



# **ST MARY'S CHRISTIAN BROTHERS' GRAMMAR SCHOOL**

## **SUSPENSIONS AND EXPULSIONS POLICY**

**MARCH 2021**

# **POLICY ON SUSPENSION AND EXPULSION**

## **INTRODUCTION**

Under the terms of Article 49 of the Education and Libraries order 1986 (as amended) the Education Authority is required to “prepare a scheme specifying the procedure to be followed in relation to the suspension or expulsion of pupils from schools under its management”. The Schools (Suspension and Expulsion of Pupils) Regulations (NI) 1995 (as amended) specify the matters which must be included in such a scheme.

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 a 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 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 it deemed necessary or appropriate in the light of changing circumstances and/or experiences 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 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.

## **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**

- 1.1.1 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.

- 1.1.2 The Principal (or Vice-Principal/Head of School/Head of Year) will, as soon as possible, contact {normally by telephone with written confirmation to follow} the parent of the pupil to be suspended in order to **give notification of the reason for and period of suspension**. (Appendix 1)
- 1.1.3 Written notification of the suspension will be sent to the parent 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)
- 1.1.4 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 of the pupil and to the Education Authority.
- 1.1.5 All suspensions must be notified to the EA by completing the Department of Education's form (Notification of Pupil Suspension). Notification of suspension should be forwarded to [suspension.notification@eani.org.uk](mailto:suspension.notification@eani.org.uk)
- 1.1.6 Under Department of Education Circular Number 2021/04 – “it is unlawful for the body responsible for a school to discriminate against a disabled pupil by suspending or expelling him from the school”, unless it is justified to do so (Articles 15 & 16 of SENDO refer)

## **1.2 Procedures**

- 1.2.1 Where a pupil is suspended from attending St Mary's Christian Brothers' Grammar School the Principal shall immediately 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;
- 1.2.2 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.
- 1.2.3 The school will advise on work which the pupils should do during suspension and provide each specific written instructions/handouts/worksheets etc. as are necessary and appropriate.

## **2 EXPULSIONS**

The expulsion of pupils from all grant-aided schools is governed by the 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**

- 2.1.1 A pupils may be expelled from St Mary's Christian Brothers' Grammar School only after serving a period of suspension.
- 2.1.2 Only the Board of Governors may expel a pupil from St Mary's Grammar School.

- 2.2.3 A pupil may be expelled from St Mary's Christian Brothers' Grammar School only after consultation about his expulsion has taken place between the Principal, the parent 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 Christian Brothers' Grammar School.
- 2.2.4 The consultation referred to in paragraph (2.2.3) must include consultation about the future provision of suitable education for the pupil concerned.
- 2.2.5 The parent 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.
- 2.2.6 Under Department of Education Circular Number 2021/04 – “it is unlawful for the body responsible for a school to discriminate against a disabled pupil by suspending or expelling him from the school”, unless it is justified to do so (Articles 15 & 16 of SENDO refer)

## **2.2 Procedures**

- 2.2.1 In all cases where a recommendation for expulsion is being considered the Principal shall convene a consultative meeting to be attended by the Principal, the Chairperson of the Board of Governors, the parent and duly authorised officer of the Education Authority. The parent must be informed in writing of the date of the consultation meeting. (Appendix 2, 2A)
- 2.2.2 At least 5 working days' notice of the consultative meeting and its purpose must be given to the parent and all other parties required to attend. A copy of all available evidence must be given prior to the consultative meeting to all invited to attend.
- 2.2.3 The Consultative Meeting must be chaired by the Chairperson of the Board of Governors. (Appendix 3)
- 2.2.4 At this consultative meeting the possibility of expulsion and the implications of this course of action must be discussed. The consultative meeting must also consider the future provision of suitable education for pupil concerned.
- 2.2.5 Non-attendance by a parent/guardian at the meeting of the consultative meeting will not prevent the Board of Governors from considering the future action to be taken.
- 2.2.6 The Principal must ensure that notes of the consultative meeting are kept.
- 2.2.7 Following the consultative meeting, the parent must be informed by the Principal that a report on the matter, along with a copy of the notes of the consultative meeting, will be presented to the next Board of Governors. The parent(s) should be invited to the meeting of the Board of Governors if the expulsion of the pupil remains as an option.
- 2.2.8 The meeting of the Board of Governors should normally take place within 7 working days of the date on which the consultative meeting was held. (Appendix 4 and 5)

- 2.2.9 Where a parent is to be invited to attend a meeting of the Board of Governors, at least 7 working days written notice should be given. The parent should be advised of the date, time and venue of the Board of Governors' Meeting. The parent should be advised of their right to attend and/or make written submissions to the Board of Governors. The parent should also be given a copy of the notes of the consultative meeting.
- 2.2.10 If the parent has indicated in writing an intention to make an oral submission, the parent must be advised in writing of time to attend the meeting of the Board of Governors and must be afforded an opportunity, at that meeting to make oral submission.
- 2.2.11 Following discussion, by the Board of Governors, of all the available evidence, including the outcomes 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 reason for it. (Appendix 6, 7)
- 2.2.12 Where a pupil has been expelled from the school, the Principal shall immediately give written notice to the parent of that pupil, or the pupil himself if he has reached the age of eighteen, of:
- The decision and date of the expulsion
  - The right to appeal
  - The time limit of ten days from the date of the expulsion letter issued to the parent to lodge an appeal.
  - The requirement for the appeal to be lodged with the Clerk to the Tribunal (Expulsion of Pupils, Appeals Tribunal) at the following email address [admissionappeals@eani.org.uk](mailto:admissionappeals@eani.org.uk)

**SAMPLE LETTER INFORMING PARENT/GUARDIAN OF THE SUSPENSION OF A PUPIL**

**DATE**

Dear (Insert Parent/Guardian Title and Name)

**RE: Notification of Suspension (Name of Pupil/DOB of Pupil)**

In accordance with the disciplinary policy of the school it has been decided to suspend your son (Name of Pupil) from (Name of School) for the period (Date eg 1 November to 3 November) inclusive (3 school days). During this time (Name of Pupil) will be regarded as being in your care.

The reason(s) for suspension is/are:

**Insert reason for suspension from school discipline policy**

The school will arrange for a programme of work to be available from (Name of Teacher) for (Name of Pupil) during this period but it will be your responsibility to collect the work and ensure it is completed and ready for marking by the teachers.

The decision to suspend is regarded as a very serious matter. It is school policy that you accompany your son on DATE at TIME to meet with YEAR HEAD/HEAD OF SCHOOL.

Both the Chairperson of the Board of Governors and the Education Authority have been informed of the reasons for this suspension and the period of suspension.

Yours sincerely

Principal

**SAMPLE LETTER TO PARENT/GUARDIAN CONFIRMING CONSULTATIVE MEETING  
TO DISCUSS A PUPIL INCLUDING POSSIBLE EXPULSION**

DATE

Dear (Insert Parent/Guardian Title and Name)

**RE: Name of Pupil DOB of Pupil**

I am writing to advise you that a consultative meeting has been convened (Insert DATE, TIME and VENUE) to consider the possible expulsion of your son (NAME OF PUPIL) from (NAME OF SCHOOL) as well as the future provision of suitable education for him.

The meeting will also be attended by the Chairperson of the Board of Governors of the school and an Authorised Officer from the Education Authority.

This will be a very important meeting and I would urge you to make every effort to attend. (NAME OF PUPIL) also has the right to attend should you consider this to be appropriate (subject to his age, aptitude and ability).

I enclose a copy of the guidance notes which provide more information on the consultative meeting (see Appendix 2A). Copies of the relevant policies and a summary report of your child's behaviour and strategies used (when appropriate) which will be discussed at the meeting, are also enclosed for your consideration.

You should note that any neglect or refusal to attend this meeting shall not prevent the Board of Governors taking appropriate action and this may include a recommendation to the Education Authority that (NAME OF PUPIL) be expelled.

I would be grateful if you could confirm your attendance by telephoning my secretary (INSERT NAME) at 028 90294000.

Yours sincerely

Principal

Enc(s)

## **NOTES OF GUIDANCE FOR PARENT/GUARDIAN ON THE PUPIL CONSULTATIVE PROCESS**

### **Introduction to the Consultative Meeting**

You have been invited to a meeting to consider the future education provision for your son. This meeting is normally called in light of recent discussions and/or letters you will have been sent concerning your son's behaviour at school.

This meeting is for consultation purposes only and is not in any way adversarial. You do not, therefore, have the right to be accompanied or represented by another person. Rather, it is intended to be a meeting where you have an opportunity to hear at first-hand about the school's concerns and, more importantly, where you can raise any points which you consider important and in the best interests of your child. It is crucial that you avail of this opportunity to influence any recommendations on whether your son should remain at this school.

It is important to stress that one of the considerations of the Consultative Meeting may be the responsibility of expulsion from this school and therefore it is strongly recommended that you take up your right to contribute to the discussion on the future educational provision for your son.

### **Who will be in Attendance at the Meeting and their Role?**

As advised in the attached letter there will be a number of other people in attendance at this meeting. They will always include:

#### **The Chairperson of the Board of Governors (or his nominee)**

The Chairperson role is to:

- Chair the meeting and outline the procedures for you;
- Ensure that you are properly introduced to all in attendance;
- Provide you with the opportunity at all stages to the discussion and allow you to pose any questions you may have;
- Gather the information necessary to enable him to make recommendations to the full Board of Governors on appropriate arrangements for the future education provision for your son.

#### **The Principal (or her nominee)**

Who will outline the reasons for bringing this action and specify in detail your son's behaviour record leading up to the decision to call this Consultative Meeting. In addition, if it is appropriate, the Principal will also report on the measures and steps that the school, other applicable Education Authority services or other agencies may have taken to:

- Support you and your son;
- Modify your son's behaviour;
- Avert the need for these formal proceedings having to take place.

#### **An Authorised Officer Appointed by the Chief Executive of the Education Authority**

The role of the Authorised Officer is to:

- Give impartial advice in dealing with the school and the pupil;



- Ensure an explanation is given to the parent/guardian and the pupil (if present) on how the consultation process operated and the further steps which the Board of Governors will have to take should it decide to pursue expulsion.
- Advise parent/guardian and pupil (if present) on the nature and availability of alternative education whether in school (including present school) or other suitable programmes which may be available and to brief parent/guardian on how applications can be made;
- Advise you of the procedures for selecting and securing a place in another school for your son should a decision to expel be arrived at;
- Advise you of other alternatives to expulsion which might be considered;
- Advise you of any interim arrangements that may be available or advisable should the full Board of Governors ultimately arrive at a decision to expel your son.

Other roles of the Authorised Officer include:

- First and foremost, ensure that the procedures outlined in the “Scheme for the Suspension and Expulsion of Pupils” have been properly and fairly administered by the school;
- Contribute to, and influence the discussions and decision making processes;
- Ensure that the Consultative Meeting is conducted in a fair and open manner at all times;
- Remind parent/guardian of their right to make representation during the further stages of the process including your right of formal appeal should a decision to expel be taken by the Board of Governors.

### **Others who may also be in Attendance**

In addition, it may sometimes be necessary, depending on specific circumstances, for the other teachers (eg Vice Principal (Pastoral), Year Head or Learning Support Co-ordinator (SENCo) or other applicable officers from Education Authority services, etc. to be invited to the Consultative Meeting.

### **Possible Outcomes to the Consultative Meeting**

Following the Consultative Meeting, the Chairperson will recommend one or a number of outcomes. The important thing for you to remember is that no decision has been made beforehand and that the final recommendations can only be determined after consideration of all the facts at the Consultative Meeting.

Examples of possible outcomes include a recommendation that your son:

- Return to school having accepted the seriousness of the situation and offered guarantees in respect of his future behaviour in the school;
- Return to school having agreed and signed a ‘Discipline Contract’ which has been specifically drawn up to suit the particular circumstances;
- Return to school having agreed to avail of outreach and counselling assistance as deemed appropriate by the school authorities;
- Remain registered at the school in order to avail of alternative off-site opportunities and programmes or other placements if deemed to be appropriate by the school and other agencies.
- Be considered for expulsion from the school by the Board of Governors.

### **The Role of the Board of Governors**

Following the Consultative Meeting, the Chairperson, having considered all the available evidence together with your presentations and concerns, will make a recommendation on your son’s future educational provision and this will be considered at a formal meeting of the Board of Governors. You will be advised in writing of this recommendations and further advised of your right to attend the Board of Governors’ meeting to make presentation you deem to be appropriate in support of your son.

Again, it is strongly recommended that you avail of your right to attend this meeting, particularly if you have been advised that the Governors will be considering a recommendation to expel your son from school.

### **Further information**

This note is offered merely as a brief introduction to be detailed procedures that exist. If you have specific questions that you need answered, these can be raised at the Consultative Meeting.

## **CHAIRPERSON'S AGENDA FOR PUPIL CONSULTATIVE MEETING**

### **AGENDA**

- 1 Introductions
  
- 2 Purpose of meeting and possible outcomes.
  
- 3 Consideration of the pupil's behaviour record and the behaviour modification strategies that have been employed by the school.
  
- 4 Response of parent/guardian/pupil.
  
- 5 Consultations about the future provision of suitable education if pupil remaining in the school or alternatively, if a decision is made by the EA to expel the pupil.
  
- 6 Outline the next steps to the parent/guardian (including invitation to parent/guardian to attend a meeting of the Board of Governors).

## CHECKLIST FOR THE BOARD OF GOVERNORS RECOMMEND EXPULSION OF A PUPIL

		YES/NO
1	Has the pupil already served a period of suspension?	
2	Have all measures been taken to reintegrate the pupil where appropriate?	
3	Is the pupil disabled for the purposes of SENDO? If so, is the school satisfied that he is not being treated less favourably than nondisabled pupils without justification and has the duty to make reasonable adjustments been complied with?	
4	Is expulsion a reasonable response to the pupil's behaviour given the school's disciplinary policy?	
5	Has the parent/guardian been advised in writing that expulsion is being considered and invited to take part in consultations about the matter?	
6	Have consultations about the future provision of suitable education for the pupil taken place before any decision to recommend expulsion has been made?	
7	Has the proposed expulsion been fully discussed by the Board of Governors and any decision recorded in the minutes?	

**EVIDENCE TO BE CONSIDERED IN THE CASE OF POTENTIAL EXPULSION**

**Whilst there will be core evidence to be considered for all pupils the Board of Governors and/or expelling authority should be mindful of the confidential nature of documentation available and its relevance to the individual case.**

- ✓ Detailed records of the pupil's behaviour including the steps taken by the school at each stage;
  
- ✓ A record of sanctions/strategies adopted to modify behaviour;
  
- ✓ The minute of the consultative meeting;
  
- ✓ Any records form schools previously attended by the pupil (where appropriate);
  
- ✓ Correspondence with parent/guardian;
  
- ✓ Correspondence with other relevant agencies;
  
- ✓ Correspondence with the EA's Education Welfare Service, Educational Psychology Service or other applicable EA services;
  
- ✓ Copies of all relevant policies

## **SAMPLE LETTER INFORMING PARENT/GUARDIAN OF THE EXPULSION OF A PUPIL**

DATE

Dear (Insert Parent/Guardian Title and Name)

**RE: Notification of Expulsion Name of Pupil DOB of Pupil**

At the meeting of the Board of Governors, which was held on (DATE) the Board took the decision to expel your son (NAME OF PUPIL) from (NAME OF SCHOOL) with effect from (DATE).

The reason for expulsion are:

*(NAME OF PUPIL) continued bad behaviour in verbally attacking teachers and other children. His repeated breaking of school rules, all of which have resulted in his suspension for a total of (NUMBER OF DAYS) this school year. Despite support from the school and from teachers and others (NAME OF PUPIL) has shown no improvement in his behaviour.*

**Following paragraph only to be inserted for children of compulsory school age.**

*The decision to expel is regarded as a very serious matter and I would ask you to contact the Education Authority's Education Welfare Service as soon as possible to arrange an interview to discuss (NAME OF PUPIL)'s future education.*

You have the statutory right to make an appeal to an Appeal Tribunal appointed by the Education Authority but independent of it. If you wish to appeal against the expulsion of your son, you should inform the Clerk to the Tribunal, in writing, within ten working days of the date of this letter. A form on which to make the appeal, together with Notes of Guidance and details of the procedures of the Tribunal, will be sent to you. The email address of the Clerk is:

The Clerk to the Appeals Tribunal: [admissionappeals@eani.org.uk](mailto:admissionappeals@eani.org.uk)

A copy of this letter has been forwarded to the Education Authority's Education Welfare Service.

Yours sincerely

Principal

**SAMPLE LETTER INFORMING PARENT/GUARDIAN  
OF THE DECISION NOT TO EXPEL A PUPIL**

DATE

Dear (Insert Parent/Guardian Title and Name)

**RE: Notification not to Expel Name of Pupil DOB of Pupil**

At the meeting of the Board of Governors which was held on DATE, the Board took the decision not to expel your son from school.

The reasons for this decision are:

(INSERT – SUFFICIENT DETAIL SO THAT THE PARENT/GUARDIAN FULLY UNDERSTANDS THE REASON FOR THE DECISION)

I would be grateful if you could contact me regarding arrangements for (NAME OF PUPIL)'s immediate return to school.

Yours sincerely

Principal