

# Code of Behaviour

**Ratified by BOM 2023**

**St. Joseph's NS, Kilcock**



## **Introduction**

Our school motto states: ***'Success for all, a happy school; learning and growing together.'***

Our School Behaviour Policy has been developed in the context of a supportive and caring environment in which we endeavour to teach our children to take responsibility for their actions. We also take every opportunity to recognise the positive qualities in every child and to celebrate improvement and achievement. In St. Joseph's N.S. a high standard of behaviour is expected at all times. Together we create a happy environment where the children will learn to respect themselves, others and their environment. These are the cornerstones of the Pupil Behaviour Policy and inform all aspects of the way the Policy is implemented in our school. Our Code focuses on and affirms good behaviour. It rewards the huge majority of pupils who display positive standards of behaviour at all times.

Our Code of Behaviour is called ***Discipline for Learning*** and has been reviewed in line with the N.E.W.B. Guidelines 'Developing a Code of Behaviour – Guidelines for Schools' (2008). The following legislation is relevant to the creation of our Pupil Behaviour Policy

Article 42 of the Irish Constitution  
United Nations Convention on the Rights of the Child  
Education Act 1988 - Sections 28 & 29  
Education (Welfare) Act 2000 - Section 23  
Equal Status Act 2000  
Ombudsman for Children Act 2002  
Non-Fatal Offences against the Person Act, 1997  
Disability Act  
Health and Safety Legislation  
Data Protection Act 1988  
Data Protection Amendment Act 2003

### **Aims:**

This policy aims to:

- Create a climate that encourages and reinforces good behaviour
- Create a positive and safe environment for teaching and learning
- Encourage pupils to take personal responsibility for their learning and their behaviour
- Help our pupils to mature into responsible participating citizens
- Recognise the integral role of building self-esteem in pupils
- Build positive relationships of mutual respect and mutual support among students, staff and parents, promoting values of Respect, Courtesy and Responsibility appropriate to the age level of the children.
- Ensure that the school's high expectations for the behaviour of all the members of the school community are widely known and understood.
- Take account of the needs of the teachers, children, parents and wider community.

### **Guiding Principles:**

- Courtesy, respect & responsibility are qualities which underline all interactions between staff, parents, pupils and visitors.
- Clarity: The Code of Behaviour describes the school's expectations about how each member of the school community (students, staff and parents) will help to make the school a good place for teaching and learning.
- Everyone's behaviour matters: We recognise that the behaviour of adults has a significant influence on how children behave
- High expectations are encouraged and good behaviour is promoted.
- We seek to balance the educational needs of individual pupils with the educational needs of other pupils.
- Relationships: We understand that positive relationships are crucial to positive discipline
- Equity and Fairness
- Equality
- Recognising educational vulnerability: providing positive support, including active teaching of relevant skills, for those pupils who are more vulnerable to behaviour problems
- The Welfare of Pupils and Staff
- Promoting safety and freedom from threat.

### **Overview of our Code of Behaviour (Discipline For Learning)**

Each class uses the class dojo system from first class upwards and they are eligible to receive a minimum **of 3 points per day**. This means that each child is afforded at least three opportunities to receive a dojo point daily. We put the ownership of the behaviour firmly where it belongs - which is with the child. We encourage them to take ownership of their behaviour rather than blaming others for their action. As they receive their dojo points they receive awards from either the Principal or the class teacher at an agreed time. Examples of awards are: Homework Passes, Uniform Passes, Special Item Passes, Lunch Passes, etc. Teachers should be consulted as to when Passes are used.

We particularly celebrate and treasure children who continuously behave and rarely, if ever, break the School Rules. We award special prizes for them. Pupils who do not receive any step for four consecutive weeks get additional prizes called '**Four-in-a-Row**' and receive Master Passes which in turn can be traded as any pass of their choice

The School rules will be formally taught to the children in September of each year by their class teachers. Details of our rules and sanctions are available in the code of behaviour policy on the school website. Sanctions are imposed on children who deliberately chose to misbehave and break the school rules. However, as we are concerned with modifying behaviour and encouraging good behaviour/choices, they start fresh each Friday.

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**The standards of behaviour that shall be observed by each pupil attending the school.**

Our Golden Rules cover all situations within our school including classroom and Playground areas. Individual Classes may run an individual system that complements the School Code of Behaviour. The rules refer to the following specific areas: Talking, Movement, Time, Pupil-adult relationships, pupil-pupil relationships and the environment.

- 1. Be silent when asked, Whisper at a task. Talk when allowed but never out loud.**
- 2. Be where you should, Move as you should.**
- 3. Time - Use it, Don't lose it!**
- 4. In all you say and in all you do treat others as you ought to do.**
- 5. Bully not, share a lot. Give back what you got.**
- 6. A litter free school is so cool, Wear what's allowed; Make St. Joseph's proud.**

However, when a pupil chooses to break the rules the following sanctions will be imposed:

**School Sanctions 1<sup>st</sup>-6<sup>th</sup> class** (*children start fresh every Friday morning with zero Steps*)

- 1. Move to 'Time Out' chair (one mon per year/age)**
- 2. Forfeit 10 minutes of Golden Time**
- 3. Forfeit 20 minutes of Golden Time**
- 4. Phone call home**
- 5. Forfeit Golden Time**
- 6. Meet/See the Principal.**
- 7. Case conference with pupil, class teacher, principal and parents/guardians**
- 8. Whole day time out (and/or suspension)**

**Infant Awards & Sanctions**

**Awards:** Individual and team award systems operate within each infant room, every day and every child will have an opportunity to receive these awards. These are organised by each individual teacher as it is felt that each teacher knows what their particular pupils will respond to.

**Sanctions:** Each Infant class will have a Sanction system which incorporates a 'sun' where all pupils names will be placed there each morning and 'it's good to be in the sun'! When pupils choose to misbehave inappropriately then the following steps will be taken:

**Step 1: A verbal warning:** This will be given to the pupils, and visually represented by their name being placed in the warning area.

**Step 2: Time out in class - 4 mins, in class, on a 'Time out Chair'.** Once the four minutes are up, the pupil and teacher will discuss what happened and why they were placed there. This will also be represented by their name being placed in the 'Timeout Zone'. Once completed the pupil is placed back in the 'sun' and moves forward with positive re-enforcement.



**Step 3: Time out in class (5 mins):** If child ends up in timeout again, on the same day, the time is increased to 5 mins.

**Step 4: Send for Principal Teacher.** If child ends up on timeout again, on the same day, the time is increased to **10 minutes**. This 'timeout' will take place **with the principal**, (or if principal is not available, deputy principal). The principal will discuss the child's behaviour with child. Afterwards, the **parents will be informed and invited** in to discuss an **Individual Behaviour plan**. This plan will be created in conjunction with the teacher, parent, child and principal teacher

**Notes:**

- *Sanctions should be appropriate to, and related to the behaviour, if possible.*
- *Sanctions should be applied in accordance with the code, be fair and consistent.*
- *They should be appropriate to the age and development of the child.*
- *The purpose is to educate not to punish. (We want your child to choose to behave properly.)*
- *Always explain to a child why a sanction is being imposed.*
- *Time out in the playground should last for around 5 minutes.*
- *Time out in the playground relates to behaviours which occur in the playground only.*

The BOM reserve the right to suspend any child on reaching Stage 8 for up to 3 days in any one period but extending to 5 days in any one period, if deemed appropriate. Also, please note **that pupils will be suspended by the BOM for a single instance of serious misbehaviour such as threatening violence or violent actions towards other pupils or staff.** (See attached Appendix 2). Occasionally, the BOM may deem it necessary to **expel a pupil** and the NEWB Guidelines 2008 will be followed in detail should that situation arise (see Appendix 3).

**Plan for implementing behaviour policy:**

- Individual Behavioural Plans should be implemented in the classroom and recorded.
- The rules are taught to, and discussed with the children in each class. Each classroom has a Class copy of the Rules and they are also printed in pupil Journals.
- These rules, and consequences, will be discussed repeatedly with the children. Children who follow the rules will be rewarded informally and formally.
- These rewards will include teacher remarks, praise from others, notes home etc.
- The formal reward system consists of giving dojo points to those children who follow the rules. As the children acquire dojo points they will be entitled to get lunch pass, uniform pass, a night off homework and Certificates.
- Our Code of Behaviour is included in the School Prospectus which each parent receives on enrolling their child in St. Joseph's NS. They will also be available on our school website.

## **Promoting Positive Behaviour**

### **In the Classroom:**

- Our Anti-Bullying Charter (Appendix 1) is taught and displayed inside the front door of the school.
- Children should be fully aware of what behaviour is expected of them. The Class Rules should be taught to the children and referred to on an ongoing basis (outcomes must be clearly understood: both rewards and sanctions). Teachers should apply these rewards and sanctions in a fair and consistent way.
- Good preparation – Teachers have the necessary materials or equipment for class e.g. P.E. activities, Art, Music, photocopying, etc.
- Establish clear procedures e.g. for lining up, moving through the school, lunches, toilets, messages etc.
- Differentiate – take account of different learning styles, ability levels and Special Education Needs.
- Have work available for children who are finished early activities or work for wet days, and work in case you are absent for any reason.

### **In the Playground:**

- Regularly remind children what behaviour is expected of them. The Rules for the Playground should be taught to the children and referred to on an ongoing basis (outcomes must be clearly understood - both rewards and sanctions). Teachers should apply these rewards and sanctions in a fair and consistent way.
- Each teacher should make sure that all the children leave the class and walk to the playground in a quiet, orderly fashion. Children should be organised to hold the doors open, turn off lights and close any unclosed doors as they pass.
- Teachers on duty should make sure that their class go out to the playground first, to ensure that the playground is supervised at all times.
- The teacher on duty in the chill zone should ensure that the playground gates are closed.
- Teachers should instruct children on how to line up properly e.g. a leader may be appointed from each class to stand first in line on the playground when the classes are lining up.
- Teachers on duty returns to their own pupils when second bell rings.
- Classes should be collected from the playground promptly by their teacher, to avoid the children becoming bored and restless.
- Games have been painted on the playground. Games should be taught to the children as part of the P.E. program.
- Infringements in the Playground are usually dealt with by the teacher on Duty and immediate sanction imposed by issuing a 'Time Out' for the particular pupil for a few minutes, depending on the severity of the infringement.

### **Throughout the school:**

- All staff, children, parents and visitors are expected to model respect, courtesy and responsibility.



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- All staff, children, parents and visitors are expected to follow school procedures and act in accordance with the rules of the school.
- Responsible children should be sent on messages in pairs. The children should be taught how to 'do' a message.
  - Have their teacher's permission.
  - Hold doors for adults and use suitable greetings.
  - When going into a classroom knock and enter.
  - Do as they are told by all staff, including teachers, caretaker, SNA, secretary etc.
  - If the adult is not there to give them the message, return to class.
- All adults in the school should be aware of the expected behaviour and monitor it.
- Children should never be out of their classroom without their teacher's permission.
- Tasks, which are assigned to children, should be suitable for their age and capability. They should never be asked to carry hot liquids, heavy or dangerous objects etc. Children should return directly to their class if they are unable to complete their task.
- A teacher should always lead a class when the class is moving around the school.
- Children should be quiet and mannerly at all times in the corridors.
- Notices will be placed around the school to remind the children of these rules.
- When a teacher is absent from their class during 'indoor' break-times, the children should be left with suitable activities and games.
- In the event of a teacher's absence they should inform their 'buddy' to cover their Duty. The 'Buddy System' should not exceed more than 2 weeks. After that time, an emergency Rota will be established to include all teachers.
- Differentiate for children with Special Education Needs when explaining rules.

**Informal Rewards:**

These are at the discretion of the class teacher and include:

- Praise – (a positive comment from a significant adult can have a tremendous effect on a pupil)
- Sending the child on messages or giving him/her responsibilities in the class etc.
- Write a good comment in the Homework copy.
- Give positive feedback for effort.
- Send the child to Principal for a word of praise.

**Formal Rewards:**

- 1<sup>st</sup>-6<sup>th</sup> class are awarded class dojo points and children receive 'Passes' as rewards such as Homework, Uniform, Lunch, Board Game, Computer, Art, Library etc.
- The class teacher manages a child's behaviour through appropriate classroom management strategies.

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- Concerns are articulated and recorded and discussed with parents. Steps include drawing up class support checklists and class support plans – the child then falls under the continuum of support model i.e. in-class support, school support or school support plus (i.e. referral to outside agencies)

This review of our Code of Behaviour will be reviewed at Senior Management level and ratified by the Board of Management. This amended copy will subsequently be disseminated throughout the school to staff and parents via email, Prospectus, Newsletter and our website.

**Review Procedure**

This policy may be reviewed as part of ongoing review procedures or when deemed necessary.

This Policy was ratified by the Board of Management on 30/11/23.

Signed: [Signature]  
Chairperson BOM

30/11/23  
Date

Signed: [Signature]  
Principal

30/11/23  
Date



**The school adopts a zero tolerance to bullying.**

Sadly, bullying is a factor of school life throughout Ireland and the world and we would be foolhardy and naïve to think we don't have bullies in our school. The culture and ethos of St. Joseph's is such that we are a 'Telling School.' It is safe for children and their parents/guardians to tell about problems/difficulties. Often it only requires a minor intervention to solve a problem but if parents don't inform us we can't act. It is not only your right but your duty to protect your child. We treat any information you share with us with the utmost confidentiality and will endeavour to do our utmost to protect the children in our care.

**It is the right of every individual in St. Joseph's N.S. to:**

**Be treated with respect.**

**Feel safe in school.**

**Feel safe coming to and going from school.**

**What is Bullying? *Bullying is repeated aggression, verbal, psychological or physical, conducted by an individual or group against another.***

Unkind actions, comments or remarks, even if they were not meant to hurt will not be tolerated. A policy of "Don't hurt me or my feelings" prevails throughout the school. Bullies are wrong, unwelcome and unpopular. Bullying must be reported and will be dealt with seriously. We ask pupils to "Say no, get away and tell an adult"

Please encourage your children to tell and not to retaliate. Any incident of bullying must be taken seriously. Concerns should be discussed with the Class teacher initially and subsequently with the Principal. If anyone in St. Joseph's NS chooses to bully another they know there will be serious consequences and strict sanctions will be imposed.

**Please help us to keep St. Joseph's a safe place for all. Ensure you communicate with your child, your child's teacher and the Principal on a regular basis**

## **Appendix 2: Suspension**

**This Appendix is directly in line with NEWB Guidelines for developing a Code of Behaviour (2008).**

Suspension is defined as **'requiring the pupil to absent himself/herself from the school for a specified, limited period of school days'** (NEWB, 2008, p. 70).

The school staff are guided by values of respect (for self and others), kindness and willingness to help others, courtesy, fairness, respectful ways of resolving difficulties and conflict, forgiveness.

Suspension should be a proportionate response to the behaviour that is causing concern. The school follows the 'Continuum of Support Model' which involves staff using a staged approach of interventions to manage challenging/difficult behaviour. Individual Behavioural Plans will be accommodated in classrooms if the behaviour has not been modified by the classroom/school Code of Behaviour.

Where used, Suspension is designed to:

- Provide respite for staff and pupil – giving the pupil time to reflect on the link between their action and its consequences.
- Give staff time to plan ways of helping the pupil to change unacceptable behaviour.

In terms of behaviour management suspension should:

- Enable the school to set behaviour goals with the pupil and parent
- Give staff a chance to plan other interventions
- Impress on the pupil and his/her/ parents the seriousness of the behaviour.

### **Role of the Board of Management and the Principal.**

The Board of management has the authority to suspend a pupil. This authority has been formally delegated to the Principal, in writing.

The maximum number of days that the **Principal may suspend a pupil without reference to the board is 3 (three days)**. Where it is proposed to suspend for more than 3 days, the matter should be referred to the Board of Management for consideration and approval, giving the circumstances and expected outcomes. The Board may 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.

A child may not be suspended for a period of more than 10 days on any one occasion.

The Board should formally review any proposal to suspend a pupil, where the suspension would bring the number of days for which the pupil 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.

A decision to suspend a pupil requires serious grounds such as:



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

A child may be suspended for Very Serious / Gross Misbehaviour. This includes:

1. Swearing at a member of staff, parent or visitor to the school.
2. Serious assault on another child or adult.
3. Out of control behaviour which endangers self or others.
4. Bullying.
5. Deliberately disobeying reasonable instructions of a teacher/staff member.
6. Deliberate damage to school property.
7. Stealing: from class, from other children, from teacher.
8. Leaving school without permission
9. Truancy

### **Factors which are considered before suspending a pupil**

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 pupil?
- 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 pupils and staff affected by the pupil'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 pupils or teachers?
- Does the pupil 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? (Refer to Support Teacher)

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- Is the pupil or parent involved with any support service and has this/her agency or support service been asked for help in solving this/her 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 pupil'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 pupil?

The possible impact of suspension

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

## Forms of Suspension

### **Immediate Suspension:**

In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the pupil in the school at the time would represent a serious threat to the safety of pupils or staff of the school, or any other person.

Fair procedures must be applied.

A preliminary investigation should be conducted to determine the case for imposing suspension. A formal investigation should follow the imposition of the suspension.

### **Suspension following Investigation:**

Where a preliminary assessment of the facts confirms serious misbehaviour that could warrant suspension, the school:

- informs the pupil and their parents about the complaint
- gives parents and pupil an opportunity to respond
  - to give their side
  - to make a case for lessening the sanction
  - to explore how best to address the pupil's behaviour

Records of invitation to attend meetings relating to suspension are kept. Where parents fail to attend such a meeting they are informed in writing of:

- the gravity of the matter,
- the importance of attending a re-scheduled meeting and
- the duty of the school to respond to the negative behaviour.

All correspondence relating to issues of suspension are retained in the pupil's file.

**Rolling Suspensions:** A pupil will only be suspended after returning to school if :

- 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 pupil.

**Informal or Unacknowledged Suspension** Any exclusion imposed by the school is a suspension, and should follow the Guidelines relating to suspension.

**Open-ended suspension:** Pupils cannot 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.

## **Implementing the suspension**

### **Written notification**

The Principal notifies the parents and the pupil in writing of the decision to suspend. The letter confirms:

- 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 pupil 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 Science (Education Act 1998, section 29).

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

## **Appeals**

Parents are given an opportunity to appeal the Principal's decision to suspend a pupil to The Board of Management. In the case of decisions to suspend made by the Board of Management an appeals process may be provided by the Patron. See *Department of Education website Department of Education Website [www.education.ie](http://www.education.ie). Look for Circular M48/01 - Appeal Procedures Under Section 29 of the Education Act, 1998.*

### **Section 29 Appeal**

Where the total number of days for which the pupil has been suspended in the current school year reaches twenty days, the parents 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 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.

## **Grounds for removing a suspension.**



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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.

**Notes:**

*Where a pupil is suspended the class teacher should have a plan to help the pupil catch up on work missed. When any sanction, including suspension, is completed, the pupil 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 expects the same behaviour of this pupil as of all other pupils.*

**Records and reports**

The following formal written records are kept in the Pupils file:

- the investigation (including notes of 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 reports all suspensions to the Board of Management, with the reasons for, and the duration of each suspension.

**Report to NEWB**

The Principal reports suspensions in accordance with the NEWB reporting guidelines (Education (Welfare) Act, 2000, section 21(4)(a)).

**Re-integration into school**

After a period of suspension both pupil and parents will be requested to attend a meeting with the Principal (& Chairperson, if deemed appropriate) to discuss how to help the pupil re-integrate into school life. It may be considered to commence with shorter days for the pupil and gradually build up the day for him in an effort to allow him to feel success in school. The sole purpose to to re-gain confidence for the pupil and other boys and staff.

**Review of use of suspension**

It should be noted that to date suspension is rarely ever used in this school.

However, the Board of Management commits to reviewing the policy relating to suspension to ensure that it is consistent with national guidelines

The Board commits to examine occasions where suspension is used. This ensures that the patterns of such 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.

## Appendix 3: Expulsion

*'A pupil 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'.*

The authority to expel a pupil rests solely with the Board of Management of the school.

Expulsion is used only as a proportionate response to the pupil's behaviour. Expulsion of a pupil is a very serious step, and is only taken by the Board of Management in extreme cases of unacceptable behaviour.

Prior to considering expelling a child the school takes significant steps to address the misbehaviour to avoid expelling a pupil including, as appropriate:

- Meeting with parents and the pupil to try to find ways of helping the pupil to change his/her/her behaviour
- Making sure that the pupil understands the possible consequences of his/her/her 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 pupil requires serious grounds such as that:

- The pupil's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process
- The pupil's continued presence in the school constitutes a real and significant threat to safety
- The pupil 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, the school has tried a series of other interventions, and believe all possibilities for changing the pupil's behaviour have been exhausted.

A decision to impose expulsion would only be taken by the Board following due process and fair procedures.

The kinds of behaviour that might result in a proposal to expel include:

- A serious threat of violence against another pupil or member of staff
- Actual violence or physical assault



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Factors the Board considers before deciding to expel a pupil.

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 pupils and staff affected by the pupil'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 pupil or parent involved with any support service and has this/her agency or support service been asked for help in solving this/her 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 pupil to change their behaviour?

Whether expulsion is a proportionate response.

- Is the pupil'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 pupil?

The possible impact of expulsion

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

### **Procedures in respect of expulsion**

The school is required by law to follow fair procedures as well as procedures prescribed under the Education (Welfare) Act 2000, when proposing to expel a pupil.

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.

**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 will:

- Inform the pupil 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 pupil every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.

Parents are informed in writing of the alleged misbehaviour and the proposed investigation in order to have a permanent record of having let them know. This/her 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 pupil will be given 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 pupil and their parents will be organised. This/her 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 pupil's behaviour.

Where a pupil and his/her/parents fail to attend a meeting, the Principal will 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 records 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 pupil that the Board of Management is being asked to consider expulsion.
- Ensure that parents have records of: the allegations against the pupil; 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 pupil).

Where a Board of Management decides to consider expelling a pupil, 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 they are, and are seen to be, impartial as between the Principal and the pupil. Parents may wish to be accompanied at hearings and the Board should facilitate this/her, 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 pupil should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this/her opinion. (Education (Welfare) Act 2000, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The



pupil cannot be expelled before the passage of twenty school days from the date on which the EWO receives this/her 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 pupil should be expelled, the Educational Welfare Officer must:

- Make all reasonable efforts to hold individual consultations with the Principal, the parents and the pupil, 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 pupil 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 pupil, those concerned should come together with the Educational Welfare Officer to plan for the pupil's future education.

Pending these consultations about the pupil's continued education, a Board of Management may take steps to ensure that good order is maintained and that the safety of pupils is secured (Education (Welfare) Act 2000, s24(5)). A Board may consider it appropriate to suspend a pupil during this/her time. Suspension should only be considered where there is a likelihood that the continued presence of the pupil during this/her time will seriously disrupt the learning of others, or represent a threat to the safety of other pupils 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 pupil should be expelled, the Board of Management should formally confirm the decision to expel (this/her task might be delegated to the Chairperson and the Principal). Parents should be notified immediately that the expulsion will now proceed. Parents and the pupil 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 pupil.

### **Appeals**

A parent 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 pupil.

### **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). Further details about the Appeals process, including requirements for documentation, and the steps in the process, can be obtained by referring to current DES guidance.

### **Review of use of expulsion**

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

Reviewed and ratified by Board of Management:

30/11/23



*St. Joseph's NS, Kilcock, Co. Kildare.*



