



CODE OF BEHAVIOUR POLICY

INTRODUCTORY STATEMENT

This policy was formulated by the staff in consultation with Parents and with the BOM. An audit of the existing code of behaviour was conducted, assisted by the checklist template provided by the NEWB.

The policy was prepared in accordance with Guidelines for Schools on Developing a Code of Behaviour, the Education Welfare Act 2000 and the Education Act 1998. This policy is to be read and understood in conjunction with other relevant school policies especially Child Protection, Anti- Bullying, IT Acceptable Use Policy, Uniform, SEN, SPHE and School Safety Statement

RATIONALE

By its nature, a school has to be an ordered community where certain rules need to be observed for the good of all. **Our school motto is 'For the Good of All'**

This is necessary to create a proper environment where learning can take place and also to encourage the development within the pupils themselves of self-discipline, an appreciation of the rights of others and a realisation that there are limitations to their freedom.

Children are entitled to a pleasant environment, conducive to effective teaching and learning. No single child has the right to hinder or disrupt the learning chances of a class.

It is a condition of attendance at St David's NS that pupils abide by the rules and regulations specified in this Code of Behaviour

AIMS

The school's code of behaviour is a positive one and reflects the Christian values promoted within the school. The code is a set of measures which aim:

- To allow the school to function in an orderly and harmonious way;

- To enhance the learning environment where children can make progress in all aspects of their development – spiritual, intellectual, physical, emotional and social;
- To provide for the effective and safe operation of the school for all members of the school community;
- To develop pupils' self-esteem and promote positive behaviour and self-discipline;
- To create an atmosphere of respect, tolerance and consideration for others;
- To provide guidance for pupils, teachers and parents on behavioural expectations;
- To foster caring attitudes for one another and for the environment;
- To enable teachers and staff to work without disruption;
- To ensure that the system of rules, rewards and sanctions are implemented in a fair and consistent manner;
- To make St David's a school where children feel secure, happy and empowered.

IMPLEMENTATION

Every member of the school community has a role to play in the implementation of the Code of Behaviour in St David's NS. Emphasis is on positive behaviour. Classroom rules will be kept to a minimum and will be applied in a fair and consistent manner, with due regard to the age of the pupils and to individual differences. This policy will be supported, developed and implemented by the staff in conjunction with the children, parents/guardians and BOM.

SEN

There is an expectation that pupils with special needs will adhere, to the best of their ability, to the school rules. Cognitive development will be taken into account at all times. Any necessary modifications to their school support plan will be agreed. Behaviour plans may be necessary at times. Any professional advice will be taken into consideration.

Outside school

This code of behaviour will apply on school organised and supervised trips. However, incidents that occur before/after school and outside the school boundary (i.e. on the bus to and from school) are outside the remit of this code except in exceptional cases, as dictated by legislation.

Bus Éireann is responsible for the discipline and safety of pupils while travelling on school buses under the DES School Transport Scheme. See code of conduct in Appendix 3. Unsafe and inappropriate behaviour is not tolerated on school buses and may result in permission to travel being withdrawn. Parents should speak with their child's bus driver as difficulties arise. If the matter remains unresolved parents should contact the Bus Éireann area Inspector.

Parents are reminded that the staff of the school does not accept responsibility for pupils before the official 'open to receive time' of 08:50 or after the official closing time of 14:30. Pupils involved in after school activities sanctioned by the school must abide by this code of behaviour.

DEVELOPING GOOD BEHAVIOUR

1. A Partnership:

Good behaviour develops best in a community of self-respect and mutual concern. The school itself should be such a community and must do all it can to foster good behaviour. However, schools are simply a part of the wider community and they cannot develop good behaviour in isolation. The primary responsibility for the development of good behaviour rests with parents in the home, where children spend most of their time. Parents are the first educators of their children. They play a crucial part in shaping their children's personalities and attitudes, and they continue to have a powerful influence over them throughout their school years. Teachers too, exert a powerful influence in the development of children in their care by providing a role model for pupils and by the effective implementation of the school's behaviour policy within their own classrooms and outside. Teachers therefore, have an important role as partners in this process, but partnership can only become real if parents accept that they have a duty not only to send children to school but also to encourage them to behave well when they get there.

2. Affirming Positive Behaviour:

Positive reinforcement of good behaviour leads to better self-discipline and the school places a greater emphasis on rewards and incentives than on sanctions. In light of this, a whole-school reward system is in place. Junior pupils, from Junior Infants to Second class will each have a 10-box sticker chart. Senior pupils, from Third class to Sixth class will each have a 20-box sticker chart.

The pupils may receive a sticker from any adult in the school, including teachers, substitutes, SNAs and school secretary. The pupils may receive stickers for a range of good behaviour, including but not limited to, being kind, walking around the school building in a quiet and orderly fashion, trying hard on their academic work, being mannerly and respectful.

When a pupil completes their sticker chart they may choose a prize, including no homework for a day/subject for one completed chart or wearing no school uniform for completing two sticker charts i.e banking two charts together. Other rewards may also be given to pupils, at teachers' discretion.

Each individual teacher may also devise his/her own system of rewards within the classroom. The following are examples of some of the incentives used in the school:

- A quiet word or gesture to show approval;
- A positive comment on a child's copy/homework diary;
- A visit to another class or principal for commendation;
- Praise in front of class group/assembly – student of the week;
- Individual class merit awards, points awards, merit stamps or prizes;
- Golden time;
- Delegating some special responsibility or privilege;
- Written or verbal praise communicated to parent.

The school acknowledges that pupils are more likely to behave well when:

- They are given responsibility in the school and are involved in the development of classroom rules;
- They understand why the school rules are important and their part in making them work;
- They can see that the code of behaviour works in a fair way;
- There are standards that set high expectations for student behavior;
- The standards are clear, consistent and widely understood;
- Parents support the school by encouraging good learning behavior;
- There are good relationships between teachers, parents and pupils and a happy school atmosphere;
- Adults model the behaviour expected from pupils;

- There are positive everyday interactions between teachers and pupils;
- There are good school and class routines;
- There are clear boundaries and rules for the pupils;
- Pupils themselves are helped to recognise and affirm good learning behavior;
- Positive behaviour is recognised and feedback given;
- Pupils explore how people should treat each other.

Stop, Think, Do, will lead to a better You

SCHOOL RULES

For the school to operate in an efficient manner and to help create a happy learning environment we would ask you to help your children understand and adhere to the following:

- Each pupil is expected to treat staff and fellow pupils with respect and courtesy at all times. Behaviour that interferes with the rights of other to learn and feel safe is unacceptable;
- Each pupil is expected to show respect for all school property, teacher's property, other children's and their own belongings. Tampering with these is unacceptable;
- Pupils should not bring to school any items which could be a source of physical or moral danger to themselves or others;
- Each pupil is expected to attend school daily and
 - (a) To be on time for commencement @ 8.55 am,
 - (b) Leave school premises after dismissal @ 2:30 pm (1:30pm Juniors),
 - (c) The school must be informed in writing of any absence and the reason for absence (Welfare Act);
- Pupils are expected to arrive and leave school in a quiet and dignified manner;
- Pupils shall be obedient, truthful, cooperative with and accept correction from all teachers and staff;
- Pupils are expected to work to the best of their ability in school and for homework and to present assignments neatly with a ruled margin, date and title;
- Pupils are expected to be organized, tidy and to have all books and required materials. All belongings should be labelled;
- Pupils are expected to cooperate in keeping the school environment (classrooms and grounds) neat and tidy and use correct recycling bins;
- Earrings, if worn, must be studs only. No other body piercings. This is for the child's safety during play and P.E.;

- Pupils should not bring personal belongings/toys/balls/valuables/collectables etc to school;
- Glass bottles, chewing gum, lollipops (any food on a stick) are not allowed;
- Pupils must walk quietly (without raised voices) on corridors, stairs going to and from yard, hall, library and classrooms. Keep right;
- Pupils must stay seated in their places unless told otherwise. This is particularly important if the teacher is called unexpectedly from the classroom;
- Pupils must go to the yard for break time and must follow the bell instructions and may leave yard only with staff on duty's permission;
- Pupils allowed on grass areas when dry. Keep off the fences;
- Pupils must play safe at all times and remain in own designated area. Antisocial, dangerous or hurtful behaviour is forbidden (e.g. bullying, bad language, name calling, kicking, spitting, wrestling, headlocks, intimidation, teasing, jeering, fighting, exclusion, charging, jockey backs). Yard rules on exit door to playground;
- Pupils are expected to use respectful ways to resolve conflict;
- On wet days pupils must remain seated in designated classroom during break times;
- Pupils are prohibited from having mobile phones in school. Where it is deemed absolutely necessary for a pupil to have a mobile phone in school, parents may complete a mobile phone request form. Once granted, phones must be switched off and put in their bags before they enter the school premises and must remain there until they leave school premises.

Students must present a note to the school principal if they need to carry a mobile phone. Children who do not comply with these rules will be given one warning and then have phones confiscated. Parent(s) / guardian(s) may collect confiscated phones from the school principal. The school does not accept any responsibility for loss or damage to mobile phones;

- All birthday invitations should be distributed outside of school;
- Pupils are expected to take pride in their appearance and wear the school tracksuit.

Bullying

Bullying (inc cyber bullying) is repeated verbal, psychological or physical aggression by an individual or group against another or others. Bullying will not be tolerated and

parents will be expected to cooperate with the school at all times in dealing with instances of bullying in accordance with the school's Anti- bullying Policy.

RESPONDING TO INAPPROPRIATE BEHAVIOUR

If unacceptable behaviour occurs then teachers and parents must cooperate to encourage the pupil to understand the consequences of their behaviour and to take responsibility for changing that behaviour. Sanctions are used in order to try to achieve this. The purpose of a sanction is to bring about a change in behaviour by:

- Helping pupils to learn that their behaviour is unacceptable;
- Helping pupils recognise the effect of their actions and their behaviour on others;
- Helping pupils (in ways appropriate to their age and development) to understand that they have choices about their behaviour and that all choices have consequences;
- Helping pupils to learn to take responsibility for their behavior;
- Reinforcing the expectations set out in the code of behavior;
- Signaling to other pupils and to staff that their wellbeing is being protected;
- Preventing serious disruption of teaching and learning;
- Keeping all pupils and adults safe.

Sanctions will be applied according to the gravity of the misbehaviour, with due regard to age and emotional development

General procedures to deal with breaches of the Code of Behaviour

In incidences of serious misbehaviour, where a pupil has hurt another pupil, used bad language or has been extremely disruptive to the learning of other pupils the child will be given a behaviour form to complete in school (with the help of an adult if necessary). These behaviour forms give the pupil a chance to reflect on the inappropriate behaviour, allow for their voice to be recorded as to why the incident happened and reflect on how to handle the situation better in the future. There will be a Junior pupil behaviour form and a Senior pupil behaviour form, which are age appropriate.

Completed forms must be brought home and signed by a parent/guardian. A record of these forms will then be filed. If a pupil receives 3 behaviour forms there will be a meeting held between the parents, principal, teacher and pupil. If a further 3 behaviour forms are received by the pupil, further sanctions will be considered, and the Chairperson of the Board of Management will be involved in this decision.

Teachers may also use sanctions (not in order of severity) within the classroom such as:

- Removal from group (in class);
- Withdrawal of privileges;
- Time 'in' in classroom/LS room/sensory room;
- Report to principal to caution pupil;
- Contact with parents;
- Individual behaviour plan. When a pupil's behaviour is continually causing concern, a teacher may draw up an individual behaviour plan in consultation with pupil and parents. See Appendix 6;
- Detention (supervised in the classroom, by the wall outside or in hall opposite office). This will be given for serious or repeated misbehaviour. It will take place during part of the longer lunch break. While in detention the pupil may complete the behaviour reflection form and procedure as explained above. Work may be set for pupil to complete, at the teacher's discretion;
- Case conference to include parents/guardians, principal and pupil;
- Communication with Chairperson of the BOM for a meeting with all parties;
- Suspension/expulsion by BOM. See Appendix 2 procedure for Suspension/expulsion as per N.E.W.B Guidelines 2008.

Primarily, instances of misbehaviour will be dealt with by the class teacher. This will include some or all of the above with children being advised about appropriate behaviour. Discussion about behaviour and its consequences will form part of SPHE lessons. Teachers will actively promote good behaviour and aim to "catch" repeated offenders at activities where they can give positive feedback, thus promoting better behaviour.

It must also be made clear to all involved (each set of pupils and parents(s) / guardian(s) that in any situation where disciplinary sanctions are required, this is a private matter between the pupil being disciplined, his or her parent(s)/guardian(s) and the school;

Suspension/Expulsion (Appendix 2)

In incidence of serious misbehaviour, suspension/expulsion may be considered.

The Principal and the Chairperson of the Board of Management, authorized by the Board of Management, reserve the right to suspend a pupil for up to 3 days in cases

of gross misbehaviour, where the Board of Management cannot meet in a timely manner and the safety of staff and pupils is in jeopardy.

Prior to suspension/expulsion, where possible, the principal may review the case in consultation with teachers and other members of staff, investigating the alleged incidences, with due regard to records of previous misbehaviours, their pattern and context, sanctions and other interventions used and their outcomes and any other relevant information. This will be conducted in an impartial and fair manner. Parents will be informed of the details of the allegations being made and any other information that will be taken into account.

The parents and the pupil will be invited to a meeting with the Principal to be heard and to respond to the allegations made.

The Principal will then bring all information forward to the Chairperson of the Board of Management, who will present it to the Board for discussion. Parents/guardians will be given the opportunity to have their voice heard and to respond to the allegations by the Board of Management before any serious sanction is imposed.

Following a suspension, the pupil and their parents/guardians will meet with the Principal and the class teacher to support their re-integration into the school environment, discuss the unacceptable behaviour(s) in line with the Code of Behaviour and outline a plan going forward as to how to support this pupil in the school environment.

ROLES AND RESPONSIBILITIES

Board of Management's Responsibilities

- Provide a comfortable, safe environment;
- Support the principal and staff in implementing the code;
- Ratify the code.

Principal's Responsibilities

- Promote a positive climate in the school;
- Ensure that the Code of behaviour is implemented in a fair and consistent manner;
- Arrange for a review of the code, as required.

Teacher's responsibilities

- Support and implement the school's code of behavior;
- Recognise and affirm good work;

- Be courteous, consistent and fair.

Parent/guardians' responsibilities

- Be familiar with the Code of behaviour and support its implementation;
- Cooperate with the school where their child's behaviour is causing difficulties;
- Communicate with the school anything which may affect child's progress/behavior.

Ancillary Staff

- To cooperate with the principal and teachers in the implementation of the code.

Pupils' responsibilities

See Appendix 1.

SUCCESS CRITERIA

- Children, parents, staff and BOM will be aware of the code of behavior;
- Positive school atmosphere;
- Observation of good behaviour on the school campus;
- Assessment in the form of staff feedback will take place at staff meetings.

RATIFICATION

The revised policy was brought to the BOM December 2023 BOM meeting for ratification. The revised policy take immediate effect.

TIMEFRAME FOR REVIEW

Staff will review the effectiveness of the policy on an ongoing basis but especially at year end and change as deemed necessary. Parents and pupils will be updated on any change to improve effectiveness.

Signed:


Chairperson

Date:

16/4/24

Signed:


Principal

Date:

16/4/24

APPENDIX SUMMARY

Appendix 1:

Pupils' Responsibilities

Safety: For my own safety and that of other.....

Appendix 2:

Procedure for Suspension/Expulsion as per N.E.W.B Guidelines 2008

Appendix 3:

Bus Éireann School Transport Code of behaviour

Appendix 4:

Complaints procedure

Appendix 5:

Behaviour Reflection Form

Appendix 6:

Individual Behaviour plan

PUPILS' RESPONSIBILITIES

Safety: For my own safety and that of others:

- (a) I should be careful coming to and going from school.
- (b) I should always walk while in school building.
- (c) I should remain seated at all times in class and while eating lunch.
- (d) I should never run in the school corridor and always show respect for my fellow pupils.
- (e) I should bring a note of explanation following absences.
- (f) I should never leave the school grounds without the permission of the teachers.

Caring for myself:

- (a) I should respect myself and my property, always keeping my school bag, books and copies in good order.
- (b) I should always be in school before the bell rings at 9.00 a.m.
- (c) I should show respect for my school and be proud to wear the school sweatshirt
- (d) I should always be aware of my own cleanliness.
- (e) I should always bring a sensible, nutritional lunch to school. Lollipops, chewing gums and glass bottles are not permitted.
- (f) I should always do my best in school by listening carefully, working as hard as I can and by completing my homework.

Caring for others:

- (a) I should be kind and respectful to teachers and fellow pupils by being mannerly and polite, by taking turns and by remaining silent and orderly in my class line.
- (b) I should behave well in class so that my fellow pupils and I can learn.
- (c) I should always keep my school clean by using the correct dustbins, abiding by the Green Flag Code – Reduce, Reuse, Recycle.
- (d) I should show respect for the property of my fellow pupils, the school building and grounds.
- (e) I should be truthful and honest at all times.

Bullying:

I should never bully others. I should never allow others to bully me, and if it happens I should tell my parents and my teacher. Bullying is always unacceptable.

PROCEDURE FOR SUSPENSION / EXCLUSION
AS PER N.E.W.B GUIDELINES 2008

10 SUSPENSIONS AND EXPULSIONS:
LEGAL AND PROCEDURAL REQUIREMENTS

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

10.1 The Legal Context

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

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

10.2 The responsibility of the Board of Management

The Board of Management should:

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

Time and Timeliness

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

Confidentiality

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

10.3 Fair procedures based on the principles of natural justice

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

Fair procedures have two essential parts:

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

The **right to be heard** means:

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

The **right to impartiality** means:

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

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

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

10.4 Applying fair procedures in school

In a school, fair procedures apply to:

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

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

The **principles** of fair procedures always apply, but the degree of formality required in implementing fair procedures will depend on the gravity of the alleged misbehaviour and on the seriousness of the possible sanction. The level of formality required, for example for a suspension of fewer than three days, would be less than that required in the case of a longer suspension or in circumstances that might lead to an expulsion.

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

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

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

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

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

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

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

10.5 Students aged eighteen years or more

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

10.6 Involving the 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.

11 SUSPENSION

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

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

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

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

11.1 Authority to suspend

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

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

Schools and colleges established or maintained by a VEC

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

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

11.2 The grounds for suspension

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

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

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

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

11.3 Determining the appropriateness of suspending a student

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

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

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

FACTORS TO CONSIDER BEFORE SUSPENDING A STUDENT

The nature and seriousness of the behaviour

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

The context of the behaviour

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

The impact of the behaviour

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

The interventions tried to date

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

Whether suspension is a proportionate response

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

The possible impact of suspension

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

Suspension as part of a behaviour management plan

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

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

11.4 Forms of suspension

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

Suspension during a State examination

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

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

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

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

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

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

Inappropriate use of suspension

Students should not usually be suspended for:

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

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

Rolling suspension

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

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

Informal or

Unacknowledged suspension

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

Open-ended suspension

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

11.5 Procedures in respect of suspension

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

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

Inform the student and parents

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

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

Give an opportunity to respond

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

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

school authorities to make a decision to respond to the negative behaviour. The school should record the invitations made to parents and their response.

Procedures in relation to immediate suspension

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

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

11.6 The period of suspension

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

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

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

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

The Board should formally review any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended

in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the *Education Act 1998* (see **11.7 Appeals**).

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

11.7 Appeals

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

Section 29 Appeal

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

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

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

11.8 Implementing the suspension

Written notification

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

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

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

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

Engaging with student and parents

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

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

11.9 Grounds for removing a suspension

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

11.10 After the suspension ends

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

Re-integrating the student

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

Clean slate

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

11.11 Records and reports

Records of investigation and decision-making

Formal written records should be kept of:

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

Report to the Board of Management

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

Report to NEWB

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

11.12 Review of use of suspension

The Board of Management should review the use of suspension in the school at regular intervals to ensure that its use is consistent with school policies, that patterns

of use are examined to identify factors that may be influencing behaviour in the school and to ensure that use of suspension is appropriate and effective.

KEY REQUIREMENTS: SUSPENSION

Applying the Guidelines means:

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

Ensuring the policy is widely communicated

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

Having fair procedures for investigation and decision-making

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

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

12 EXPULSION

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

12.1 Authority to expel

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

Schools and colleges established or maintained by a VEC

In the case of schools and colleges established or maintained by a VEC, the VEC itself holds the authority to expel. That authority may be devolved (under section 31 of the

Vocational Education (Amendment) Act 2001) by the VEC to the Board of Management of individual schools. In devolving authority to a Board of Management, the VEC should ensure that the scope of the authority given is in line with the provisions of these Guidelines, Articles of Management and/or Model Agreement and all relevant legal requirements.

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

12.2 The grounds for expulsion

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

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

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

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

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

‘Automatic’ expulsion

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

Expulsion for a first offence

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

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

12.3 Determining the appropriateness of expelling a student

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

FACTORS TO CONSIDER BEFORE PROPOSING TO EXPEL A STUDENT

The nature and seriousness of the behaviour

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

The context of the behaviour

- What are the circumstances of the incidents of serious misbehaviour (e.g. in class, in a particular teacher’s class, in the yard, in a group)?
- What factors may have triggered or provoked incidents of serious misbehaviour (e.g. bullying, cultural or family factors)?

- Are there any factors that may be associated with the behaviour (e.g. particular home circumstances, special educational needs)?

The impact of the behaviour

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

The interventions tried to date

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

Whether expulsion is a proportionate response

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

The possible impact of expulsion

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

Inappropriate use of expulsion

Expulsion should not be proposed for:

- poor academic performance
- poor attendance or lateness

- minor breaches of the code of behaviour.

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

12.4 Procedures in respect of expulsion

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

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

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

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

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

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

- inform the student and their parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion

- give parents and the student every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parents should be informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This also ensures that parents are very clear about what their son or daughter is alleged to have done. It serves the important function of underlining to parents the seriousness with which the school views the alleged misbehaviour.

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

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

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

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

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents have records of: the allegations against the student; the investigation; and written notice of the grounds on which the Board of Management is being asked to consider expulsion

- provide the Board of Management with the same comprehensive records as are given to parents
- notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- advise the parents that they can make a written and oral submission to the Board of Management
- ensure that parents have enough notice to allow them to prepare for the hearing.

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

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

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

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

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

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

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

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

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

Step 5: Consultations arranged by the Educational Welfare Officer

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

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

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

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

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

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

Step 6: Confirmation of the decision to expel

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

12.5 Appeals

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

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

The appeals process

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

12.6 Review of use of expulsion

The Board of Management should review the use of expulsion in the school at regular intervals to ensure that its use is consistent with school policies, that patterns of use

are examined to identify factors that may be influencing behaviour in the school, and to ensure that expulsion is used appropriately.

KEY REQUIREMENTS: EXPULSION

Applying the Guidelines means:

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

Ensuring the policy is widely communicated

Developing and documenting good practice in the use of expulsion

Having fair procedures for investigation and decision-making

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

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

BUS ÉIREANN DISCIPLINE AND PROCEDURES

General

Bus Éireann is responsible for the day-to-day operation of the School Transport Scheme under the general direction of the Department of Education and S. Bus Éireann is responsible for the discipline and safety of pupils while travelling on school buses.

Pupils availing of transport are expected to behave in a responsible manner having regard for their own safety, that of other passengers, the driver and other road users. In cases of misconduct, sanctions will be imposed by Bus Éireann. These have been agreed in consultation with the Department of Education and S and are set out below:

1. Misbehaviour

In the event of misbehaviour by pupils, such as failing to obey the instructions of the driver, not wearing their safety belt, etc., the school bus driver will:

- Seek an assurance from the pupil(s) that there will not be a repetition.
- If there is a recurrence, the driver may ask the Inspector to speak to the child.

The matter will be concluded at this point. If there is a similar recurrence after this procedure is exhausted, the matter will be treated as serious misconduct.

2. Serious Misconduct

- When the alleged misconduct is of a serious nature, the driver will report the matter to the Inspector, who will inform the local Bus Éireann Manager immediately and instructions will be given as to what action should be taken. The Inspector will also inform the school authorities of the position.
- The matter will be fully investigated by Bus Éireann personnel in consultation with the Transport Liaison Officer (T.L.O.)/ Chairperson of the Board of Management/ Principal and with the assistance of the school authorities.

Serious misconduct consists of behaviour which poses a threat to the safety and well-being of pupils, the driver, or the safe operation of the service generally. Intimidation of pupils, damage caused to fixtures and fittings on the vehicle or to the property of others, and behaviour which may endanger other road users is included in this definition. A pupil who disregards the instructions of the driver/Inspector or does not respond to discipline and continues to be a source of misbehaviour may likewise be charged with serious misconduct.

3. Procedure for Investigation of Serious Misconduct

In the event that there is a complaint of serious misconduct, the following procedures will apply:

- (a) Initial enquiries by the bus driver following an incident or complaint, involving speaking to students who travel on the bus, including the pupil(s) allegedly involved or the subject of complaint.

- (b) The bus driver will report the matter to the Inspector who will contact the principal(s) of the relevant school(s) to report the incident. The Principal(s) will assist by interviewing the student(s) who travel on the bus regarding the incident / complaint.
- (c) The Inspector and the Principal(s) will report the result of their interviews to Bus Éireann immediately for further investigation. Bus Éireann will give the pupil concerned all the details of the complaint made against him/her and inform him/her that there will be further investigation by Bus Éireann, without prejudice, and explain how the investigation will operate.

4. Investigation by Bus Éireann Personnel

The investigation by the Bus Éireann Inspector will involve:

- (a) Interviewing the bus driver.
- (b) Interviewing pupil(s) alleged to be involved in the incident/complaint in the presence of School Principal/Teacher or Parent or both.

The pupil(s) concerned will be given the opportunity to respond to the allegations at this interview. Pupil(s) will also be given an opportunity to make written submissions. Where applicable, written submissions should be made within one week of the alleged incident.

- (c) Interviewing other students who travel on the bus.

Details and statements will be recorded by Bus Éireann Personnel from students travelling on the bus where they had witnessed an incident. Students will be made aware of the consequences of giving false or misleading information, intentionally or otherwise.

Pupils may be interviewed separately, or as a group, to establish the veracity of the account of the incident/complaint. All interviews should be conducted with sensitivity and with due regard to the rights and confidences of all parties concerned.

The Garda Authorities will be informed where deemed necessary, and full co-operation will be given in any further investigation.

5. Sanctions

Once the investigation has been concluded and the pupil(s) responsible identified, the following sanctions may be imposed:**

- (a) Pupil warned as to future conduct.
- (b) A written undertaking requested from pupil(s)/parent(s) that the pupil will not again misbehave himself/herself on the undertaking that if the pupil does not comply with the undertaking more serious measures will be considered, up to and including the withdrawal of the travel permit.
- (c) Withdrawal of the travel permit for a specified period or permanently, at the discretion of the Bus Éireann Manager.

In instances where a permit is being withdrawn, the pupil will be allowed to travel home on the service and parents / guardians will be advised of the circumstances by Bus Éireann.

In circumstances where a permit is being withdrawn and written confirmation is not immediately available, details of the sanction imposed will follow within seven days.

Where it is not possible to identify the culprits, having investigated the incident with the assistance of the T.L.O. and school authorities, it may be necessary to withdraw the service for a period, for example, in cases where there is:

- (i) Danger to pupils, drivers and other road users
- (ii) Severe damage to the vehicle, where the vehicle will have to be repaired, including damage to the seat belts or fixtures.

**** If, in the opinion of Bus Éireann, the misconduct is of a sufficiently serious nature which compromises the safety of pupils or the safe operation of the service, Bus Éireann may take immediate action to suspend the individual(s) concerned from transport while investigation is still underway.**

6. Appeal Procedures

The decision of the local Bus Éireann Manager to withdraw service or travel permit may be first appealed to:

The Manager, School Transport, Bus Éireann, Broadstone, Dublin 7

The written appeal should be accompanied by factual evidence. Bus Éireann will record such appeals.

School Transport Appeals Board

Appeals against decisions made by, or on behalf of, the Department of Education and Skills regarding the provision of school transport services and/or grant-aid under the terms of the School Transport Schemes
or

Appeals against decisions made by Bus Éireann, following the conclusion of any appeal procedures provided for under the *Guidelines for Discipline and Procedures for Dealing with Alleged Misbehaviour on School Transport* may be submitted to The School Transport Appeals Board.

Application Forms for the School Transport Appeals Board are available at www.education.ie and together with any other relevant documentation, should be sent to:

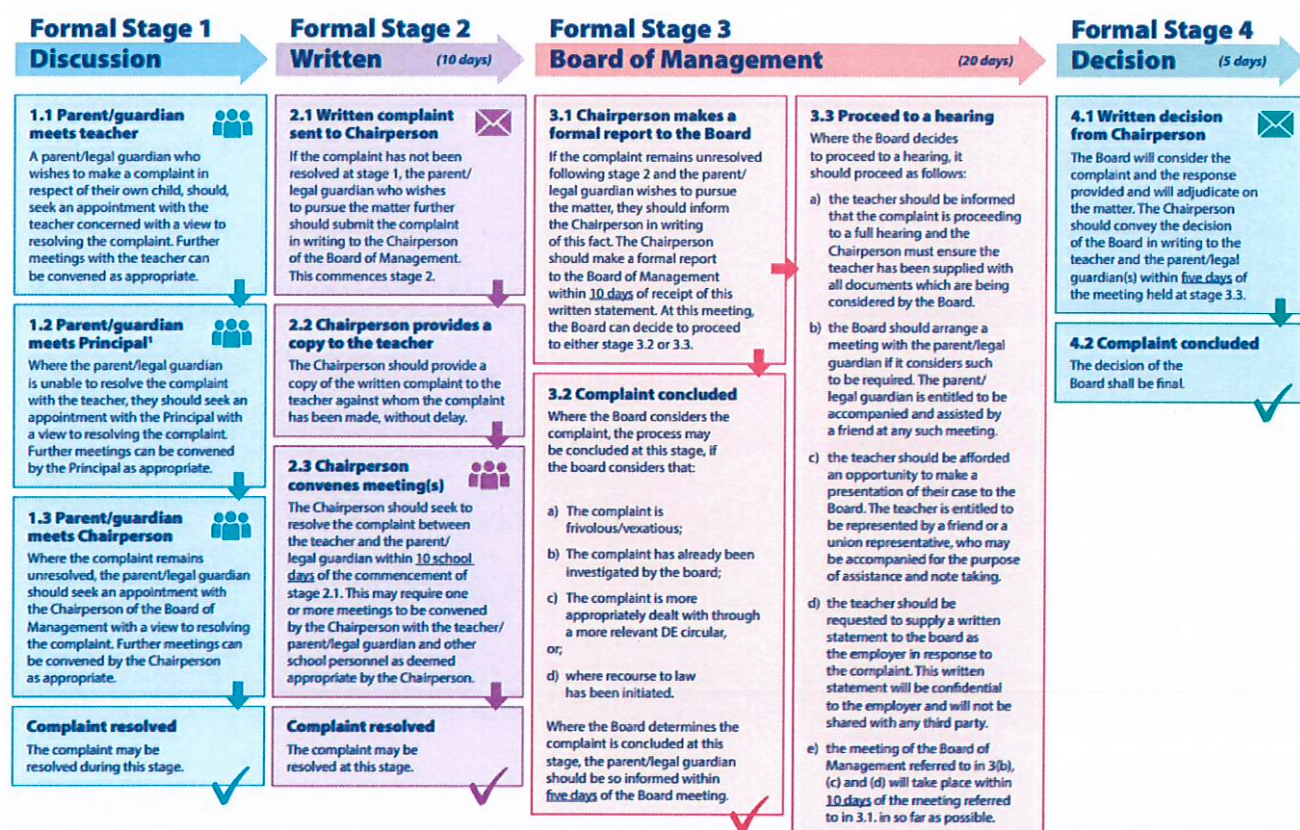
**The School Transport Appeals Board
c/o Department of Education and Skills,
Portlaoise Rd., Tullamore, Co. Offaly.**

The School Transport Appeals Board will not examine cases deemed by Bus Éireann to involve serious misconduct or behaviour which poses a threat to the safety and wellbeing of pupils and/or the driver or to the safe operation of the service generally. Such cases may only be appealed to The Manager, School Transport, Bus Éireann.

COMPLAINTS PROCEDURE

INTO/CPMSA COMPLAINTS PROCEDURE GUIDELINES FOR PRIMARY SCHOOLS

The parental complaints procedure was revised and agreed by the Irish National Teachers' Organisation and the management bodies of primary schools, the Catholic Primary Schools Management Association, the Church of Ireland, An Foras Pátrúnachta, the Muslim Primary Education Board, Educate Together and the National Association of Boards of Management in Special Education in 2023. It is designed to provide an open and clearly defined process to facilitate parents/legal guardians in raising concerns about their own child/children in an agreed, fair and transparent manner. It is recognised that parents/legal guardians are the primary educators in a child's life and as such from time-to-time concerns may arise which they may need to engage with the school. It is expected that engagement will be timely, courteous and resolution focused to ensure that the important relationship between the parent and school can be preserved and respected. It is expected that all parties concerned will engage proactively.



¹Where a complaint is received about a principal the above process commences at Stage 1.2.

Behaviour Reflection – Junior Pupils

What happened?

How did I feel?



mad



sad



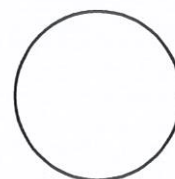
worried



tired



scared



other

How can I make it right?

☐

apologise

☐

clean up

☐

fix what's broken

☐

other

What will I do differently next time?

☐

walk away

☐

tell a teacher

☐

count to 10

☐

other

Teacher _____

Parent/guardian _____

Date _____

Behaviour Reflection – Senior Pupils

The school rule I chose not to follow:

What happened

My reasons

What I could have done differently

Pupil signature

Parent/guardian signature

Teacher signature

BEHAVIOUR PLAN

| | | |
|----------|--|--------|
| Name: | | Class: |
| Teacher: | | Date: |

| |
|--|
| 1. Negative Classroom Behaviours |
| |
| |
| 2. When / Why is behaviour occurring |
| |
| |
| 3. Desired behaviours |
| |
| |
| 4. Things that teacher can do to help build relationship with child |
| |
| |
| 5. Proactive strategies |
| |
| |
| |
| 6. Specific labelled praise |
| |
| |
| 7. Specific reinforcers used |
| |
| |
| 8. Strategies for managing minor disruptions |
| |
| |
| 9. Timeout and other consequences |
| |
| |
| Date of Review |
| |

COVID-19 Regulations and Routines now form part of the Code of Behaviour Policy as outlined in the COVID-19 Response Plan.