

CCMS Scheme for the Suspension and Expulsion of Pupils

FUNDAMENTAL PRINCIPLES

The Council for Catholic maintained Schools (CCMS) considers that the following fundamental principles should underpin the discipline policies in Catholic maintained schools:

1. Parents have a duty to ensure that their children receive suitable, efficient and full-time education by regular attendance at school.
2. Every pupil has a right to be educated in accordance with the relevant statutory provisions.
3. When a pupil fails to meet the minimum required standards of behaviour, the school is entitled to impose such sanctions as are outlined in the school discipline policy which may include suspension, and, if necessary, expulsion.
4. The expulsion of a pupil is the most serious disciplinary action that can be applied and in normal circumstances should be considered only after all reasonable courses of action have been explored.
5. All matters of a disciplinary nature should be imbued at all times with the moral precepts which form and maintain the ethos of Catholic education in our schools.

THE STATUTORY REQUIREMENT

The legal position for Catholic maintained schools is set out in Article 146 of the Education Reform (Northern Ireland) Order 1989 which provides as follows:

"The Council for Catholic Maintained Schools shall prepare a scheme specifying the procedures to be followed in relation to the suspension or expulsion of pupils from Catholic maintained schools".

Under the provisions of the Education Reform (NI) Order 1989 and the Education and Libraries (NI) Order 1993 and in the pursuance thereof and of the regulations contained in (SR No.99) 1995 or any statutory modification thereof, the CCMS hereby makes the following Scheme for the suspension and expulsion of pupils attending Catholic maintained schools.

SUSPENSION

The suspension of a pupil from school is a severe sanction which can only be proposed where the pupil's behaviour is presenting serious difficulties to the school and where suspension is considered to be in the best interests of the school/pupil.

In normal circumstances, suspension should only be considered after reasonable attempts have been made to modify the pupil's behaviour in the school.

REGULATIONS GOVERNING SUSPENSION

Normal Circumstances

1. A pupil may be suspended from the school only by the Principal.*
2. An initial or subsequent period of suspension shall not exceed five school days.
3. Where a suspension is to be extended notification of, and reasons for, the extension shall be sent in writing to the parent/guardian before the expiry of the current suspension.
4. A pupil may be suspended from school for not more than 15 school days in any one term (SR No.99, 1995).
5. Notification of suspensions must be given to the parent/guardian of the pupil, to the Chairman of the Board of Governors, to the local Diocesan Administrator of CCMS and to the designated officer of the local Education and Library Board.

* "Principal" includes, where the Principal is absent or otherwise unavailable, the Vice-Principal or other person for the time being performing the duties of Principal.

Exceptional Circumstances

In exceptional circumstances and because of the grave nature of, or the gross extent of any behaviour, a pupil may be suspended immediately.

1. The Principal must ensure that in such cases steps are taken for the safe delivery of the pupil so suspended to the parent/guardian or if he/she is not available to a person who in the reasonable opinion of the Principal, or his/her nominee will be able to accept responsibility for the custody of the pupil.
2. In the case of such suspension the pupil shall be regarded by the school as being in the care of the parent/guardian as soon as he/she leaves the school premises or, if appropriate, is delivered into the custody of the parent/guardian or to a person who accepts responsibility for him/her.
3. Notification of suspensions must be given to the parent/guardian of the pupil, to the Chairman of the Board of Governors, to the local Diocesan Administrator of CCMS and to the designated officer of the local Education and Library Board.

IN BOTH NORMAL AND EXCEPTIONAL CIRCUMSTANCES THE FOLLOWING PROCEDURES MUST BE FOLLOWED

PROCEDURES GOVERNING ALL SUSPENSIONS

Where a pupil is suspended from school, whether initially or by way of extension to an existing suspension, the Principal must immediately:

1. Give written notification of the reasons for the duration of the suspension to the parent/guardian of the pupil, the Chairman of the Board of Governors, the local Diocesan Administrator of CCMS, and to the relevant designated officer of the Education and Library Board.

2. Inform the parent/guardian that his/her child shall be regarded by the school as being in his/her care from the end of the school day in which suspension takes effect and for the duration of the period of suspension and of any renewal thereof. (In the case of suspension in Exceptional Circumstances Para. 2 above will apply).
3. Ensure that the letter informing the parent/guardian of the suspension is delivered to the parent/guardian as soon as is practically possible, and if at all possible on the same day as the suspension is imposed. A copy of this letter must be forwarded by first class post, with proof of posting, on the same day to the parent/guardian.
4. Inform the parent/guardian that during the period of suspension work for the child will be available for collection at the school.
5. Invite the parent/guardian to visit the school to discuss the pupil's behaviour.

EXPULSION

The expulsion of a pupil from a catholic maintained school is the most serious disciplinary action that can be applied to a pupil. The Council for Catholic Maintained Schools would want the expelling Board of Governors to be satisfied that the reasonable options and alternative strategies had been considered before it makes its final decision.

REGULATIONS GOVERNING EXPULSIONS

1. A pupil shall not be expelled from school otherwise than by the Board of Governors.
2. A pupil may be expelled from school only after serving a period of suspension.
3. The decision whether or not to expel a pupil from school shall be made only after:
 - (i) Consultation has taken place between the Principal, parent/guardian of the pupil, a duly authorised officer of the CCMS, the Chairman of the Board of Governors of the school and a duly authorised representative of the relevant Education and Library Board. These consultations shall include consideration of the future provision of suitable education for the pupil concerned.
 - (ii) An opportunity has been offered to the parent/guardian of the child to make representation to the Board of Governors in relation to the pupil and the circumstances surrounding possible expulsion. In addition the Board of Governors will be prepared to consider written documentation submitted by the parent.

A refusal on the part of the pupil's parent/guardian to take part in such procedures shall not prevent a pupil from being expelled.

4. No pupil should be expelled from a Catholic maintained school until arrangements have been considered for transfer to another Catholic maintained school.
5. No pupil shall be expelled by a Board of Governors unless the Governors are satisfied, on considering all the evidence available to them, that the pupil has failed to meet the school's minimum requirement standards of behaviour and the Governors are further satisfied that expulsion is the appropriate sanction.
6. The Principal in writing shall draw the specific attention of the parent/guardian or the pupil, where he/she has attained the age of eighteen, to his/her right of appeal to an Appeals Tribunal against the decision of the Board of Governors under Article 49 of the Education and Libraries (NI) Order 1986 as amended by Article 39 of the Education and Libraries (NI) Order 1993. In particular the Principal shall provide the parent/guardian with the address and telephone number of the particular Education and Library Board which has responsibility for making arrangements for hearing the appeal.

PROCEDURES FOR EXPULSION

1. Where the Principal considers it appropriate he/she shall convene a special consultative meeting to which the following people shall be invited:

Principal

Parent/Guardian

Authorised officer of CCMS (local Diocesan Administrator)

Chairman of the Board of Governors of the school

Authorised officer of the local Education and Library Board

This meeting shall consider the future provision of suitable education for the pupil concerned together with the possibility of expulsion from the school.

2. The Board of Governors shall convene a special meeting to consider:
 - The report from the Chairman of the Board of Governors;
 - The submission from the parent/guardian who has been invited to the meeting and who has been informed in advance of the purpose of the meeting.

Following the consideration of all the evidence available to them and after the Parent/Guardian has left the meeting the Board of Governors shall make its decision.

3. If the Board of Governors has decided to expel the pupil the Principal, on its behalf, shall, on completion of the expulsion procedure, forthwith notify in writing particulars of the said expulsion to the parent/guardian of the pupil, to the local Diocesan Administrator of CCMS, and to the designated officer of the relevant Education and Library Board.
4. The Principal shall, in writing, draw the specific attention of the parent/guardian, or to the pupil where he/she has attained the age of eighteen, to the right of appeal to an Appeals Tribunal against the decision of the Board of Governors under Article 49 of the Education and Libraries (NI) Order 1986 as amended by Article 39 of the Education and Libraries (NI) Order 1993. In particular the Principal shall provide to the parent/guardian, or to the pupil where appropriate, the address and telephone number of the particular Education and Library Board which has responsibility for making arrangements for hearing the appeal.

NOTES

1. The requirement under Statutory Rules (No.99) NI 1995 that no pupil shall be suspended from a school for more than 15 school days in any one term must be observed even where expulsion of the pupil is being considered.
2. This scheme shall be subjected to modification or amendment from time to time by the CCMS as is deemed necessary or appropriate in the light of changing circumstances and/or experience.
3. Under the Parents' Charter, parents require to be told the reason for the suspension and must be consulted before a decision to expel is taken. An appeals procedure has been introduced by the Schools (Expulsion of Pupils) (Appeals Tribunal) Regulations (NI) 1994 so that parents will be able to ask an independent tribunal to examine their child's case. The Board of Governors will be required to produce written documentation, including any correspondence between the home and the

school, showing the details of the serious misconduct and the steps taken by the school to remedy the situation over the period of misconduct.

4. The Board of Governors will also be required to produce satisfactory evidence that it has complied fully with the procedures set out in this policy document.