

CODE OF BEHAVIOUR

In setting out this Code of Behaviour, the Board of Management aims to present to students, parents and staff the norms of behaviour and relationships that are essential for meeting the aspirations of our Mission Statement and the ethos of the school as respectful of the rights of all involved in the school to go about their business in a safe, caring and comfortable environment. Our school discipline strategies seek to encourage responsible, positive behaviour and to provide all students with a satisfying school experience, characterised by Love, Laughter and Learning, as well as seeking to discourage misconduct.

Legislative Context

The Constitution of Ireland

The Education Welfare Act 2000, Section 23.

The Education Act 1998, Sections 28 & 29.

The Education (Miscellaneous Provisions) Act 2007.

The Equal Status Act 2000 – 2004.

The UN Convention on the Rights of the Child.

The European Convention on Human Rights, 1950.

Non fatal Offences against the Person Act 1997.

The Education of Persons with Special Educational Needs Act, 2004.

The Ombudsman for Children Act, 2002.

Disability Act 2005.

Health and Safety legislation.

Data Protection Act, 1988 and Amendment 2003.

Age of Majority Act, 1985.

The general principle of ‘In Loco Parentis’ and Natural Justice.

Learning, Relationships and behaviour are inextricably linked. Good behaviour is an outcome of effective learning and good relationships, as well as an influence on how students learn.

The Code of Behaviour seeks to provide for:

- The personal development, safety and welfare of students.
- The right of each person, student and teacher to work and make progress in the classroom.
- The safety and welfare of staff and their ability to carry out their functions in an atmosphere free from threat or obstruction.

Parents/Guardians

- Supportive parents and a favourable home environment play a crucial role in shaping the attitudes which produce good behaviour in school.
- There is an expectation on behalf of the school that parents fulfil their role as partners with the school ensuring that both they and their daughters are familiar with the Code of Behaviour and support it.
- The support of parents is seen as crucial to the successful implementation of the Code and the realisation of the aims to all the stakeholders i.e. students, staff and parents.

- In the spirit of good communication the school will endeavour to keep parents/guardians informed of their daughters' progress and to alert them at an early stage if difficulties arise.

RULES OF THE SCHOOL

Because our policy on the Code of Behaviour is rooted in the school's fundamental aim:

- To develop a sense of community that reflects the ethos of the Loreto Order, and the Vision of Mary Ward.
- To Develop mutual respect and co-operation.
- To foster a sense of order and discipline in order to ensure the personal growth of each student in knowledge, truth and goodness.
- To instil a sense of respect of persons and property.
- To encourage students to take control of and responsibility for their own behaviour.

The following Rules of the School are in place:

1. Students are required to show respect towards one another and towards staff.
2. Students are required to conduct themselves in a quiet and orderly manner at all times, in school, in the vicinity of the school, on school buses and school trips. Any form of misbehaviour or disruption on any occasion, in any place, that would bring disrepute to the school is considered unacceptable and is liable to sanctions.
3. Bullying or harassment in any form, including sexual harassment, and by any means, including social media, will not be tolerated and will be severely dealt with by the School Authorities.
4. In the interests of Health & Safety the school forbids the following on the school premises:
 - (i) Chewing Gum
 - (ii) Tobacco & Vaping
 - (iii) Alcohol
 - (iv) Tippex
 - (v) Aerosols
 - (vi) All illegal substances.
5. The school uniform, as listed, must be worn at all times, including going to and from school. Regulation P.E. uniform must be worn for P.E. classes.
6. Attendance at all classes must be punctual. Unauthorised absences from class are forbidden.
7. Every student is required to have a Journal. If a student either defaces or loses her Journal, she will be required to replace it immediately at her own expense.
8. When a student is absent for part of a school day, a full school day or more than a school day, parents/guardians must fill in and sign an Explanation for Absence Note in the Student Journal.
9. No student may leave school grounds without getting permission from her Class Tutor or other person in authority and without signing OUT. On her return the student must sign IN. No student is permitted to leave school grounds at break time, 10.55am – 11.10am.
10. Students who remain in school for lunch and/or for supervised study must obey the lunch-time and study regulations.

11. Students are required to respect school property.
12. Personal mobile devices i.e. phones, cameras etc. must be switched off (unheard and unseen) during school hours including morning break and lunch, 8.40am – 4.15pm / 3.35pm, and during school activities (e.g. Study, Exams, Extra-Curricular activities etc.) Should a mobile device sound accidentally during the school day the student in question will receive demerit points. Intentional phone usage is strictly forbidden. If a student is seen to be actively using their personal mobile device in school, they will be issued with a formal complaint. Use of digital cameras or use of mobile phones for photographic / video purposes is strictly forbidden at all times while on the school premises and during school related activities unless permission is given by the school authorities.
13. Home-work must always be fully completed and neatly presented at the required time.

DISCIPLINE PROCEDURES

When students break school rules, demerit points, sanctions will be imposed. The reason for sanctions is to educate a student as to why her behaviour is inappropriate, as well as to make the student aware of and sensitive to all the possible consequences of the behaviour in question.

1. If a student misbehaves she will be corrected in the first instance by her **SUBJECT TEACHER** and encouraged to change her behaviour and may receive appropriate demerit points at the teacher's discretion.
2. If the misbehaviour continues, the teacher may report the student to the **Year Head**. Year Head or teacher may give further demerit points if appropriate.
3. Demerit points are for less serious misdemeanours and misbehaviour. More serious misconduct may result in Formal Complaints, On Report, Suspensions or even Expulsion, depending on the severity of the misbehaviour. The relevant sanction will be at the Teacher, Tutor, Year Head or Deputy Principal's discretion and may be chosen after consultation and may include the Principal in very serious cases.
4. If the student receives a Formal Complaint, she will be required to do **DETENTION** on an appointed day for one hour. The parents/guardians will be notified by letter. Failure to report for **DETENTION** is regarded as a serious breach of discipline and may result in **SUSPENSION**.
5. If a student receives a **SECOND FORMAL COMPLAINT**, the Year Head will put the student **ON REPORT** and again inform the parents by letter. The student will be required to do further **DETENTION**.
6. If a student is put **ON REPORT A SECOND TIME** in the school year the parents/guardians will be asked to meet the **PRINCIPAL** and **DEPUTY PRINCIPAL**. **SUSPENSION** may be considered at this stage.
7. If a matter is sufficiently serious the **PRINCIPAL** (or the Acting or Deputy Principal) has the right to **SUSPEND** a student at any time without going through the above procedures.
8. The **BOARD OF MANAGEMENT** may be obliged to resort to **EXPULSION** in the most extreme cases of indiscipline after all pastoral resources available within and to the school have been utilised, every other sanction has been exhausted and due procedures have been followed.

Note:

1. In cases of unacceptable behaviour a teacher may decide to give a written **FORMAL COMPLAINT** to a student at the time of the incident.
2. **ON REPORT** – For the duration of a week, at the end of each class, the class teacher writes a report on the student's behaviour. (On Report Form must be given to class teacher at the start of each class)
3. Students who break School Rules may be **DENIED PRIVILIGES** at the discretion of the **PRINCIPAL**. Any student who has received a **FORMAL COMPLAINT** during the school year must get written permission from the **PRINCIPAL** or **DEPUTY PRINCIPAL** before going on any school trip.
4. It is the student's responsibility to make herself aware of the time and date of **DETENTION**.
5. As all our students will be given their own Office365 Account and all First Years will have their own Linx Tablet device, it is now necessary for each student to sign an **Acceptable Usage Policy (AUP)** for each of these. Failure to follow the AUP guidelines may be in breach of our code of behaviour. Sanctions will include **Demerit Points** for minor breaches and **Formal Complaints** for more serious breaches. As in all cases with our code of behaviour, very serious breaches of the AUP may result in **Suspension or Expulsion** of a student. The guidelines are put in place to provide a safe and secure environment for our students to use all forms of digital technologies sanctioned by our school.

DEMERIT POINTS SYSTEM

Students may receive demerit points for a number of misdemeanours from their teachers or tutors. Students will be informed as to what misdemeanours are included and the points incurred for each of these misdemeanours.

- Students on 6 points will be on Demerit Detention
- Students on 12 points will receive a Formal Complaint
- Students receiving more than 12 points will be put on Report at the discretion of the Tutor, the Year Head & The Deputy Principal.

GENERAL ORDER SYSTEM

Students may receive general order detention if they show persistent untidiness in the school building and its surroundings. Students in all classes are monitored by the school's 'Mess Management Group'. This is a group of students selected from those 5th year students who formally apply for the position and is overseen by Coordinators and the Deputy Principal. The Coordinators are selected from 5th year and must also apply for the position. The idea of this system is that the student body regulates itself in relation to how students take responsibility for general order and tidiness in the school. Mess Management and the Coordinators carry out inspections and are under the direction of the Deputy Principal. The Mess Management team and coordinators hold regular meetings with the Deputy Principal where reports from inspections may be discussed. Any sanctions required are at the discretion of the Deputy Principal.

Students who leave books, bags and other personal belongings unattended and not in the assigned places for such items will have their names taken and recorded by the Coordinators. Students will be reminded and informed of the procedures around the safe and tidy storage and management of their belongings. Students will also be informed as to how the general order system works and the procedures that lead to possible sanction. Sanctions for non-compliance will be clear and students may have to serve a detention during a lunchtime period in a place and time determined by the Deputy Principal.

SUSPENSION

In cases where students fail to observe the Code of Behaviour and in the interests of Health & Safety, it is necessary, for the good of the school community as a whole, to impose sanctions on such students, including suspension or expulsion where warranted. The school's approach to suspension and expulsion takes due consideration of the rights and responsibilities inherent in the Education Act 1998, Education Welfare Act 2000, Equal Status Act 2000 and the principles of fairness and National Justice.

POSSIBLE GROUNDS FOR SUSPENSION

Suspension will be considered for serious breaches of the Code of Behaviour. Such breaches of the Code of Behaviour include but are not limited to:

- Endangering the safety or health of any member of the school community.
- Disrespect or defiance towards any member of staff and the harassment, intimidation or bullying of any member of the school community
- Refusal to obey clear and reasonable instructions of staff members on a repeated basis.
- Possession, use, or supply of prohibited substances (including alcohol, drugs or associated paraphernalia) in the school, on school trips, or in the course of any school related activity. Exception will be made only for legitimate medicinal use with the prior notification of the school authorities.
- Deliberate vandalism, including the writing of graffiti, in relation to school property or the property of a member of the school community.
- Interference with or persistent disruption of teaching and learning.
- Smoking/vaping anywhere inside or in the immediate vicinity of the school grounds.
- The use of obscene, abusive, or otherwise inappropriate language.
- Hitting, punching or slapping or using any form of physical violence on any member of the school community.
- Stealing, fighting, or the possession of offensive weapons. In addition to being serious breaches that incur suspension, these are criminal offences that will be reported to the appropriate authorities.
- Damaging the good name and reputation of the school.
- Truancy.
- Failure to report for detention without reasonable and timely explanation.

PRINCIPAL'S ROLE RE SUSPENSION (or the acting or deputy principal)

Suspension will occur after the Principal has:

- ensured that all **discipline options** under the Code of Behaviour have been applied and documented.
- ensured that all **appropriate support personnel** (internal and external) have been involved.
- ensured that **discussion** has occurred with the student and Parent/Guardian regarding specific misbehaviour which the school considers unacceptable and which may lead to suspension.
- ensured that **diagnostic assessments** have been carried out where appropriate, particularly where unacceptable behaviour is ongoing and consistent.
- provided a **formal written warning** detailing these behaviours as well as clear expectations of what is required of the student in the future (except in cases of very serious misconduct)
- recorded all **action** taken.
- copied all **correspondence**.

PROCEDURE FOR SUSPENSION

- The Principal makes the decision to suspend a student on the basis of the reasons set out in the Code of Behaviour and the parameters set out by the Board of Management.
- The student will be informed of the precise grounds which gave rise to the suspension.
- Parents/Guardians will be informed and invited to come to the school for a meeting. If suspension is to be immediate (e.g. in the interests of health and safety), Parents/Guardians may be informed by phone, with written follow-up.
- Students will not be sent home during a school day unless collected by a Parent/Guardian or some other suitable arrangement is made.
- Before a long suspension is imposed, a formal meeting comprising the Principal, Deputy Principal, Year Head, Guidance Counsellor and Parents may be convened in an attempt to resolve matters and/or to explain the reasons for the long suspension.
- The school may insist that the student remain at home while an appeal on a suspension is being processed.
- Where a suspension may already have been served before the appeal is actually heard, in cases where the appeal is successful, the record of the suspension will be removed from the student's file.
- The Principal (or the Acting or Deputy Principal, in the Principal's absence) may suspend immediately in some circumstances e.g. violence, threats of violence, illegal drugs etc.

All suspension decisions will include a **formal letter of notification** to Parents/Guardians that will include the following, where relevant:

- Notice of suspension
- Effective date of suspension.
- Duration of suspension
- Reasons for suspension.

- Expectations of the student while on suspension. (Study programme may be attached).
 - Importance of Parental assistance in resolving the matter.
 - A statement that the student is under the care and responsibility of the Parents/Guardians while on suspension.
 - A statement that the Education Welfare Board has been informed. (If the suspension is longer than 6 days cumulatively, or the student has been suspended for more than 20 days during the school year to date).
 - Information on appeal rights (internal school appeal/Section 29 Appeal)
 - Requirements which may need to be in place when a student returns (e.g. written apology, completed assignments etc.)
- If consideration is being given to proceeding to expulsion.

All cases of suspension shall be reported to the Board of Management at the next scheduled meeting of the Board. In exceptional circumstances, an extraordinary meeting of the Board of Management may be convened.

LENGTH OF SUSPENSION

- The Principal has the authority to suspend a student from attending school for a period of up to and including 3 days.
- Suspensions beyond 3 days are the responsibility of the Board of Management
- The Board of Management may wish to authorise the Principal to impose suspension of up to five days in circumstances where a meeting of the Board cannot be convened in a timely fashion.
- If a student is suspended for 6 days or more consecutively, the Principal must inform the local Education Welfare Officer.
- If a student is suspended for a cumulative total of 20 days or more in one school year, the Principal must also inform the Education Welfare Officer.

PROCEDURE FOR RE-INTRODUCTION FOLLOWING SUSPENSION

- Parents will be requested to attend with the student on the day of her return to the school.
- Student may be required to furnish a written apology.
- Student will be required to renew her commitment to the Code of Behaviour by signing the Statement of Contract re same.
- Parent and student may be required to agree to certain procedures which would seek to assist in the student's rehabilitation (e.g. counselling, referral to NEPS, other pastoral supports).

GROUND FOR REMOVING A SUSPENSION

The Principal/Board of Management may agree that a sanction other than suspension be applied, after discussion with the parents:

- Following a successful appeal to the Board of Management.
- Following a successful appeal under Section 29 of the Education Act.
- Where new circumstances come to light.

APPEALS

- A student has the right to appeal a suspension in excess of 6 days to the Board of Management in which case the appeal may be heard by a sub-committee of the Board.
- A student may also appeal to the Secretary General under Section 29 of the Education Act where a student has been suspended for 20 days or more.

Both appeal forms are available from the school on request.

EXPULSION

Expulsion is the ultimate sanction imposed by the school and is exercised by the Board of Management in extreme cases of indiscipline.

In advance of any hearing which could result in an expulsion, the school will investigate the matter in accordance with the principles of Natural Justice. (See Appendix).

POSSIBLE GROUNDS FOR EXPULSION

In general, there are two sets of circumstances in which expulsion may be considered to be appropriate by the school.

(a) Cases where the in-discipline of a student is so pervasive that teaching and learning , and the general running of the school, become extremely difficult. Such cases include but are not limited to:

- The student being so disruptive that she is seriously preventing other pupils from Learning.
- The student being uncontrollable and not amenable to any form of school discipline or authority.
- Parents/Guardians being unable, or refusing, to exercise their responsibility for the student.
- The student being a danger to herself or to others.
- When guarantees of reasonable behaviour following repeated suspensions are not forthcoming or not being met.
- The student's conduct acting as a source of serious bad example and having an adverse influence on other students in the school.
- When the student shows continuous defiant and aggressive behaviour and a total lack of respect for the school's Code of Behaviour.
- When the student shows threatening or continuous defiant behaviour towards school staff.
- When a student shows continuous threatening behaviour towards a fellow student or any member of the school community, which is unwelcome, inappropriate and/or offensive.

(b) First time offences of a very serious nature. Such cases include but are not limited to:

- Serious assault.
- Trafficking in drugs.
- Arriving in school under the influence of alcohol or drugs.
- Serious burglary or theft.
- Causing major damage to school property.
- Gross insubordination to the Principal or other staff members.
- Brandishing of an offensive weapon.

PRINCIPAL'S ROLE RE EXPULSION (or the Acting or Deputy Principal)

The Principal will always refer to the Board of Management in matters of expulsion. However, the Principal may suspend a student immediately in some circumstances e.g. violence, threats of violence, illegal drugs etc., pending a referral to the Board of Management with a recommendation of expulsion.

In general, expulsion will occur after the Principal has followed the following **procedures**:

- Ensured that all **discipline options** under the Code of Behaviour have been applied and documented.
- Ensured that all **appropriate support personnel** (internal and external) have been involved.
- Ensured that **discussion** has occurred with the student and Parent/Guardian regarding specific misbehaviour which the school considers unacceptable and which may lead to suspension.
- Ensured that **diagnostic assessments** have been carried out where appropriate, particularly where unacceptable behaviour is ongoing and consistent.
- Provided a **formal written warning** detailing these behaviours as well as clear expectations of what is required of the student in the future (except in cases of very serious misconduct).
- **Recorded all action** taken.
- **Copied all correspondence.**
- Informed the Parents/Guardians of his/her intention to **recommend expulsion** to the Board of Management.
- Invited the Parents/Guardians to the **Board of Management** hearing.
- Invited the Parents/Guardians to make a **written submission** in advance of the Board Meeting.
- Provided the parents with a full, **written description** of the allegations against the student and the case being made at the Board, together with copies of all documentation, statements etc., supporting the case.
- Made a **formal expulsion recommendation** to the Board with full supporting documentation.

ROLE OF THE BOARD OF MANAGEMENT:

Expulsion can only occur after the Board of Management has followed the following procedures:

- Heard the **Principal's case against the student** (this case will be made in the presence of the parents)
- Heard the **Parents' response.**
- Examined all the **documentation.**
- Considered the **student's record** in the school.
- Taken legal/expert **advice.**
- Ensured the **Principal is not present for the Board's discussion and decision** on the matter.
- **Discussed** the case in detail.
- **Considered all matters** having regard to the Board's responsibilities to the whole school community and to the principles of natural justice.

- Made a **final decision to expel**.
- **Communicated the decision** to the Parents formally through the Secretary to the Board (registered letter).
- **Informed the Education Welfare Officer** under Section 24 (1) of the Education Welfare Act 2000.

The **formal letter of notification** to Parents/Guardians will include:

- Notice of the expulsion.
- Effective date of the expulsion.
- Reasons for the expulsion.
- A statement that the Education Welfare Board has been informed.
- A statement that the student is under the care and responsibility of the Parents/Guardians for the period of 20 days required by the Education Welfare Officer to examine alternative provisions for the education of the student.
- Information and documentation on Appeal rights (i.e. Section 29 Appeal).

APPEALS

A student has the right to appeal expulsion. (Ref. Education Welfare Act)

- A student may appeal to the Board of Management in which case the appeal may be heard by a sub committee of the Board.
- A student may also appeal to the Secretary General under Section 29 of the Education Act.

Both appeal forms are available from the school on request.

PRINCIPLES OF NATURAL JUSTICE

PROCEDURAL FAIRNESS

Procedural fairness is a basic right of all individuals dealing with authorities. All communities have a legitimate expectation that schools (Boards, Principals and teaching staff) will follow these principles in all circumstances, particularly when dealing with suspensions and expulsions.

Procedural fairness is generally recognised as having two essential elements.

1. The right to be heard which includes:

- The right to know why the action is happening.
- The right to know the way in which the issues will be determined.
- The right to know the allegations in the matter and any other information which will be taken into account.
- The right of the person against whom the allegations have been made to respond to the allegation.
- The right to an appeal.

2. The right of a person to an impartial decision which includes:

- The right to impartiality in the investigation and decision making phases.
- The right to an absence of bias in the decision maker.

