in the context of a particular school.

The **principles** of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible

sanction. The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

Even informal processes, however, must be fair and be seen to be fair. The principles of ensuring *the right to be heard* and *the right to impartiality* apply in all cases.

The **right to be heard** means that a student and their parents are fully informed about an allegation and the processes that will be used to investigate and decide the matter; and that they must be given an opportunity to respond to an allegation **before** a decision is made and before a serious sanction is imposed.

Absence of bias in the decision-maker would mean, for example that if the child of the Principal was accused of misconduct that might warrant suspension or expulsion, the Principal would not be involved in the decision. Similarly, if the child of a member of the Board of Management was accused of misconduct, that parent would absent themselves from the Board for any consideration of the matter by the Board.

The principle of **impartiality in decision-making** means it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view about whether the student did engage in the behaviour and about the sanction, based on the report of the investigation.

Where circumstances require the Principal to conduct the investigation as well as making a finding and proposing the sanction, he or she must not only act fairly but be seen to act fairly. It is incumbent upon the Principal to review the investigation to ensure that it has been fully and fairly conducted. It should be evident to the student, parents, staff and other students that the Principal, as decision-maker, is basing their decision, in an objective way, on the findings of the investigation.

The person alleging the misbehaviour, or who is a victim, or a witness should not usually conduct the investigation.

Thoughtful application of professional judgement and knowledge of the requirements of fair procedures will generally guide decision-making about suspension and expulsion. However, in circumstances of particular complexity, school authorities may need to seek legal advice to support their decision-making.

10.5 Students aged eighteen years or more

The provisions of the Guidelines relating to parents apply to the student, where the student has reached eighteen years (*Age of Majority Act 1985*). Occasions may therefore arise when an adult student requests the school to restrict or limit communication with their parents or to limit parental involvement in matters relating to their education. In such circumstances, schools are advised, particularly in relation to suspension and expulsion matters, to inform the parents of the student about the change in practice and the reasons.

10.6 Involving the Gardai

Where allegations of criminal behaviour are made about a student, these will usually be referred to the Gardai who have responsibility for investigating criminal matters. The Juvenile Liaison Officer can be a significant source of support and advice for the school and the student.

Code of Behaviour

Appendix 6

Holy Family School

Behaviour Incident Report

Pupil	
Date	Time
Location	
What Happened? (Brief outline of the significant aspects of the incident)	
What were the risks involved? (to pupils, staff or other pupils)	
What did you do immediately?	
Looking at the behaviour what possible actions could you take to prevent or reduce the chance of the behaviour re-occurring?	

Other Staff present: _____

Signed: _____

Date: _____

Signed (Principal): _____

Helpful hints to use when reporting the incident

- Asked for assistance
- Eased away
- Encouraged /
- Led child to support room / sensory room / yard / where he / she could be observed /monitored from outside the door
- Moved child from the area of the incident using physical prompts/ visuals/ schedule/ timetables
- **IF MAPPA needs to be used describe the holds or technique**
- Talked the pupil down
- Withdrew other people
- Cleared the area of items, that could be thrown
- Moved other pupils away from danger
- Sent for senior staff to help
- Withdrew myself to a safe distance
- Kept an eye out for members of the public who might be at risk

Code of Behaviour

Appendix 7



Holly class rules

- Put your hand up.
- Be helpful to our friends.
- Listen to staff in classroom.
- No walking around the classroom when someone comes in.
- Nice quiet body, hands and feet.
- Respect our friend's personal space.
- We don't interrupt when someone is talking.