



St. Mary's Grammar School, Belfast

SUSPENSIONS & EXPULSIONS
POLICY

April 2017



POLICY ON SUSPENSION AND EXPULSION

INTRODUCTION

Under the terms of Article 49 of the Education and Libraries Order 1986, as substituted by Article 39 of the Education and Libraries (Northern Ireland) Order 1993, St. Mary's Grammar School Belfast is required to prepare a scheme specifying the procedures to be followed in relation to the suspension or expulsion of its pupils.

1. SUSPENSIONS

The suspension of pupils from all grant-aided schools is governed by Statutory Rule No.99 Schools (Suspension and Expulsion of Pupils) Regulations (Northern Ireland) 1995 as amended by Statutory Rule No. 225 Schools (Suspension and Expulsion of Pupils) (Amendment) Regulations 1998.

1.1 Principles

(a) Pupils will be suspended from school only by the Principal, and the initial period of suspension will not exceed five school days; a pupil will not be suspended from school for a total of more than forty-five days in any one school year.

(b) The Principal (or Vice-Principal/Head of School/Year Head) will, as soon as possible, contact [*normally by telephone with written confirmation to follow*] the parent(s) of the pupil to be suspended in order to **give notification of the reason for and period of suspension;**

(c) Written notification of the suspension will be sent to the parent(s) by post. **A copy of this letter will be forwarded to the Chair of the Board of Governors and, for statistical purposes, to the Education Authority. (DENI Circular 2015/19)**

(d) The period of suspension will not be extended by the Principal without the prior approval of the Chair of the Board of Governors and the Principal will give written notification of the reasons for any extension (and the period of the extension) to the parent(s) of the pupil and to the Belfast Education and Library Board.

1.2 Procedures

(a) Where a pupil is suspended from attending St. Mary's Grammar School Belfast the Principal shall immediately:

(i) give written notification of the reasons for the suspension and the period of suspension to (i) the parent of the pupil; (ii) to the Education Authority; and (iii) **the Chairperson of the Board of Governors;**

(b) A suspended pupil can only be sent home before the end of the normal school day if the pupil can be delivered directly into the care of the parent or of a person agreed by the parent in advance of the pupil being sent home.

(c) The school will advise on work which the pupil should do during the suspension and provide such specific written instructions / handouts / worksheets etc. as are necessary and appropriate.

2. EXPULSION

The expulsion of pupils from all grant-aided schools is governed by Statutory Rule No.99 Schools (Suspension and Expulsion of Pupils) Regulations (Northern Ireland) 1995 and by Statutory Rule No.13 Schools (Expulsion of Pupils) (Appeals Tribunals) Regulations 1994 as amended by Statutory Rule No. 256 Schools (Expulsion of Pupils) (Amendment) Regulations (Northern Ireland) 1998.

2.1 Principles

- (a) A pupil may be expelled from St. Mary's Grammar School Belfast only after serving a period of suspension.
- (b) Only the Board of Governors may expel a pupil from St. Mary's Grammar School Belfast.
- (c) A pupil may be expelled from St. Mary's Grammar School Belfast only after consultation about his expulsion has taken place between the Principal, the parent(s) of the pupil, the duly authorised officer of the Education Authority and the Chairperson of the Board of Governors; provided that any neglect or refusal on the part of a parent to take part in such consultations shall not prevent a pupil being expelled from St. Mary's Grammar School Belfast.
- (d) The consultations referred to in paragraph (c) must include consultation about the future provision of suitable education for the pupil concerned.
- (e) The parent(s) of any expelled pupil, or the pupil himself if he has reached the age of eighteen, must be given immediate written notice of the right to appeal against the decision to expel, of the time within which such an appeal must be lodged and of where the appeal may be lodged.

2.2 Procedures

- (a) In all cases where a recommendation for expulsion is being considered the Principal shall convene a consultation meeting to be attended by the Principal, the Chairperson of the Board of Governors, the parent(s) and the duly authorised officer of the Education Authority.
- (b) At this consultation meeting the possibility of expulsion and the implications of this course of action must be discussed. The meeting must also consider the future provision of suitable education for the pupil concerned.
- (c) The parent(s) must be informed in writing of the date of the consultation meeting and its purpose.
- (d) Written confirmation of the arrangements for the consultation meeting must also be sent to the other parties required to attend the meeting.
- (e) Any neglect or refusal on the part of the parent(s) to take part in the consultation meeting shall not prevent the meeting from taking place or the pupil being recommended for expulsion.
- (f) The Principal must keep notes of the consultation meeting.
- (g) Following the consultation meeting parent(s), whether they attend or not, must be informed that the Principal or the Chairperson will report on the matter to the next meeting of the Board of Governors. They must also be made aware of the date and time of this meeting if the expulsion of the pupil is to be discussed.
- (h) The parent(s) must be invited to make written and / or oral submissions, on behalf of the pupil, to the Board of Governors at the meeting at which expulsion is to be discussed. Written submissions and written notification of intent to make an oral submission must be made available by the parent(s) to the

Secretary to the Board of Governors no later than eight days before the meeting unless the parent(s) receive notice in writing that a different time interval is appropriate.

(i) If a parent has indicated in writing an intention to make an oral submission, the parent(s) must be advised in writing of the time at which to attend the meeting of the Board of Governors and must be afforded an opportunity, at that meeting, to make an oral submission.

(j) Following discussion, by the full Board of Governors, of all the available evidence, including the outcome of all consultations, the minutes of the meeting must record any decision taken regarding the pupil including, if appropriate, a decision to expel, and the reasons for it.

(k) Where a pupil has been expelled from the school the Principal shall immediately give written notice to the parents of that pupil, or the pupil himself if he has reached the age of eighteen, of:

1. the decision and the date of expulsion
2. the right to appeal the decision
3. the time limit of ten days from the date of the expulsion to lodge an appeal;
4. the requirement for the appeal to be lodged with the Clerk to the Tribunal (Expulsion of Pupils (Appeal Tribunals) of the Belfast Education and Library Boards.

3. INTERPRETATION

In this Scheme –

“The Chairperson of the Board of Governors” includes, where the Chairperson is absent or otherwise unavailable, the member of the Board of Governors for the time being performing the duties of the Chairperson;

“Principal” includes, where the Principal is absent or otherwise unavailable, the Vice-Principal or other person for the time being performing the duties of the Principal;

“Parent”, in relation to a child or young person, includes a guardian or the person who has parental responsibility of the child or young person, in the case of a pupil who has attained the age of eighteen years, the pupil himself.

Notes:

1. The requirement under Statutory Rules that no pupil shall be suspended from a school for more than 45 school days in any school year must be observed even where expulsion of the pupil is being considered.
2. This scheme shall be subject to modification or amendment from time to time as is deemed necessary or appropriate in the light of changing circumstances and/or experience and shall be renewed on an annual basis.
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 the 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.

Approvals

- Signatures:

Principal

Chair of Governors

- Date of approval by Governors:

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- Date of next annual review:

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