

Scoil Naomh Bríde Blackwater

Title

Code of Behaviour

Introductory Statement

The school's Code of Behaviour was reviewed during October/November 2017 – Staff, members of the Board of Management, representatives of the Parents' Association and the general parent body were involved in the review. The policy was ratified at a meeting of the Board of Management on November 16th 2017.

The latest review took place during October 2020 and all partners in education were involved – Staff, B.O.M., Parents' Association and the general parent body. Amendments were made accordingly. The Code of Behaviour was reviewed in light of the COVID 19 pandemic and its effects on the administration of the school.

Rationale

It was necessary to review the Code of Behaviour at this time as:

- We wish to continue to promote a positive climate for learning in the school
- 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; and*
 - E. *The procedures to be followed in relation to a child's absence from school.*
- To ensure existing policy is in compliance with legal requirements and good practice as set out in *Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008*
- *In light of the COVID 19 pandemic and its effects on the administration of school from September 2020.*

Relationship to characteristic spirit of the school

Scoil Naomh Bríde is a co-educational, Catholic, primary school, which strives to provide a well ordered, caring, happy and secure atmosphere where the intellectual, spiritual, physical, moral and cultural needs of the pupils are identified and addressed.

Aims

The school hopes to achieve the following by reviewing and amending the existing policy.

- To ensure that every child feels secure and happy in the school environment
- To assist the school community (B.O.M., parents/guardians, pupils, staff) in understanding that good in-class behaviour facilitates their learning
- To have agreed structures in place so that misbehaviours can be dealt with fairly and efficiently
- To maintain good order throughout the school and respect for the school environment
- To develop self-discipline in pupils, based on consideration, respect and tolerance for others, recognising the differences between children and the need to accommodate these differences
- To ensure that the system of rules, rewards, and sanctions are implemented in a fair and consistent manner throughout the school

1. Guidelines for behaviour in the school

The following are the standards of behaviour the school wishes to promote/expects from the pupils:

- Each pupil is expected to show respect for self, other children, all staff members and visitors to the school
- Each pupil is expected to be polite and well mannered
- Each pupil is expected to show fairness while working and playing with others
- Each pupil is expected to use respectful ways to resolve difficulties and conflict
- Each pupil is expected to show respect for the property of the school, other children's and their own belongings
- Each pupil is expected to attend school on a regular basis and to be punctual
- Each pupil is expected to do his/her best both in school and for homework.

The school community recognises that there may be external factors influencing children's behaviour that may sometimes need to be considered and accommodated.

Section 23 (4) of the Act further states that, prior to registering a pupil, the principal teacher shall provide the parents/guardians of the child with a copy of the school's Code of Behaviour and that the principal *'may, as a condition of so registering such child, require his or her parents/guardians to confirm in writing that the Code of Behaviour so provided is acceptable to them and that they shall make all reasonable efforts to ensure compliance with such code by the child'*.

Parents/Guardians who wish to register their child in Scoil Naomh Bride must confirm, in writing, that the Code of Behaviour provided is acceptable to them and they will make every effort to ensure compliance with such code by the child.

2. Whole school approach in promoting positive behaviour

The whole school community will be involved in, support and be responsible for promoting positive behaviour in the school. As a leader of learning and a person with an established relationship of trust, the teacher will have strong influence of pupils. The class teacher will deal with routine incidents and misbehaviour through classroom management strategies. Teachers on class/yard supervision deal with issues, as they arise, and reports such incidents to the class teacher and to the Principal, if necessary.

Staff

Staff can support the policy in the following ways:

- Ensure the Code of Behaviour and all school policies are implemented
- Be vigilant when supervising in any capacity i.e. classroom, playground, school related activities
- Be very familiar with policies and codes
- Have rewards in place to promote and encourage positive behaviour such as praise, catch them being good etc
- Make learning interesting so children are motivated to learn
- Set a good example - children should see that staff have good relations

New parents/guardians and staff will be made aware of how positive behaviour will be promoted in the school by means of familiarising and providing them with the school's Code of Behaviour.

All teaching staff were involved in drafting this Code of Behaviour and all other members of staff will be made aware of this Code of Behaviour. A member of staff with responsibility for induction of new staff will communicate the contents of the code to new and temporary staff.

Codes of Behaviour issues are included regularly on staff meeting agenda/Croke Park hour/BOM meetings.

In the case of children with special education needs who have a behavioural issue, the class teacher, SET teachers, parents/guardians, principal and SNA will devise specific strategies to reach specific behaviour targets.

Where children demonstrate continuous behavioural problems an individual behaviour plan may be drawn up by the class teacher in consultation with the pupil and parent.

Discrete SPHE time is allocated to teaching aspects relevant to the implementation of the Code of Behaviour. Activities such as circle time, role play, class discussion, stories, co-operative games etc are used throughout the school.

Board of Management

The B.O.M. were provided a copy of the N.E.W.B. guidelines and asked to give comments or suggestions, as to what could be included when reviewing the existing Code of Behaviour. A draft copy of the revised code will be discussed at a BOM meeting.

The Board of Management can support the Code of Behaviour in the school on an ongoing basis in the following ways:

- Familiarise themselves with the NEWB guidelines
- Allow time at BOM meetings to discuss general behaviour issues
- To understand their role and seek ideas from school representatives as to how they can support the code
- Contribute to drafting and reviewing the Code of Behaviour

The Board of Management supports the staff in implementing the Code of Behaviour and would provide opportunities/resources for staff development if the need arose.

Procedures will be put in place for the Board of Management to deal with serious breaches of behaviour.

Involvement of Parents/Guardians

Parents/guardians can support the school in the following ways:

- Ensure their children attend school and are punctual
- Equip pupils with appropriate school materials, a sufficient healthy lunch and full uniform
- Be courteous towards pupils and staff
- Make an appointment to meet with teacher/Principal through the secretary
- Respect school property and encourage their children to do the same
- Label coats and other personal property
- We expect the parents/guardians to agree to support the school's Code of Behaviour by signing the relevant form
- Communicate to children positive expectations for behaviour
- Encourage positive behaviour at home
- Liaise with teachers on behaviour
- Be open to resolving issues of conflict involving their child
- Follow the COVID guidelines
- Comply with HSE and Government directives regarding keeping your child at home if he/she shows any COVID 19 symptoms
- Inform school authorities if there is a COVID 19 case in your household

The parents/guardians are responsible that their child/ren co-operate with this policy in an age appropriate way. Parents/guardians will be consulted in a number of ways, firstly through parents/guardians on the B.O.M., secondly the Parents' Association will be given a draft copy to make suggestions and, comments on any amendments they would like in accordance with the N.E.W.B. guidelines. Thirdly a draft copy will be available on the school's website for the general parent body to review and make comments or suggestions. *Please note final authority rests with the Board in accepting or rejecting such amendments.*

The Board is responsible for the Health and Safety of all staff and pupils. Parents are requested not to approach or reprimand another person's child on the school premises. Similarly, while dealing with these matters, parents and teachers should treat each other with respect.

Pupils

Pupils can support the code in the following ways:

- Follow rules of classroom and yard
- Always try their best and show pride in their work
- Treat others the way they want to be treated themselves
- Be willing to follow agreed procedures to resolve conflict
- Become involved in discussion-contributing to making classroom rules
- Adhere to the COVID guidelines/protocols

Pupils with Special Needs

All pupils are required to comply with the Code of Behaviour. However, the school recognises that children with special needs may require assistance in understanding certain rules. Parents and the class teacher, SET teacher and/or Principal will work closely with home to ensure that optimal support is given. Cognitive development will be taken into account at all times. Professional advice from psychological assessments will be invaluable.

The children in the class/school may be taught strategies to assist a pupil with special needs to adhere to the rules and thus provide peer support. This will be done in a supportive and safe way, acknowledging and respecting the difference of all individuals.

3. Expectations of all Stakeholders

Children expect that school will be:

- Safe, welcoming place
- Happy environment
- Encouraging and supportive
- Suited to all learning styles
- Affirming of children of all abilities
- Willing to deal with bullying issues should they arise

Parents/Guardians expect that school will be:

- A safe, welcoming place for their children
- Their views are valued and respected
- An atmosphere of support and inclusion
- Recognition, respect and provision for the individual differences of pupils
- Fairness and consistency in the way the children are dealt with
- Contact at an early stage to inform them of any problems
- Their child will receive a broad education that will allow him/her reach his/her full potential
- Compliance with the latest Government directives/guidelines on COVID 19
- Immediate care and attention for any pupil displaying symptoms of COVID 19

Teachers expect that school will be a place where:

- It is a pleasant place to work in
- There is mutual support and encouragement
- Children are happy and eager to learn
- There is co-operation to achieve the school's aims and objectives
- Resources to allow the delivery of the curriculum
- There is a good relationship with and support of parents/Guardians
- There is encouragement to carry out CPD and a willingness to undertake new initiatives
- There is a fair and consistent implementation of the school's Code of Behaviour
- Parents will support the school in implementing the school's Code of Behaviour
- Parents will co-operate with the implementation of all COVID 19 guidelines/protocols

Board of Management:

- Expect the Code of Behaviour to be respected and enforced, if necessary
- Be supportive of school initiatives that promote positive behaviour
- Provide resources that may be required
- Encourage CPD in the area of behaviour management

4. Positive strategies for managing behaviour

Classroom

The following positive strategies will be used to effectively manage behaviour in the classroom e.g.

- Each classroom has a set of class rules. At all class levels, pupils have input in devising the class rules. Children are regularly reminded of these rules to reinforce positive behaviour and to remind them of the consequences of their misbehaviour.
- In each class, a system of acknowledging and rewarding good behaviour of individuals, groups and whole class will be implemented, appropriate to the class level.
- Sanctions for misbehaviour will be in accordance with those outlined in this policy
- Classroom management techniques ensure a variety of activities and methodologies to sustain pupil interest and motivation
- Monitor and support children with behavioural issues
- COVID 19 guidelines/protocols are introduced in a child friendly manner

Playground(s)

The following positive strategies will be implemented to promote good behaviour, to prevent behavioural difficulties and to deal with incidences of unacceptable behaviour.

The following playground rules are to be implemented:

- Children play in the agreed play area, according to the rota
- Play safely and fairly and include others
- When the bell rings children must walk in an orderly fashion back to their class line
- Pupils must remain in the yard during break times and must always ask permission to go back to the classroom or to go to the toilet
- Children must respect and obey the adults on yard duty at all times and report incidents
- Comply with all COVID 19 directives

The playground rules are explained to the children at the beginning of the year and children are reminded on a regular basis.

A rota of supervision is drawn up and a copy is made available to each teacher, there is, also, a copy of the rota on display in the staff room. Every play area is within the line of vision of the supervising teachers. Occasionally teachers may be made aware of individuals/groups who may be in need of particular monitoring and necessary provisions are made accordingly.

On wet days, children remain in their classrooms and board games, DVDs and other activities are available in all classrooms – pupils in classes 3rd to 6th must remain in their pods

At break times children walk in an orderly fashion to the yard. When the bell rings, the children line up and the teacher on yard stays on yard until each teacher has collected his/her class.

Serious incidents are recorded on an agreed template. The Principal signs off on the report and the report is kept in a folder in the principal's office. Time out may be used as a sanction for inappropriate behaviour.

Other areas in the school

When children are moving throughout the school, they are encouraged to walk in an orderly fashion at all times and to follow COVID 19 guidelines/directives

School related activities

Standards and rules contained in this Code of Behaviour apply in any situation where pupils are still the responsibility of the school e.g. walking to the church, field trips, matches, school tours etc

Always draw child's attention to COVID 19 guidelines/protocols.

Physical Intervention

Physical intervention is not used in Scoil Naomh Bríde, Blackwater, except where there is a threat to safety.

4. Rewards and Sanctions

Rewards and acknowledgement of good behaviour

The following rewards are used by the teachers to acknowledge good or improved behaviour:

- Stars and stickers
- Smiley faces
- Certificates
- Homework pass
- Marbles
- Group/individual prizes
- DVD
- Teacher or principal praise and encouragement
- Golden Time – choice of activity
- Job of responsibility
- Prizes
- ‘Good’ note or call home (through journal or meeting parents/guardians)

The objective of a sanction is to help the student to learn

The purpose of a sanction is to bring about a change in behaviour by:

- helping pupils to learn that their behaviour is unacceptable
- helping them to recognise the effect of their actions and behaviour on others
- helping pupils (in ways appropriate to their age and development) to understand that they have choices about their own behaviour and that all choices have consequences
- helping them take responsibility for their own behaviour.

A sanction may also:

- reinforce the boundaries set out in the Code of Behaviour
- signal to other students and to Staff that their wellbeing is being protected.

In instances of more serious breaches of school standards, sanctions may be needed to:

- prevent serious disruption of teaching and learning
- keep the pupil, or other pupils or adults, safe

Strategies for responding to inappropriate behaviour

1. *Reasoning with the pupil (making children aware of the consequences of their actions)*
2. *Restorative questions*
3. *Reflection Sheet - completion by child and discussion with teacher after to reflect on behaviour*
4. *Verbal reprimand (including advice on how to improve)*
5. *Withdrawal of privileges (e.g. golden time, time on basketball court)*

6. *Withdrawal from the peer group (e.g. time out in classroom)*
7. *Detention during break times for a specified period*
8. *Communication with parents/guardians (letter/journal, phone call or informal meeting)*
9. *Removal from the classroom (e.g. to principal's office)*
10. *Formal report to the Board of Management*

In general sanctions 1-6 will be applied for minor misbehaviours and 7-10 for more serious misbehaviours.

Having applied a particular sanction, the teacher discusses the behaviour and the consequences with the pupil. The teacher/pupil suggests strategies on how the pupil can improve their behaviour.

The class teacher, principal or teacher on supervision duty may apply sanctions.

Involving parents/guardians in management of problem behaviour

When contacting parents/guardians this may be done by the class teacher or principal depending on the severity of the misbehaviour. Contact will be made by note, phone call or meeting. An open and respectful approach is taken when the parents/guardians are contacted. Class teacher, parents/guardians and sometimes the principal may be present at the meeting.

Parents/guardians are encouraged to contact the school if they have any concerns and to make an appointment with the teacher as outlined in the Home School Links policy.

Managing aggressive or violent misbehaviour

The following strategies are used for dealing with serious emotional and behavioural problems:

- o Children who are emotionally disturbed are immediately referred for psychological assessment, following consultation with parents/guardians
- o Through the Special Educational Needs Organiser, appropriate support is sought from services available e.g. Health Service Executive, NEPS etc
- o The creation of individual behaviour plans for specific children may be used
- o Staff will support each other if they are experiencing difficulties/challenges in this area
- o Professional development and support will be sought for staff if deemed suitable e.g. SESS, Colleges of Education, ICEP (Prof Excel) courses, Education Centres etc

In the event of seriously violent or threatening behaviour causing a risk to the safety of the pupil himself/herself or the safety of other pupils or Staff the Board of Management directs the Principal, or the person who is deputising in his/her absence, to contact the parents/ guardians and request them to remove the child from the premises immediately. If the parents/guardians are unable/unwilling to do so the Board of Management directs the Principal, or the person deputising in his/her absence, to call the Gardaí.

5.0 Suspension and expulsion

5.1 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.

5.1.1 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.

5.1.2 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/guardians are advised about, and aware of, the school's policy for suspension and expulsion
- ensure that 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,

Times 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.

5.1.3 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 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.

5.1.4 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 regards 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/guardians 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 that the investigator is impartial and carries out the investigation with an open mind. A full report of the facts of the case is then presented to the Principal. The Principal will then 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 a 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/guardians, staff and other students that the Principal, as decision-maker, is basing his/her 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.

5.1.5 Involving the Gardaí

Where allegations of criminal behaviour are made about a student, these will usually be referred to the Gardaí 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.

5.2 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 any additional requirement set down by the Patron.

5.2.1 Authority to suspend

The Board of Management of Scoil Naomh Bríde 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.

5.2.2 The grounds for suspension

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.

5.2.3 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.

Suspension 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/guardians 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 / guardian 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/guardians
- give school staff an opportunity to plan other interventions
- impress on a student and their parents/guardians the seriousness of the behaviour.

5.2.4 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 will still be applied.

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/guardians 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*.

5.2.5 Procedures in respect of suspension

The school is required by law to follow fair procedures when proposing to suspend a student. 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/guardians about the complaint
- give parents/guardians and student an opportunity to respond.

Inform the student and parents/guardians

Let the student and their parents/guardians know about the complaint, how it will be investigated, and that it could result in suspension. Parents/guardians may be informed by phone or in writing, depending on the seriousness of the matter. Informing parents/guardians in writing has the benefit of ensuring that there is a formal and permanent record of having let parents/guardians know. It also ensures that parents/guardians are clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents/guardians the seriousness with which the school views the alleged misbehaviour.

Give an opportunity to respond

Parents/guardians 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 / guardians 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 / guardians 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 / guardians 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 / guardians 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/guardians 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 will a student be sent home from school without first notifying parents/guardians.

5.2.6 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. The 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.

The Board of Management has authorised 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. (See written approval of Board at end of this policy)

The Board of Management will 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*.

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.

5.2.7 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, 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/guardians, 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/guardians 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 Skills under section 29 of the *Education Act 1998*, and should be given information about how to appeal.

5.2.8 Implementing the suspension

Written notification

The Principal should notify the parents/guardians 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/guardians (for example, parents/guardians might be asked to reaffirm their commitment to the Code of Behaviour)
- the provision for an appeal to the Board of Management
- the right to appeal to the Secretary General of the Department of Education and Skills (*Education Act 1998*, section 29).

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

Engaging with student and parents/guardians

Where a decision to suspend has been made, it can maximise the impact and value of suspension if the Principal and/or another staff member delegated by the Principal meets with the parents/guardians 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/guardians do not agree to meet with the Principal, written notification will serve as notice to impose a suspension.

5.2.9 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 Skills directs that it be removed following an appeal under section 29 of the *Education Act 1998*.

5.2.10 After the suspension ends

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

Re-integrating the student

The school will have a plan to help the student to re-integrate and 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 reintegration which, in turn, may lead to further problem behaviour. Where possible, the school will 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.

5.2.11 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/discuss all suspensions to/with the Board of Management, with the reasons for and the duration of each suspension.

Report to Tusla

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

5.2.12 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/guardians 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.

5.3 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.

5.3.1 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.

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

5.3.2 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 will have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- meeting with parents/guardians 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/guardians, 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.

5.3.3 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/guardians 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/guardian 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.

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. Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant expulsion, the procedural steps should 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/guardians about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion
- give parents/guardians 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/guardians 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/guardians are very clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents/guardians the seriousness with which the school views the alleged misbehaviour.

Parents/guardians and the student will 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/guardians 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/guardians to make their case for lessening the sanction, and for the school to explore with parents/guardians how best to address the student's behaviour.

If a student and their parents/guardians 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/guardians 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/guardians and the student that the Board of Management is being asked to consider expulsion
- ensure that parents/guardians 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/guardians

- notify the parents/guardians of the date of the hearing by the Board of Management and invite them to that hearing
- advise the parents/guardians that they can make a written and oral submission to the Board of Management
- ensure that parents/guardians 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 will 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 the 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/guardians, 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/guardians 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/guardians 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/guardians 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/guardians in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents/guardians should be told that the Board of Management will now inform the Educational Welfare Officer.

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/guardians 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.

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 will formally confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents/guardians will be notified immediately that the expulsion will now proceed. Parents/guardians will 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.

5.3.5 Appeals

A parent / guardian may appeal a decision to expel to the Secretary General of the Department of Education and Skills (*Education Act 1998* section 29). An appeal may also be brought by the National Educational Welfare Board on behalf of a student.

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 Skills). For further details about the Appeals process, including requirements for documentation, and the steps in the process, refer to current DES guidance.

5.3.6 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 viewing by the Board of Management of the use of expulsion in the school.

6. Keeping records

All records are written in a factual and impartial manner.

Class level

- Class teachers will maintain a record of any instances of misbehaviour in the classroom. Parents/guardians may be informed of misbehaviour and their co-operation is sought in helping the child to improve. Improvements in behaviour may also be reported to parents/guardians.
- Serious misbehaviour will be reported to the principal.
- The end of year report includes a reference to general behaviour and the report may be in the form of a comment or a general remark. To ensure consistency in the use of terminology, staff discussions in relation to this, take place during the last school term.

School records

- Teacher's individual records are maintained by the class teacher and disposed of at the end of each year. For more serious incidents, these will be retained in a school file in the office.
- Formal records are kept at school level of communication between school and home in the case of serious incidents.

7. Procedures for notification of pupil absences from school

At the beginning of each school year, parents/guardians are informed in writing of the schools obligation to inform the Tusla if a child is absent for 20 days or more. Parents/guardians are required to inform the school in writing of a child's absence in line with Tusla requirements. These notes are kept for the duration of the school year.

- The following strategies are used to encourage school attendance:
 - Creating a stimulating and attractive school environment
 - Students are rewarded for good or improved attendance by the Principal
 - Adapting curriculum content and methodologies to maximise relevance to pupils
- The school uses the standard forms to report on pupil absences to Tusla and this is done either in writing or through the on-line system.

During the COVID 19 pandemic parents/guardians are advised to follow DES and HSE guidelines re school attendance and will not receive letter urging parents to send children to school – historically, many children attend school when they are sick and we do not want to encourage this practice. If a child is absent for 'no reason' Principal will ring parents/guardians, have a chat with them and remind them of their obligation to send child to school.

8. Reference to other Policies

The following school policies have a bearing on the Code of Behaviour and are reviewed regularly to ensure compliance with the Code of Behaviour

- SPHE plan
- Anti-bullying
- Enrolment
- Record keeping
- Health & Safety / Risk Assessment
- Special Educational Needs
- Adult bullying and sexual harassment
- Substance Use
- Child Protection
- Attendance
- Mobile Phone
- Data Protection
- Fair Processing/Data Breach Policy

Success Criteria

This policy will be deemed successful by:

- The achievement of the aims as outlined in this policy
- Observation of positive behaviour in class rooms, playground, school environment, school outings, matches, field trips, visits to church etc.
- Practices and procedures listed in this policy being consistently implemented by teachers
- Positive feedback from teachers, parents/guardians, BOM, pupils, outside bodies e.g. inspectorate, Tusla

Roles and Responsibility

The following people have responsibility in implementing this policy:

- The BOM has a supportive role and will allocate time at BOM meetings to discuss behaviour issues. They will contribute to reviewing the Code of Behaviour and for providing staff development as necessary.
- The whole school community is responsible for implementation of this policy.
- The principal, in consultation with the staff, will coordinate and monitor the implementation of this policy.
- The pupils play a role in providing feedback to staff and report incidents of misbehaviour which may affect them or others. They also take responsibility for their own behaviour.
- Parents/guardians work in partnership with the school in supporting the implementation of this policy, by encouraging their child/ren to behave in a positive, caring manner and dealing with inappropriate behaviour when needed.

Implementation and Review

Implementation	April 2009
Review	September 2011
Review	October 2015
Review	October/November 2017
Review	October 2020

Ratification and Communication:

This updated policy was reviewed by all teachers, the Board of Management and Parents' Association of Scoil Naomh Bride, Blackwater. The updated policy was also uploaded on to the school's website for the parent body to review and make suggestions etc. All amendments were made, in line with feedback from all partners. It was ratified at the Board of Management meeting on Oct 14th 2020

Parents may view this policy at any time, by appointment with the principal.

Signed: B. O'Sullivan