

SOUTH EASTERN EDUCATION AND LIBRARY BOARD

PROCEDURE FOR THE SUSPENSION AND EXPULSION OF PUPILS FROM BOARD CONTROLLED SCHOOLS

Article 49 of the Education and Libraries (NI) Order 1986, ("the 1986 Order") as substituted by Article 39 of the Education and Libraries (NI) Order 1993 provides "Each Board shall prepare a scheme specifying the procedure to be followed in relation to the suspension and expulsion of pupils from schools under its control".

1 INTRODUCTION

Under the provisions of these Orders and in the pursuance thereof and of the regulations contained in SR No 99 (1995) the South Eastern Education and Library Board hereby makes the following scheme for the expulsion and suspension of pupils from schools under its control. In these procedures any reference to the parent of a pupil shall include, in the case of a pupil who has attained the age of eighteen, the pupil himself/herself and any person specified in the Children Order (NI) 1995 as having parental responsibility.

In making this scheme the Board recognises that:

- (a) so far as is compatible with the efficient and effective use of resources, pupils should be educated in accordance with their parents' wishes; (Article 44, the 1986 Order)
- (b) parents have a duty to ensure that their children receive suitable full-time education by regular attendance at school or otherwise; (Article 45, the 1986 Order)
- (c) the Education and Library Board is responsible for ensuring that all children within its area are afforded equal opportunity for education; (Article 6, the 1986 Order)
- (d) no child is entitled to be educated at the expense of or to the detriment of other children;
- (e) the requirement of Article 124 of the Education Reform (NI) Order 1989 should be adhered to, ie:

Each school must maintain a discipline policy which details the standards expected of pupils and the sanctions including suspension and expulsion which may be employed whenever a pupil contravenes these standards.

Details of the school's discipline policy must be clearly and concisely conveyed to the pupils and those with parental responsibility as they enrol in the school. Schools are advised to each year draw the discipline policy to the attention of all pupils and to display it prominently. When a school's discipline policy is amended, details of the amendment must be circulated to pupils and those with parental responsibility.

2 SUSPENSIONS

Suspension of a pupil from school remains the highest sanction which a school can impose and may only be imposed by the Principal in a situation where all possible/reasonable preventative strategies and alternative sanctions have been tried. Normally there should have been some previous warning to those with parental responsibility that their child may be liable to suspension.

In exceptional cases it may be necessary to suspend a pupil without employing alternative sanctions or without prior warning having been given to those with parental responsibility by the Principal.

In the event that preventative strategies and planned sanctions have failed to produce acceptable behaviour on the part of the pupil, the Principal may suspend the pupil for an initial

period of not more than 5 consecutive school days. **All relevant information pertaining to the suspension should be collated and maintained.**

The Principal must not extend a period of suspension beyond 5 consecutive school days except with the prior approval of the Chairman of the Board of Governors and must, in every such case, give to those with parental responsibility for the pupil and to the Board written notification of the reasons for the extension and the period of extension. This extension, which must not exceed 5 consecutive school days, may be followed by further periods of extension, which again must not exceed 5 days, provided the total does not exceed **45 school days in any one school year.**

3 SUSPENSION PROCEDURE

Where a pupil has been suspended from school the Principal must make the necessary arrangements to ensure that a letter is delivered by a member of staff to the residence of those with parental responsibility where possible on the same day informing him/her/them:

- (a) of the reason for suspension;
- (b) of the period of suspension;
- (c) that the pupil will be regarded as being in their care from the end of the school day until such time as the period of suspension expires.

The letter must also include an invitation to those with parental responsibility to visit the school to discuss the suspension with the Principal. On the same day, where possible, a copy of the letter must be posted to those with parental responsibility **by recorded delivery.**

The Principal must also immediately inform the Chairman of the Board of Governors of the school and the Chief Executive of the Board of this suspension and subsequently submit a written report to both setting out in detail the reasons for the suspension and its duration.

Where it is deemed necessary to exclude a pupil from school premises before the end of the school day, the Principal must ensure that the pupil is delivered, by an appropriate member of staff, into the care of those with parental responsibility. Where those with parental responsibility are not available the pupil should be returned to school and placed under supervision for the remainder of the school day - at which time the appropriate procedures should be carried out.

In NO circumstances should a child be removed from the school premises during normal school hours except into the care of those with parental responsibility.

4 EXPULSION

The Board recognises that in addressing the needs of children with serious behavioural problems, there is a range of sanctions and strategies available to the school. A request for expulsion cannot normally be considered until all such reasonable alternative strategies and sanctions have been tried and the period of suspension has been served (SRO 1995 No. 99 provides that a pupil may be expelled from a school only after serving a period of suspension). Prior to considering a request for expulsion the Board will require evidence that all such options have been exhausted and will seek to discuss the matter with the Principal.

The expulsion of a pupil may only be determined by the Board or a Committee nominated by the Board (see Section 6) and only after:

- (a) the pupil has served a period of suspension; and
- (b) a Formal Consultative Meeting about his/her expulsion has taken place between the Principal, those with parental responsibility, the Chief Executive or his nominee, and the Chairman of the Board of Governors. Such consultations shall include discussions about

the future educational provision which may be made for the pupil concerned. The Formal Consultative Meeting would be arranged by the Principal but would be Chaired by a Board Officer. Those with parental responsibility should receive written confirmation of the purpose, time and date of the meeting.

Refusal by those with parental responsibility to participate in the consultative process detailed in (b) should not prevent the request for expulsion being heard.

5 EXPULSION PROCEDURE

- (a) All requests for expulsion must be made in writing, **signed by the Chairman of the Board of Governors** and must identify the reasons why the request is being made.
- (b) The Principal must simultaneously advise those with parental responsibility in writing that a request for expulsion has been lodged with the Board.
- (c) Upon receipt of the request for expulsion:
 - (i) a meeting of the Board's Expulsions Committee will be convened by the Chief Executive or his nominee at the earliest possible date.
 - (ii) those with parental responsibility and the school will be advised by recorded delivery of the date, time and venue of the hearing and of their right to attend and/or make written submissions to the Committee considering the request for expulsion.

6 POWERS, COMPOSITION AND PROCEDURES OF THE EXPULSIONS COMMITTEE

- (a) The Committee shall be empowered to hear and make decisions on all cases for expulsion from Board Controlled and Controlled Integrated Schools.
- (b) The Committee shall be composed of:
 - (i) the Chairman and Vice-Chairman of the Board's Education Committee ;
 - (ii) the Chairman and Vice Chairman of the Board's Committee for the Management of Schools;
 - (iii) two nominees from the Board;Named substitutes shall also be available for each member.
- (c) The quorum for the Committee shall be three;
- (d) The members of the Committee will elect one of their members to act as Chairman;
- (e) All members of the Committee must be present throughout the consideration of the case;
- (f) The following order of proceedings will normally be adopted:-
 - 1 Introduction and explanation of procedures (Chairman).
 - 2 Presentation of school case for Expulsion.
 - 3 Response by those with parental responsibility.
 - 4 Questions from members of the Expulsion Committee.

- 5 Final comments by school.
 6. Final comments by those with parental responsibility.
 - 7 Both parties withdraw.
 - 8 Decision by majority vote among Committee members.
- (g) As part of its deliberations on the case the Committee will:
- (i) consider all verbal and written evidence presented by the school and those with parental responsibility.
 - (ii) determine whether or not proper procedures have been followed;
 - (iii) determine whether or not the request for expulsion is or is not reasonable in all the circumstances of each individual case;
- (h) The decision of the Expulsions Committee will be communicated to those with parental responsibility or the pupil himself/herself where he/she has attained the age of eighteen, by recorded delivery, and will advise them of their right of appeal to an Independent Appeal Tribunal established under Article 49 of the Education and Libraries (NI) Order 1993, of the time limit set by the Board for lodging the appeal and of to whom and where the appeal may be lodged. The Chairman of the Board of Governors and the Principal of the school will also be advised in writing of the Committee's decision.
- (i) The Committee, which has executive powers delegated to it by the Board, will convey its decision to the next meeting of the Board.

March 1999