



THE POLICY WAS FORMULATED BY THE BOARD OF MANAGEMENT, STAFF, PUPILS, PARENTS IN FEBRUARY 2010.

Rationale

It is necessary to review a Code of Behaviour at this particular time-

- To ensure an orderly 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.
 - 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.

Relationship to characteristic spirit of the school

We in Caheragh National School aim to create an ordered and orderly environment in which children feel secure, in which self-esteem is fostered and in which children can make progress at their work.

Aims

The school hopes by introducing this policy-

- To ensure an educational environment that is guided by our vision statement.
- To allow the school to function in an orderly way where children can make progress in all aspects of their development.
- To create an atmosphere of respect, tolerance and consideration for others.
- To promote positive behaviour and self-discipline, recognising 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 throughout the school.

Content of policy

1. Guidelines for behaviour in the school.

2. Whole school approach to promoting positive behaviour.

- Staff
- Board of Management
- Parents
- Pupils

3. Positive strategies for managing behaviour.

- Classroom
- Playground
- School related activities/ Other areas in the school

4. Rewards and sanctions.

- Rewards and acknowledgement of good behaviour
- Strategies for responding to inappropriate behaviour



- Involving parents in management of problem behaviour
- Managing aggressive or violent behaviour

5. Suspension/Expulsion.

- Suspension
- Expulsion
- Appeals

6. Keeping records.

- Class
- Playground
- School records

7. Procedure for notification of a pupil's absence from school.

8. Reference to other policies.

1. GUIDELINES FOR BEHAVIOUR IN THE SCHOOL

Standards of behaviour-

- Each pupil is expected to be well behaved and to show consideration for other children and adults.
- Each pupil is expected to show respect for the property of the school, other children's and his/her 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 in school and for homework.

2. WHOLE SCHOOL APPROACH TO PROMOTING POSITIVE BEHAVIOUR

Caheragh National School recognises that in individual cases children may, through educational vulnerability, need a differentiated approach to their behaviour management. However, parents are required to support the Code of Behaviour which they receive on the enrolment of their child. A whole school approach to promotion of positive behaviour is essential and the measures in place in our school include-

Staff:

Teachers and other staff members play important roles in the review and updating of the code. They bring to this work their professional expertise in understanding the links between behaviour and learning, their experience of what works to help students to behave well and their knowledge of the school and of the school community.

Staff as a team ensures that all school policies and practices support the objectives of the Code of Behaviour (p.32 Guidelines).

- This approach is maintained and improved from year to year through staff review and discussion. New parents are made aware of the code of behaviour on the enrolment of their child and are encouraged to involve themselves in supporting the approach. New/temporary staff are made aware of the code of behaviour during their initial days in the school.
- All staff are consulted on and made aware of the new Code of Behaviour.
- Our code of behaviour acknowledges that children may present behavioural difficulties arising from their SE needs and their behaviour management is catered for through their IEP's.

The schools SPHE curriculum is used to support the code of behaviour. It aims to help our children develop communication skills, appropriate ways of interacting and behaving and conflict resolution skills. It also aims to foster self-esteem and to help children accommodate differences and develop citizenship.

- Parents of newly enrolled children are informed by the class teacher prior to enrolment and during the early weeks of enrolment about the curriculum and their part in supporting it.
- Activities scheduled to develop these skills in children include Circle Time.

Board of Management:

The overall responsibility for ensuring that a Code of Behaviour is prepared rests with the Board of Management and the Board has particular responsibility for the ethos of the school, as well as having overall responsibility for school policies. The Board plays an



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active role in exploring the kinds of relationships and behaviours that will reflect the schools ethos and responsibilities.

The Board of Management will formally record the adoption of the new code of behaviour, the commencement date and decisions about when the code will be reviewed.

- The Board of Management is consulted in reviewing and drafting of the code of behaviour and is familiar with the NEWB guidelines.
- The Board of Management supports the staff in implementing their code of behaviour and provision of opportunity for staff development through staff meetings and planning days.
- The procedures for the Board of Management to deal with serious breaches of behaviour are in line with 2008 guidelines.

Parents:

The code of behaviour will be more likely to work well where parents have meaningful ways of contributing to the development or review of the code. Their involvement will draw on their expectations, insights and experience. It will help to underline their responsibilities for their children's behaviour.

- Co-operation between staff and parents is encouraged through informal but frequent contact on an incidental basis. Parents have an opportunity to meet their teacher when a child enrolls and parents are encouraged to attend the parent/teacher meetings in November each year.
- Parents are involved in the formulation and implementation of this policy through questionnaire and reviewing draft policy.
 - Parents are invited to make suggestions based on this draft policy. However it is important to note final authority rests with the Board in accepting or rejecting such amendments.
 - A questionnaire on the topic of behaviour may be used occasionally to elicit view of parents.
- The code of behaviour is given to parents on the enrolment of their child.
- Parents support the school in the promotion of positive behaviour and the maintenance of high standards of behaviour.
 - Parents ensure their children attend school regularly and punctually.
 - Parents encourage their children to do their best and take responsibility for their work.
 - Parents are aware of and co-operate with the school's rules and system of rewards and sanctions.
 - Parents attend meetings at the school if requested.

- Parents help their children with homework and ensure that it is completed.
- Parents ensure their children have the necessary books and materials for school.

Pupils:

- Pupils play an active role in the ongoing implementation of the code of behaviour by
 - Drafting rules for classroom and drafting rules for the school.
 - Buddy systems.
- Opportunities are given to pupils to monitor and review behaviour in the school through the SPHE programme.

3. POSITIVE STRATEGIES FOR MANAGING BEHAVIOUR

The most effective methodology that teachers develop in attempting to manage challenging behaviour is to prevent it occurring in the first place.

Many positive strategies are used throughout the school to promote good behaviour and to prevent misbehaviour.

Classroom:

The positive strategies that are used effectively to manage behaviour in the classroom include:

- Class rules in each class that are consistent with the ethos as expressed in the code of behaviour and which set a positive atmosphere for learning.
- Pupils are involved in devising and reviewing the class rules.
- Teachers ensure that pupils understand, and are frequently reminded of, how they are expected to behave.
- There is a clear system of acknowledging and rewarding good behaviour and sanctions for misbehaviour.
- Classroom management techniques ensure a variety of activities and methodologies to sustain pupil interest and motivation.
- Timetabling.

Playground(s):

- Playground rules, which emphasise positive behaviour, are in place and make it clear what activities are permitted. Staff and pupils are frequently reminded of these rules. Pupils are involved in the creation of these rules and maintenance of them.
- A rota for supervision in the playground is displayed in the staff-room. The SNA is involved in the supervision of the designated child.



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- At times there is a need to supervise more closely certain pupils due to their medical needs.
- There are three zones within the playground, providing sections for the three class groups.
- On wet days children remain seated in their own classrooms where age appropriate activities are allowed at the desk.
- When pupils are going to and returning from the playground children line up in an orderly fashion.
- Children are allowed to leave the playground to use the toilets adjacent to their own classroom.
- In the event of incidents of misbehaviour the teacher on duty deals with the misbehaviour and if necessary will inform the class teacher. Time-out may be used as a strategy to manage incidents of misbehaviour in the playground.

School Related Activities / Other areas in the School:

Standards and rules contained in the code of behaviour apply in any situation where pupils are still the responsibility of the school, including school tours, games and extracurricular activities, other school linked events such as Cumann na mBunscol (Sciath na Scol), swimming, rowing, library visits and any other activities during the school day.

4. REWARDS AND SANCTIONS

Rewards for, and acknowledgement of, good behaviour:

Good behaviour is recognised and acknowledged at all class levels. Praise is used across all class levels. At infant and junior class level, stickers, stars, and jellies are part of the reward system and extra privileges or bonuses are used in the senior classes. A free pass for one item of homework is also used in the middle and senior classes.

Strategies for responding to inappropriate behaviour:

In the event of inappropriate behaviour the following sanctions are used-

- Reasoning with the pupil including advice on how to improve
- Verbal reprimand
- Temporary separation from the group (in class)
- Withdrawal of privileges
- Withdrawal from the particular lesson or peer group
- Carrying out a useful task in the school
- Detention with "reflection page" during break-time
- Referral to school principal

- Communication with parents
 - Formal report to the Board of Management
 - Suspension
 - Expulsion
- Sanctions will be applied in a manner that will allow pupils to reflect on their own behaviour and change inappropriate behaviour.
 - Class teachers will apply the sanctions 1-9 at each level. A staged approach is used where initially misbehaviour will be dealt with by the class teacher by way of warning and/or advice but, if it is more serious or persistent, the parents may be involved. The principal and/or Board of Management are involved when initial stages have failed to bring about the desired result.
 - Staff ensures consistency in the application of sanctions through discussion and agreement.
 - Good news regarding behaviour is relayed informally during incidental meetings and formally during parent/teacher meetings and end of year reports.

Involving parents in management of problem behaviour:

- The school's approach to the management of problem behaviour involves contacting parents when a pupil's behaviour is a source of concern.
 - Parents are contacted when a class teacher feels that his/her initial attempts failed to achieve an appropriate response from the pupil.
 - The class teacher will contact the parents to discuss his/her concerns.
 - This meeting will usually take place in a spare classroom or office. Initially the meeting will be attended by the class teacher and the principal. If appropriate, the child may be present for part or all of the meeting after the teacher and parents have discussed the matter.
 - Parents are encouraged to contact the school if they have concerns and they may visit or phone the school to arrange a suitable time for meeting. Parents are made aware of this arrangement through a leaflet entitled "School Rules and Regulations".

Managing aggressive or violent behaviour:



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- With regard to dealing with serious emotional and behavioural problems, Caheragh National School would look for an immediate referral for psychological assessment.
 - Through the Special Educational Needs Organiser, appropriate supports are sought from all services available e.g., Health Service Executive, NEPS etc.
 - S.E.N. personnel may facilitate teachers in sharing practice and support in the management of challenging behaviour and /or assisting teachers in the creation of individual behaviour plans for specific children.
 - S.E.N. teachers may act as mentors for newly qualified teachers. There is a mentoring system for newly qualified teachers to support them in this area.
 - Professional development currently available to staff includes courses through SESS, Colleges of Education, ICEP (Prof Excel) courses and Education Centres.
 - If the school proposes to include physical restraint as a strategy for dealing with violent or threatening behaviour, it is advised to seek expert advice, competent legal advice and to read Managing Challenging Behaviour - Guidelines for Teachers, INTO 2004:11
- In the event of seriously violent or threatening behaviour causing a risk to the safety of the pupil himself/herself or the safety of the other pupils or staff, immediate contact will be made with the parents and an immediate suspension may be considered.

5. SUSPENSION/EXPULSION

Caheragh National School acknowledges that any proposal to exclude a student, through suspension or expulsion is a serious step warranted by very serious misbehaviour. In drafting the procedures in relation to suspension and expulsion, the Board of Management of Caheragh National School is guided by the legal requirements of Education (Welfare) Act (2000) Section 23 (2) to outline these procedures in our Code of Behaviour. These procedures are drafted in accordance with the following chapters – “Developing a Code of Behaviour Guidelines for Schools” NEWB, 2008

- Chapter 10 Suspensions and expulsions
- Chapter 11 Suspension
- Chapter 12 Expulsion

and with any additional requirements set down by the Patron. The Board of Management of this school will also –

- 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.

The Board of Management of Caheragh National School will also ensure that there are no undue delays in an investigation and in making decisions about the imposition of suspension or expulsion. Great care will also be taken to ensure that all matters to do with the investigation of alleged misbehaviour are dealt with in confidence.

Caheragh National School, as required by law, will follow fair procedures based on the principles of natural justice when proposing to suspend or expel a student. Fair procedures have two essential parts.

- 1. The right to be heard.**
- 2. 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 allegation 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 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.

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 our



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particular school. The **principles** of fair procedure 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 his/her 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 of Management for any consideration of the matter by the Board.

The principle of **impartiality in decision-making** means it is preferable that, where possible, the Principle 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 Principle 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, parent, 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. Where allegations of criminal behaviour are made about a student, these will be referred to the Gardai who have responsibility for investigation criminal matters. The Juvenile Liaison Officer will be a significant source of support and advice for the school and the student.

Suspension:

This is defined as "requiring the student to absent himself/herself for a specified, limited period of school days" (NEWB, 2008) pp70.

Authority to suspend: The Board of Management of Caheragh N.S. has the authority to suspend a student. This authority has been delegated to the Principal in writing in 2015 following a Board of Management meeting. The authority has been delegated to the Principal with her consent and has been delegated for a period of 5 years. The Principal will report to the Board of Management at each meeting on whether or not she has invoked the authority to suspend since the Board last met. The Principal will also report on the circumstances of the suspension.

Suspension will 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 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.

In our school, suspension is seen as having a value in that it gives the student time to reflect on the link between his/her action and its consequences. The suspension gives the staff time to plan ways of helping the student to change unacceptable behaviour. The suspension is part of a behavioural management plan which will enable this school to set behavioural goals with the student and his/her parent(s), give school staff an opportunity to plan other interventions and impress on a student the seriousness of the behaviour.

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.

Automatic suspension: The Board of Management has decided, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and students, that following behaviours will incur suspension as a sanction:

- Violent or threatening behaviour where the child is a danger to him/herself, the other children or the staff of the school.
- Where a child is verbally or physically abusive to the school staff.
- Possession of an illegal substance.

Due process and fair procedures will still be observed in each case. If a student is suspended the student will not be suspended for an indefinite period of time. A student in this school will 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 another student.

Procedures in respect of suspension

Schools are 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 will 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.



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Let the student and his/her 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 his/her 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 now best to address the student's behaviour. If a student and his/her 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, will 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.

The period of suspension.

A student will 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 will 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 of Management, 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.

Suspension.

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. 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.

Appeals.

The Board of Management should offer an opportunity to appeal a Principals decision to suspend a student. In case of decisions to suspend made by the Board of Management, an appeals process may be provided by the Paton.

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.

Appeals.

Under Section 29 of the Education Act, 1998, parents (or pupils who have reached the age of 18) are entitled to appeal to the Secretary General of the Department of Education and Science against some decisions of the Board of Management, including (1) permanent exclusion from a 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. Accordingly, schools should advise parents of this right of appeal and associated timeframe if it has been decided to suspend or permanently exclude a pupil. Appeals must generally be made within 42 calendar days from the date the decision of the school was notified to the parent or student. (see Circular 22/02).

- State how, when and by whom parents/guardians are informed of their entitlement to appeal a decision of the Board of Management in relation to suspension or expulsion. Parents be given a copy of Circular 22/02 and related forms.
- **If an appeal is being investigated by the Department of Education and Skills the Principal and the Chairperson of the BOM will prepare a response.**

Implementing the suspension.

Written notification.

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

- The period of the suspension and the dates on which the suspension will begin and end.
- The reason 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 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 will 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.

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.

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.

On the student's return to school the staff will, as part of the student's behaviour management plan, help the student take responsibility for catching up on work. The principal and/or class teacher or another member of staff allocated by the principal will provide support to the student during this re-integration process in accordance with the ethos of this school. When any sanction, including suspension, is completed, a student is 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 will expect the same behaviour of this student as all other students.

Records and reports.

Records of investigation and decision making:

Formal written records will be kept of:

- The investigation (including notes of all interviews held).

- The decision –making process.
- The decision and rationale for the decision.
- The duration of the suspension and any conditions attached to the suspension.

Reports to the Board. The Principal will 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)).

Review of use of Suspension.

The Board of Management will 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.

Expulsion:

Under the Education Welfare Act, 2000, 'A Student shall not be expelled from a school before the passing of twenty school days following the receipt of a notification under this section by an Educational Welfare Officer' (Section 24(4)). It is the right of the Board of Management to take '...such other reasonable measures as it considers appropriate to ensure that good order and discipline are maintained in the school concerned and that the safety of students is secured.' (Section 24 (5))

A student is expelled from the school when the 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 outlined above. As part of the Code of Behaviour, the Board of Management has ensured that this 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 Parton.

Authority to expel.

The Board of Management of this school has the authority to expel a student.

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 to 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 Services, Health Service Executive Community Services, the National Behavioural Support Services, Child and Adolescent Mental Health Service, National Council for Special Education.)



Expulsion.

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.

The 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 of Behaviour might include:

- A serious threat of violence against another student or member of staff.
- Actual violence or physical assault.
- Supplying illegal drugs to other student in the school.
- Sexual assault.

Determining the appropriateness of expelling a student.

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

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 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 the 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 his/her 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 his/her 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.



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- 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 of Management 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 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 it is, and is 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, s24).

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 interest 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, the 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)). The 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 student 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 students 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.

Appeals:

A parent may appeal a decision to expel to the Secretary General of the Department of Education and Skills (Education Act 1998 s29). 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.

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.



6. KEEPING RECORDS

In line with the school's policy on record keeping, and data protection legislation, written records are kept in relation to any serious misbehaviour by pupils. Records are written in a factual and impartial manner.

Class level:

- Class teachers record any incidents of serious misbehaviour in a designated incident book.
- The end of year report includes a reference to behaviour although parents will have been kept up to date during the year regarding behaviour issues.

Playground:

- Supervising staff keep a written record of serious misbehaviour in an incident book which is kept in the school staffroom for the purpose. The relevant class teacher(s) and the principal are immediately informed of any serious misbehaviour, and/or sanctions imposed, by the supervising teacher.
- Consistency in the application and interpretation of the rules is ensured through constant discussion and review by the Principal and staff.

School records:

- Serious incidents which occur at break-times will be recorded in an incident book kept in the staffroom and each teacher will keep individual records of serious incidents which occur during teaching time. Each teacher is responsible for the storage of his/her classroom incident book, and the principal is responsible for the storage and safety of the staffroom incident book.
- Records are kept in the school of factual reports of serious incidents of misbehaviour, communication between school and home and with outside agencies, Board of Management and others in reference to these incidents.

7. PROCEDURES FOR NOTIFICATION OF PUPIL ABSENCES FROM SCHOOL.

The education Welfare Act 2000, section 23(2)(e) states that the code of behaviour must specify, "The procedures to be followed in relation to a child's absence from school." Section 18 stipulates that parents must notify the school of a student's absence and the reason for this absence.

Whole school strategies to promote attendance:

- Environment: We create a safe, welcoming environment for our pupils and their parents.
- Uniform: Children are encouraged to wear complete uniform and an explanatory note is accepted if this isn't possible.
- Lunches: If a child arrives to school without a lunch a phone call is made to parents.

- Parents: We communicate the requirements of schools and of parents under the Education Welfare Act to parents on enrolment.

Strategies in event of non-attendance:

The school must inform the Education Welfare Officer in writing where a child is suspended or expelled for 6 days or more, where a child has missed 20 or more days in a school year, where attendance is irregular and when the pupil is removed from the school register.

- Parents are aware of their statutory duties outlined in the Education Welfare Act in relation to causing their children to attend school.
- Parents are aware of the school duties outlined in the Education Welfare Act in relation to reporting the non-attendance of a child to the Education Welfare Office, of the serving of a "school attendance notice" by the Education Welfare Office (following all reasonable efforts by the Education Board to consult with the child's parents and the Principal of the school) on any parent who they conclude is failing or neglecting to cause the child to attend the school and of the possible consequence of a successful case being taken against the parent (fine and/or imprisonment).
- Parents are expected to communicate the reasons for non-attendance of their child in school by sending in a written note duly dated.
- If the parent refuses to explain the reason for absence it is recorded as such.
- Non-attendance of a pupil is communicated to the Principal by the Class Teacher
- When a child is absent for 20 days, our school complies with all the necessary procedures in relation to reporting to the NEWB.
- The school uses the standard forms to report on pupil absences to the National Education Welfare Board.

8. REFERENCE TO OTHER POLICIES

The following school policies have a bearing on the Code of Behaviour:

- SPHE plan
- Anti-bullying
- Harassment
- Sexual harassment
- Enrolment
- Record keeping
- Home / School links



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- Health & Safety
- Equality
- Special Educational Needs

Success Criteria:

Some practical indicators of the success of the policy are –

- Observation of positive behaviour in class rooms, playground and school environment.
- Practices and procedures listed in this policy being consistently implemented by teachers.
- Positive feedback from teachers, parents and pupils.

Roles and Responsibility:

The Board of Management, staff, parents and pupils have particular responsibilities for aspects of the policy.

- The Board of Management and school staff have responsibility for ensuring the correct implementation of this policy.
- The teachers and other staff have responsibility for the implementation of this policy on a day-to-day basis.
- The Board of Management and school staff will co-ordinate and monitor the implementation of this policy.
- The principal and teachers and SNAs are responsible for implementing the policy, making the parents and pupils familiar with the rules for behaviour contained within the policy, and the correct recording and initial implementation of policy procedures following any serious incidents of misbehaviour.
- Pupils help in the compiling of school and classroom rules, and must attempt to adhere to these rules while at school or attending school-related activities at outside locations.
- Parents can contribute to the drafting of the Code of Behaviour through questionnaire and suggestions, and undertake to support and uphold the code of behaviour during their child's attendance at school.

Implementation Date.

This policy will be implemented on ratification by the Board of Management. This policy was first ratified by the Board of Management in June 2012.d

Timetable for Review.

This policy will be reviewed and, if necessary, amended in June 2017.

Ratification & Communication.

The BOM officially ratified the policy in October 2015

The policy will be circulated to parents of all children currently on roll at Caheragh National School, and in future years it will be sent to parents on the enrolment of their child.

REFERENCE SECTION

- **Developing a Code of Behaviour: Guidelines for Schools, NEWB, 2008**
- **Education (Miscellaneous Provisions) Act, 2007 – provides for certain changes in the hearing of Appeals under S29 of the Education Act, 1998**
- **Education (Welfare) Act ,2000**
- **Education Act, 1998**
- **Circular 22/02 Appeals Procedure under Section 29 of the Education Act, 1998. (DES website). Deals with appeals under the following headings:**
 1. **Permanent exclusion from a school**
 2. **Suspension**
 3. **Refusal to enrol**
- **Department of Education and Science Guidelines on Countering Bullying Behaviour in Primary and Post Primary Schools (1993) available on DES website**
- **Report to the Minister of Education Niamh Breathnach, T.D. on Discipline in Schools. Maeve Martin, 1997. Ch. 4 p.56-61 Recommendations for Schools.**
- **Stay Safe and Walk Tall Programmes.**
- **Management Boards Members Handbook. Revised 2007. CPSMA: A suggested Code of Behaviour & Discipline for National Schools.**



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- **INTO (2004) Managing Challenging Behaviour: Guidelines for Teachers**
- **INTO (2006) Towards Positive Behaviour in Primary Schools**
- **INTO (1995) Enhancing Self Esteem**
- **The Education Act 1998. The Education Welfare Act 2000. Questions and Answers, INTO**
- **The Principal's Legal Handbook Oliver Mahon B.L. IVEA 2002 Ch. 2 School Discipline**
- **Responding to Bullying. First Steps for Teachers. The Cool School Programme. NE Health Board.**
- **Investigating and Resolving Bullying in Schools. The Cool School Programme. NE Health Board.**
- **Stop it! Steps to Address Bullying, Wexford Education Network. Wexford Area Partnership.**
- **Working Together - to promote positive behaviour in classrooms, CEDR, Mary Immaculate College of Education**
- **Achieving Positive Behaviour. A practical Guide. Patricia Dwyer. Marino**