



## **Shimna Integrated College**

Scheme For The Suspension And Expulsion Of Students  
Introduction

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The Board of Governors of Shimna Integrated College sets out the procedures to be followed in the event of a suspension or expulsion of a student from the school.

The procedures are drawn up with due regard to those of the Education Authority (EA) management.

In this scheme:

1. The Board of Governors means the Board of Governors of Shimna Integrated College established according to the Shimna Integrated College Ltd Scheme of Management, 1994;
2. School means Shimna Integrated College;
3. Chair of the Board of Governors includes when the chair is absent or otherwise unavailable, the member of the Board of Governors, for the time being, performing the duties of the chair;
4. 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;
5. Student for the purposes of this scheme means any child of compulsory school age or over on the register of the school;
6. Parent/guardian includes any person
  - Who is not a parent of her/his child, but who has parental responsibility for her/him as defined by the Children Order (NI) 1995;
  - Or who has care of him/her;
7. Authorised officer means an officer of the EA's Education Welfare Service (EWS) or such other officer employed by the EA as may be authorised by the EA's chief executive;
8. Any reference to the parent/guardian of a student shall include, in the case of a student who has attained the age of eighteen, the student her/himself;
9. A school day means a day on which the school is in operation.

In this scheme the Board of Governors of Shimna Integrated College recognises that:

- a) so far as is compatible with the efficient and effective use of resources, students should be educated in accordance with their parent(s)'s/guardian(s)' wishes. (Article 44 of the Education and Libraries (NI) Order 1986);
- b) a parent/guardian has a duty to ensure that their child(ren) receive suitable full-time education by regular attendance at school or otherwise. (Article 45 of the Education and Libraries (NI) Order 1986);
- c) children should be kept informed about what happens to them, and should participate when decisions are made about their future;
- d) the scheme of management of Shimna Integrated College provides that it is the duty of the Board of Governors to ensure that policies designed to promote good behaviour and discipline on the part of the students attending the school are pursued at the school;

- e) the scheme of management for Shimna Integrated College provides that it is the duty of the principal, having consulted with students and parents/guardians to determine measures to be taken with a view to:
- promoting among students self-discipline and an appropriate regard for authority;
  - encouraging good behaviour and respect for others on the part of the students, and in particular, preventing all forms of bullying;
  - ensuring that the standard of behaviour of students is acceptable;
  - otherwise regulating the control of students.
- f) Shimna Integrated College is therefore required by the scheme of management to maintain a positive behaviour policy which details the required standards of behaviour expected of students and the sanctions of suspension and expulsion which may be invoked; copies of the school's positive behaviour policy are made available to parents/guardians and students when they enrol in Shimna Integrated College and are available on the Shimna website and in hard copy from the office;
- g) The Board of Governors of Shimna Integrated College complies with the Special Education Needs and Disability (NI) Order 2005 (SENDO). SENDO defines a student who has a physical or mental impairment which has a substantial and long-term adverse effect on her or his ability to carry out normal day to day activities. It is unlawful for a school to discriminate against a student by suspending or expelling her or him for a reason relating to her or his disability (Article 14(3) of SENDO). Shimna Integrated College would be discriminating against a student if, for any reason related to her or his disability, it treated her or him less favourably than it treats or would treat others to whom that reason does not or would not apply, and it cannot show that the treatment in question is justified.

Therefore, any justification for the suspension of a student must be material to the circumstances of the particular case and substantial.

Shimna Integrated College is required under SENDO to ensure in relation to education and associated services, which include school discipline and sanctions, provided for or offered to students at Shimna, that students with a disability are not placed at a substantial disadvantage. This means that unless it has a justification for not doing so, a school has a duty to make reasonable adjustments so that students with a disability are not at a substantial disadvantage.

Shimna Integrated College complies with the Disability Code of Practice for Schools issued by the Equality Commission for Northern Ireland.

## **Suspensions**

### **1. Requirements**

- a) All parties involved will adhere to confidentiality at all times;
- b) A student may be suspended only by the principal;
- c) An initial period of suspension will not exceed five days;
- d) A student may be suspended from school for not more than forty-five school days in any one school year;

- e) The principal will not extend a period of suspension except with the prior approval of the chair of the Board of Governors;
- f) Acceptable reasons for extending a period of suspension could potentially include where:
  - 1) in the reasonable opinion of the principal, the return of the student concerned would pose serious problems in terms of preserving order and discipline within the school;
  - 2) in the reasonable opinion of the principal, discussion with psychologists and/or other agencies will be facilitated;
  - 3) a decision to expel the student was quite properly being considered;
  - 4) where parents/guardians have without good reason failed to enter into proper and necessary consultations/discussions with the school.

Each individual extension may not exceed five days but individual extensions may run consecutively.

While not all students with a statement of SEN will have a disability as defined in SENDO, nevertheless care needs to be taken to ensure that the student's identified special needs are not the underlying reason for their behaviour being at issue. Therefore, in cases where a student with a statement appears to be unable/unwilling to comply with normal school routines, and where reasonable adjustments are not proving effective, guidance in the Code of Practice (COP) on the Identification and Assessment of Special Educational Needs should be followed and an early annual review should be convened by the school. This will allow the SENCO to refer the student's statement of SEN to the EA for review which may result in the EA making an amendment to the provision of placement to meet the needs of the student.

## **2. Steps to be Followed Prior to Suspension**

Shimna Integrated College's Positive Behaviour Policy describes the standards of behaviour expected of students and outlines the procedures to be followed when these guidelines are not adhered to. A decision to suspend a student will only be taken by the principal in response to a serious breach, or persistent breaches of the school's positive behaviour policy. Suspensions will be considered only after:

- (i) a period of indiscipline;

The school will maintain a written record of events and of the interventions of staff, contacts with the parent(s)/guardian(s) and any requests for external support from the EA's Education Welfare Service (EWS), Educational Psychology Service (EPS) or other applicable EA services.

### **(ii) A serious incident of indiscipline**

The school will investigate and document the incident. The investigation will include an opportunity for the student to be interviewed and for her/his version of events to be given before any decision to suspend is made. Consideration will be given to the necessity of a parent/guardian being present at an interview.

Precautionary suspensions are not permitted, i.e. suspension of a student to facilitate investigation by the school, or statutory agency such as PSNI or Social Services of an alleged misconduct.

### **3 Instigating Suspension**

On taking the decision to suspend a student, the principal will immediately:

1. notify the parent(s)/guardian(s) verbally by telephone and in writing of the suspension;
2. issue a letter which must include:
  - the reason for suspension;
  - the duration of the suspension;
  - the arrangements for the provision of work to the student while suspended;
  - an invitation to visit the school to discuss the suspension and to enlist support for the school's efforts to resolve the difficulty;
3. send the letter notifying the parent(s)/guardian(s) by first class post or hand deliver it on the day the suspension is decided upon. If the suspension notice is sent by post the school should, when appropriate, send a copy home with the student;
4. send a copy of the letter to the chair of the Board of Governors;
5. notify the EA of all suspensions by completing the Department of Education form (*Notification of Pupil Suspension*). Notification of suspension will be forwarded to [suspension.notification@eani.org.uk](mailto:suspension.notification@eani.org.uk)
6. assess if a suspended student can be sent home before the end of the normal school day. This will only be with the agreement of the parent/guardian and only if the student can be delivered directly into the care of the parent/guardian or person nominated by the parent/guardian;
7. in accordance with statutory responsibility, arrange for the provision of suitable education for the registered students of the school when they are suspended, regardless of the length of suspension or reason for the suspension. The school will ensure that appropriate work is available to be completed by the student during the period of suspension;
8. make arrangements for the student to sit a public examination if the student is at risk of missing a public examination as a result of suspension;
9. first contact the parent(s)/guardian(s) to ascertain the reason for not returning if a student does not return to school at the end of a period of suspension. If appropriate, a referral will be made to the EA Education Welfare Service. The principal will ensure that a full record is kept for the meeting held with the parent(s)/guardian(s) before a student returns to school following a suspension.

### **4. Extension of Suspension**

Where a decision has been taken to extend the suspension, the principal will obtain the prior approval of the chair of the Board of Governors.

Where a decision has been taken to extend the suspension period, the principal must immediately:

1. notify the parent(s)/guardian(s) of the extension to the suspension verbally by telephone and in writing;
2. issue a letter which must include
  - the reason for the extension
  - the duration of the extension up to five days;
3. send a letter notifying the parent(s)/guardian(s), by first class post to arrive before the end of the initial period of suspension;
4. not extend the suspension solely on the grounds that the parent(s)/guardian(s) have not attended the meeting to discuss return from suspension;
5. notify the EA of all suspensions by completing the Department of Education's form (*Notification of Pupil Suspension*). Notification of suspension will be forwarded to [suspension.notification@eani.org.uk](mailto:suspension.notification@eani.org.uk)
6. following a protracted period of suspension, (two weeks or more), the school will identify a named member of staff to assist with the student's re-integration in order to:
  - inform staff in advance of the student's return;
  - identify areas where coursework etc. needs to be completed;
  - ensure any revised arrangements are in place to manage risk;
  - support the student over the first few days of her/his return to school;
  - consider the need to place the student on the COP and/or refer to EA Support Services.

## **Expulsions**

### **5 Requirements**

- a) All parties involved should adhere to confidentiality at all times;
- b) The expelling authority is the Board of Governors of Shimna Integrated College and the decision to expel rests solely with the Board of Governors;
- c) A student may be expelled from school only after serving a period of suspension;
- d) A student may be expelled from school only after consultation has taken place between the principal, the parent(s)/guardian(s) of the student, the authorised officer of the Education Authority and the chair of governors;
- e) The consultations must include consultation about the future provision of suitable education for the student concerned;
- f) The parent(s)/guardian(s) of any student expelled from school has the right to appeal against the decision;
- g) Expulsion should be used only in response to:
  - Serious breaches of a school's positive behaviour policy and only after a range of alternative strategies has been tried to resolve the student's indiscipline and the strategies have failed;
  - Where allowing the student to remain in the school would be seriously detrimental to the education or welfare of other students and staff, or the student her/himself.

However, there may be circumstances where it is appropriate to expel a student for a first or one-off offence. These might include serious actual or threatened violence against another

student or staff member, sexual abuse, supplying an illegal drug or carrying an offensive weapon.

## **6 Steps to be Taken Prior to Expulsion**

- a) In all cases where a recommendation for expulsion is being considered, the principal will convene a consultative meeting to be attended by the principal, the chair of governors, the parent(s)/guardian(s), the student (appropriate to her/his age, ability and aptitude) and the authorised officer of the Education Authority;
- b) At least five working days written notice of the consultative meeting and its purpose must be given to the parent(s)/guardian(s) and all other parties required to attend. A copy of all available evidence will be given prior to the consultative meeting to all invited to attend;
- c) Non-attendance by the parent(s)/guardian(s) at the consultative meeting will not prevent the Board of Governors from considering the future action to be taken;
- d) The principal will ensure that the minutes of the consultative meeting are kept after agreeing them with the authorised officer who was present at the meeting;
- e) Following the consultative meeting, the parent(s)/guardian(s) will be informed by the principal that a report on the matter, along with a copy of the minutes of the meeting will be presented to the next meeting of the Board of Governors. The parent(s)/guardian(s) will be invited to the meeting of the Board of Governors if expulsion of the student remains an option;
- f) The meeting of the Board of Governors should normally take place within seven working days after the date on which the consultative meeting was held;
- g) Where a parent/guardian is to be invited to attend a meeting of the Board of Governors, at least seven working days' written notice will be given. The parent(s)/guardian(s) should be provided with:
  - the date, time and venue of the meeting of the Board of Governors;
  - notice of their right to attend and/or make written submissions to the Board of Governors;
  - a copy of the minutes of the consultative meeting.
- h) Non-attendance by the parent(s)/guardian(s) at the meeting of the Board of Governors will not prevent the governors from proceeding to expulsion if necessary;
- i) Following discussion by the Board of Governors of all the available evidence, including the outcome of all consultations, the decisions taken and reasons for the decisions will be recorded in the minutes of the meeting of the Board of Governors.

## **7 Procedure for Expulsion**

The principal on behalf of the expelling authority, the Board of Governors, will immediately inform the parent(s)/guardian(s) in writing of the outcome of the Board of Governors' meeting and of the reason the decision has been taken.

## **8 Right of Appeal**

Where it has been decided to expel the student, the school will inform the parent(s)/guardian(s) of their statutory right to make an appeal to the Independent Appeal Tribunal.

The letter should include:

- Details on the time limit set for lodging the appeal, ten working days from the date of the letter issued to the parent(s)/guardian(s) informing them of the decision to expel;
- How the appeal should be lodged;
- A copy of this letter will also be forwarded to the Education Authority Education Welfare Service.

The parent(s)/guardian(s) of a student, or the student her/himself, if s/he has reached the age of eighteen, may appeal to the Independent Appeal Tribunal.

**Reviewed – March 2020**