



## Cork Educate Together Secondary School

### Code of Behaviour August 2017

CETSS offers parents the choice of an education based on the inclusive intercultural values of respect for difference and justice and equality for all. In our school, every student will learn in an inclusive, democratic, co-educational setting that is committed to enabling and supporting each student to achieve their full potential while at the same time preparing them to become caring and active members of a culturally diverse society.

**Adapted from Educate Together Mission Statement**

The Board of Management of CETSS, in exercise of the powers conferred upon it by Section 23 of the Education (Welfare) Act 2000, following consultation with the persons specified in that section of the said Act (the principal of, the teachers teaching at, the parents of students registered at, and the educational welfare officer assigned to the school) and having regard to the relevant guidelines published by the National Education Welfare Board 2008, hereby make this Code of Behaviour. This policy is addressed to all members of staff, parents, students, and all visitors to our school.

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## Section 1: Aims of this Code of Behaviour

Our **aims** in introducing this Code of Behaviour are to:

- Achieve the vision outlined above and ensure an educational environment that is guided by our Educate Together ethos.
- To allow the school to function in an orderly way where all students can make progress in all aspects of their development.
- To create an atmosphere of respect, acceptance, open-mindedness, and consideration for oneself, others and the environment.
- To promote positive behaviour and self-discipline, recognizing the differences between all members of the school community and the need to accommodate and accept these differences.
- To ensure the safety and well-being of all members of the school community.
- To assist parents and students in understanding the school's Code of Behaviour and to ensure their co-operation with its implementation including a full understanding of restorative practice.
- To resolve issues arising in a fair and transparent manner.
- To ensure that the system of rules and sanctions (up to and including expulsion) are implemented in a fair and consistent manner throughout the school.

## Section 2: Our vision for relationships and behaviour

CETSS is a community where we place the student at the centre of the educational process and celebrate the diversity of identities. We promote the values of justice, equality and human rights for all children and challenge injustice and discrimination. We are committed to enabling children to make informed moral decisions and to preparing them to become caring members of society. Upholding these commitments as well as all the other commitments of the Educate Together mission statement is achieved in large part, through the development of positive relationships between students, teachers, and parents.

Our **vision** for relationships and behaviour at CETSS is of a place where:

- All interpersonal relationships reflect values of justice, equality and human rights for all.

- All members of our community treat each other with care and respect.
- We involve teachers, students and parents in decisions about the Code of Behaviour and other policies.
- People demonstrate self-awareness, reflection and informed moral decision-making about their relationships and behaviour.
- We strive to resolve conflicts quickly and fairly to ensure a happy, secure, and effective learning environment for all.
- We create an orderly and caring learning environment without the use of shame or humiliation. We challenge injustice and unfair discrimination.
- We strive to support and empower individuals to change their own behaviour where this is necessary to achieve a happy, secure learning environment for all.
- Staff are supported by management, students and by parents to implement the school's Code of Behaviour (this includes provision of training and ongoing mentoring in restorative practice approaches).
- Each staff member, student and parent is valued for what they bring as a unique individual to the learning community and as such are not expected to conform to identical or prescribed modes of behaviour where this is not necessary for the achievement of the mission of the school or a supportive, open and effective learning environment for all.

In working together to achieve this vision, we agree upon the following **principles**

- All members of the school community have a common responsibility for promoting and maintaining positive relationships and behaviour and for applying this policy consistently.
- Rules are necessary for orderly community living and must be agreed collaboratively, clearly explained and followed by all members of the school community.
- We use restorative practice approaches as far as is practicable to generate positive solutions to behaviour issues which are mutually agreed between all parties affected by the issue.
- People usually respond better to support and encouragement than to criticism and sanctions. Nevertheless, sanctions may sometimes be necessary as a part of a solution designed to ensure a happy, secure, and effective learning environment for all.

### **Section 3: How our Code of Behaviour is informed by the Educate Together Mission Statement**

In accordance with the Educate Together Charter, CETSS commits to the ensuring that relationships and behaviour at CETSS support the development of a learning environment and community that is equality-based, child-centred, co-educational and democratically run. As a school community, CETSS also agrees to uphold the values and commitments in the Educate Together mission statement. Our Code of Behaviour is informed by seven of the nine Values and Commitments that are specified within the Educate Together mission and are outlined here.

Values and Commitments (of the Educate Together mission statement)	How the CETSS Code of Behaviour is informed by this
<i>Placing the child at the centre of the educational process</i>	Children should be involved in making decisions about how to ensure their behaviour helps to create a happy, secure effective learning environment for all. All students in the school have a say in the creation and review of the Code of Behaviour as part of the student assembly each year.

<i>Respecting and celebrating the different and unique identities of all.</i>	The requirements of the Code of Behaviour should not impede the capacity of the school to respect and celebrate the differences between members of the school community.
<i>An educational philosophy that promotes the values of justice, equality and human rights for all children and challenges injustice and unfair discrimination.</i>	Values of justice, equality and human rights should inform the nature of the daily relationships between students and teachers, and of the restorative practice meetings and agreements between students, teachers and parents
<i>Providing children with the knowledge, skills, dispositions and attitudes that they need, enabling them to make informed moral decisions and preparing them to become caring members of society.</i>	The implementation of the Code of Behaviour (including use of restorative practice approaches) should provide children with opportunities to further develop their ability to make informed moral decisions, empathise with and care for the needs of others.
<i>Working in a democratic way that embraces the input from children, parents, teachers, and supporters to enable the highest level of partnership and participation.</i>	The Code of Behaviour will be reviewed and developed in conjunction with all of the school's stakeholders.
<i>Working together and with other educational partners in a consultative and collaborative way.</i>	The Code of Behaviour and its implementation will be informed by and updated annually to reflect new guidelines, advice and training provided by support services.
<i>Ensuring that this type of education is provided by the State and available to all families who wish to access it.</i>	CETSS will ensure that our Code of Behaviour or its implementation does not unfairly discriminate against any student or family.

#### **Section 4: Standards and Expectations**

This section contains the standards and expectations to which all members of the school community commit.

The Code of Behaviour applies during all school-linked activities including on school buses, during school tours and all other out of hours' events.

The Code of Behaviour also applies to interactions between all members of the school community both inside and outside of school hours, including, all digital communication.

#### **How students, teachers and parents can promote a happy school**

This section details the ways in which the school promotes positive behaviour.

We help to ensure that our school is a happy place to work and learn in by:

- Providing the best facilities that we can for staff and students
- Encouraging positive supportive relationships between all the partners
- Communicating with each other regularly, and if there is a difficulty, treating each other with respect and dignity
- Helping each other to bring about change
- Encouraging each other and acknowledging progress made
- Involving staff, students and parents in all aspects of our school's development
- Supporting each other in all aspects of our work

- Providing a wide range of option subjects for students
- Providing a wide range of extra-curricular activities for students
- Involving students in supporting each other

## **Standards**

The most important commitment that each of us makes in joining our community is acting with respect and consideration for others at all times. In order to encourage, develop and maintain positive relationships, staff, students and parents each commit to a set of standards related to their role.

Teachers are expected to act in accordance with the *Code of Professional Conduct for Teachers*, produced by the Teaching Council (2016).

## **Expectations**

The list of possible unacceptable behaviours, as outlined in Section 5 can be understood as ‘school rules’. They apply to all school contexts (such as, but not limited to: classrooms, corridors, school buses, school trips, after-school clubs, homework club). Teachers and students form additional ‘classroom agreements’ which must also be upheld by all. These expectations also apply to all interactions between students, and between students and teachers, outside of school hours including all digital communication.

Both visitors to the school and members of the school community must comply with the school’s rules and procedures at all times.

## **School site access**

The school day is from 8.30am to 3.25pm. For students’ convenience, we provide access to the site from 8.00 [am](#) (on the condition that students immediately progress to, and remain in, the supervised atrium). Students must leave in a prompt and orderly fashion at the end of the school day, unless supervised in a school activity, such as homework club, detention and extra-curricular clubs. Students should not leave the school site once they arrive, until the end of their school day, unless by arrangement with a parent/guardian in accordance with the CETSS Health and Safety Policy. This also applies to those students who have been dropped off by a school bus inside the school gate in the morning. Please see CETSS Health and Safety Policy, regarding any student on premises after school hours.

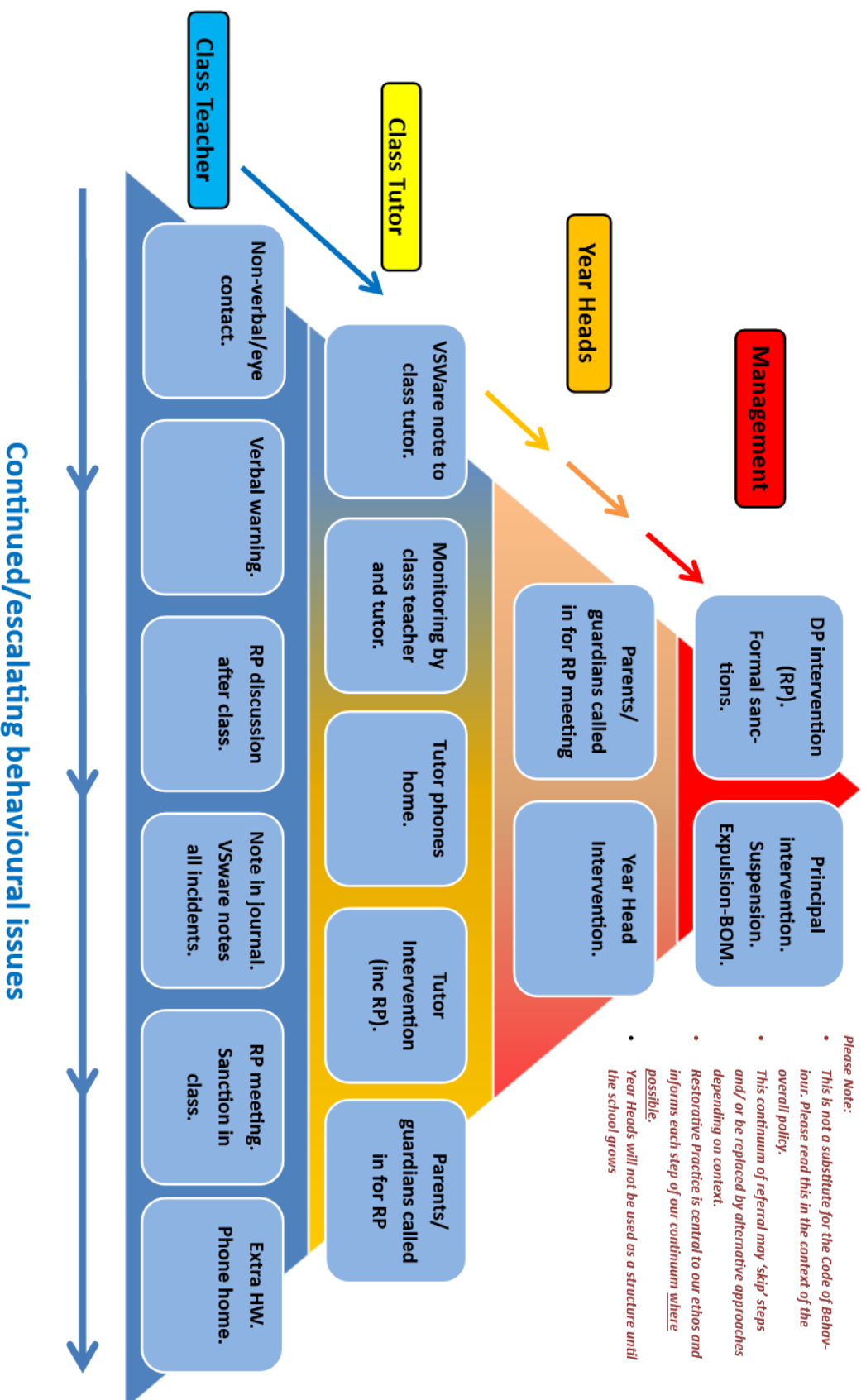
## **Section 5: Procedures for dealing with unacceptable behaviour**

This sections details what happens when people do not follow the school’s Code of Behaviour including classroom agreements (or classroom rules) set with individual class groups. This section explains the recording system for unacceptable behaviour listed in the table above.

## **Steps followed by teachers to prevent low level disruption to lessons**

The diagram below shows the simple system teachers use when basic expectations are not met during lessons to ensure disruption to learning is minimised. This system also ensures that all significant breaches of the Code of Behaviour are recorded on VSware. All teaching staff at CETSS follow these steps consistently to effectively manage the learning environment during lessons. Please note that this diagram is intended to clarify how low-level disruption is dealt with only. Incidents involving gross misconduct (e.g. an incident or behaviour which puts student safety at risk) involve immediate intervention/sanction outside the classroom setting (Refer to table in Section 5). This diagram does not detail the sanctions which occur as a result of unacceptable behaviour (see also Section 5).

## Continuum of Referral for Poor Behaviour



## **Restorative practice**

Our systems for promoting a positive and cooperative learning environment are based on a Restorative Practice approach.

In this approach teachers seek to model positive and constructive communication at all times, and build a solid rapport with their students. The vast majority of students rarely need to be reminded of the Code of Behaviour and when they do, it is for relatively minor reasons. However, where sanctions become necessary, we aim to be as consistent as possible in their application.

When behavioural issues arise, we do not have rigid categories of behaviour with associated scales of immediate punishment. All staff are professionals and use their discretion and use a restorative approach to solve behavioural issues to the greatest extent that is practicable. This includes the use of the following restorative questions, which seek to make visible the underlying causes of an incident and thus offer hope of a permanent solution.

### **When challenging behaviour:**

- What happened?
- What were you thinking of at the time?
- What have you thought about [it](#) since?
- Who has been affected by what you have done?
- In what way have they been affected?
- What do you think you need to do to make things right?

### **To help those affected:**

- What did you think when you realized what had happened?
- What impact has this incident had on you and others?
- What has been the hardest thing for you?
- What do you think needs to happen to make things right?

According to this approach, sanctions alone are not seen as offering much in the genuine way of accountability; doing little to meet a child's needs and little to address the causes of the wrongdoing.

Restorative practice is not a licence for passivity or inertia on the part of teacher. Behaviour that is deemed unacceptable must be challenged and resolved in a sustainable and meaningful manner and our goal is to find a just resolution to the harm done, with the cooperation of the students involved. The type of interventions/consequences that will be implemented is dependent on the behaviour being encountered and the extent to which the parties involved are willing to engage with RP. We aim to use restorative practices as far as practicable to help select mutually agreed interventions/ consequences. This is to ensure that all parties are able to move forward with the best possible learning attitude. Nevertheless, should this approach be unsuccessful; or should the nature of the misbehaviour be sufficiently objectionable, the school reserves the right to use all other sanctions as outlined in Section 5 of this code, up to and including expulsion.

## **Section 6: Levels of unacceptable behaviour and possible consequences**

The following table gives an indication of the possible consequences of unacceptable behaviour.

It is important to note that neither the list of possible unacceptable behaviours nor the list of possible consequences in table below are exhaustive. The school reserves the right to impose comparable reasonable interventions or sanctions where a student's behaviour falls below required standards. The Principal is authorised and empowered by the Board to exercise any disciplinary sanction short of suspensions greater

than 3 days as part of his daily responsibilities (see Section 7). Examples of sanctions short of expulsion are: verbal reprimand, temporary removal from the classroom to a supervised location, withdrawal of privileges, withdrawal from the particular lesson or peer group, carrying out a useful task in the School, detention, and suspension. This is not an exhaustive list.

Level	Unacceptable Behaviour (examples)	Response and/or potential consequences	Who	Support and by Whom
1	<ul style="list-style-type: none"> <li>• Lack of equipment/journal</li> <li>• Being late to school</li> <li>• Not following basic instructions</li> <li>• Lack of punctuality (start of lessons)</li> <li>• Missing homework/project deadlines</li> <li>• Minor disruptive behaviour (e.g. chatting, turning around, not taking part in class...)</li> <li>• Running in corridors/horseplay</li> <li>• Eating in areas not designated for lunch/break</li> <li>• Unkind behaviour to another student</li> <li>• Littering</li> <li>• Inappropriate physical contact. (Physical contact should be platonic in nature only. Kissing, hugging, sitting on laps, and sexual contact of any kind, is inappropriate for school, as these behaviours make others feel uncomfortable/ under pressure to conform).</li> </ul>	<p>Verbal reminder/reprimand.</p> <p>Note on VSWare if a 2<sup>nd</sup> reminder is required.</p> <p>Journal note.</p> <p>Additional learning tasks.</p>	All teaching staff.	<p>Subject Teacher.</p> <p>RP conversation, agreed (1:1)</p>
2	<ul style="list-style-type: none"> <li>• Persistent or serious Level 1 behaviour (including persistent lack of equipment or persistent lack of homework)</li> <li>• Damaging the structural integrity of the journal (non-offensive decoration of the cover is permitted)</li> <li>• Water-fights &amp; other similar boisterous behaviour.</li> <li>• Dress-code infringements</li> <li>• Persistent lack of punctuality (start of lessons)</li> <li>• Persistent misuse of mobile phones, MP3 players, etc.</li> <li>• Bullying (see Anti-bullying policy)</li> <li>• Graffiti and/or vandalism</li> <li>• Being in the company of smokers</li> </ul>	<p>Automatic Note on VSWare. RP conversation to determine appropriate intervention/consequence.</p> <p>Potential outcomes:</p> <ul style="list-style-type: none"> <li>• meeting with parent/guardian,</li> <li>• Community service such as litter duty</li> <li>• LearnSmart support programme or other learning intervention</li> <li>• Present phone for storage during</li> </ul>	Subject teacher, Class tutors,	<p>RP conversation, agreed (1:1; circle;) interventions and consequences to be recorded for future reference.</p> <p>Tutors, Student Support team and parents to monitor intervention.</p>



	<ul style="list-style-type: none"> <li>Being on school site without staff permission - see CETSS Health and Safety Policy, 2017</li> </ul>	<p>school time in the office for one week</p> <ul style="list-style-type: none"> <li>Additional learning tasks</li> <li>Productive tasks to be completed during detention</li> </ul>		
3	<ul style="list-style-type: none"> <li>Failure to comply with an agreed consequence applied at Level 2.</li> <li>Persistent or serious Level 2 misbehaviours (determined by class tutor)</li> <li>Refusal to engage with Learnsmart's work (homework/classwork/project...) and/or similar agreements/contracts arising from level 2 interventions.</li> <li>Rudeness to others (staff, students, visitors, public...)</li> <li>Repeated dress-code infringements</li> <li>Truancy,</li> <li>Anti-social behaviour (e.g. spitting...)</li> <li>Being on school site repeatedly without staff permission in accordance with our extended hours policy</li> <li>Out of bounds (out of sight on school grounds)</li> <li>Out of bounds - off site/trips</li> <li>Severe or persistent cases of Bullying (see Anti-bullying policy)</li> <li>Graffiti and/or vandalism (larger scale)</li> <li>Selling/buying/distributing for personal gain</li> <li>Abusive and aggressive language,</li> <li>Being in possession of smoking materials,</li> <li>Poor behaviour during Restorative Practice meetings</li> <li>Physical aggression (endangering others)</li> <li>Inappropriate sexual behaviour</li> </ul>	<p>Automatic Note on VSWare. Promptly arranged RP meeting to determine appropriate consequence.</p> <p>RP conversation, agreed (1:1; circle;) interventions and consequences to be recorded for future reference.</p> <p>Possible consequences: (depending on the nature of the incident)</p> <ul style="list-style-type: none"> <li>exclusion from extracurricular activities to include trips, productions and sports teams.</li> <li>Additional learning tasks</li> <li>Productive tasks to be completed during detention.</li> <li>Community service</li> <li>Restricted access to school buildings / outdoor areas</li> <li>Supervised break times</li> <li>Confiscation of items.</li> <li>Monitoring-card</li> <li>Suspension</li> </ul>	<p>Depending on severity of incident(s):</p> <p>Year Head</p> <p>Deputy Principal</p> <p>Principal</p>	<p>As above, and Communication with parent/carer from class-tutor/Student Support team.</p> <p>Consultation with Year Head.</p> <p>Consultation with SEN co-ordinator if applicable.</p> <p>Student Support Plan, mentors, modified curriculum, and other supports will be used by Student Support staff when deemed appropriate.</p> <p>Risk Assessment.</p>

4	<p>These examples of misbehaviour that could warrant immediate suspension <b>are indicative and are not an exhaustive list.</b></p> <ul style="list-style-type: none"> <li>• Persistent or serious Level 3 infringements</li> <li>• Major graffiti and/or vandalism;</li> <li>• Weapons or imitation weapons (While on the School Premises, being in possession of a knife or other article made or adapted for use for causing injury or incapacitating a person)</li> <li>• Smoking/vaping while on the School Premises</li> <li>• Drugs and alcohol possession (While on the School Premises, being in possession of controlled drugs or stimulants/medication for unlawful sale, supply or personal use)</li> <li>• Drugs and Alcohol (Being present on the School Premises while under the influence of an intoxicant (i.e. alcohol and drugs/stimulants and any combination thereof);</li> <li>• Homophobic, racist or inflammatory comments</li> <li>• Distribution or display of material on the School Premises which is threatening, abusive, insulting or obscene</li> <li>• Engaging in threatening, abusive or insulting behaviour or persistent harassment towards another member or members of the School Community or others on the school premises</li> <li>• Assaulting or threatening to assault (endangering others) another member(s) of the School Community or others on the school premises</li> <li>• Bullying/cyber-bullying (see Anti-bullying policy)</li> <li>• Serious misuse (e.g. sexting – taking, possessing, sharing, displaying...) of mobile phone, other tech. device, school computers, or the school system.</li> <li>• Deliberately setting off the fire alarm and/or extinguisher or provoking other emergency</li> </ul>	<p>Probable and possibly immediate suspension if deemed appropriate by the management.</p> <p>If suspension is not deemed appropriate by the Principal or Deputy, an urgent RP conference will be held with the Guidance Counsellor/ Year Head/ Principal /Deputy/etc...as required.</p> <p>Record of conference and steps to resolution recorded on VShare.</p> <p>Possible consequences: Suspension (up to 3 days, or 5 with BOM chair-person approval) and/or any other sanction short of expulsion.</p> <p>Suspension greater than 5 days (subject to Board approval).</p> <p>For Health and Safety reasons, students may be required to 'cool off' under school or parental supervision (off-site) immediately following the incident.</p> <p>Confiscation of items.</p>	<p>Principal (or deputy in case of the Principal's Absence) for suspension.</p> <p>Deputy Principal</p> <p>Principal</p>	<p>As above and review of the individual's Student Support Plan.</p> <p>Board of Management informed in cases of suspension.</p>
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	procedures/evacuations under false pretences <ul style="list-style-type: none"> <li>• Damaging or threatening to damage school property or property belonging to another member or members of the School Community or others on the school premises</li> <li>• Failing to comply with the provisions of a School Policy without lawful authority or reasonable excuse</li> <li>• Theft or attempted theft of the School's property or property belonging to another member or members of the School Community or others on the school premises</li> </ul>			
5	<ul style="list-style-type: none"> <li>• Persistent/serious Level 4 infringements</li> <li>• A serious 'one-off' incident (such as, but not limited to, those described at level 4) which in the judgement of the Board of Management warrants expulsion from the school community.</li> <li>• Drugs &amp; Alcohol (dealing)</li> </ul>	Expulsion	Board of Management	

**Please Note: Items not to be brought into school (non-exhaustive list)**

- Items of value (including cash) should not be brought into school unnecessarily. CETSS does not accept responsibility for their loss or damage.
- Roller-blades, skateboards, heelies, scooters and hover-boards.
- Chewing gum.
- Energy or stimulant drinks (unless needed on occasion for previously agreed medical reasons).
- Any items to be sold, unless part of school sanctioned enterprise.

**Bringing any of the following five categories of items onto the premises will be considered a very serious disciplinary issue.**

- Weapons, imitation weapons or offensive/dangerous objects, including laser pointers
- Offensive literature in any medium or any form of pornography
- Any form of smoking materials, matches, lighters, e-cigarettes or vapour-sticks
- Alcohol of any kind.
- Any stimulants/illegal substances.

**Section 7: Procedures for suspension**

This section deals with the power to suspend and the procedures followed in cases of suspension.

**General Power to Suspend**

The Board of Management delegates the authority to suspend a Student from attending on the School Premises to the Principal for a period not exceeding three School Days, though this can increase to five days

with the support of the Chairperson of the BOM, if a BOM meeting is impractical in the short term. The same powers are conferred on the Deputy Principal on occasions when the Principal is absent/off-site.

### **Grounds for Suspension**

In determining whether to impose a suspension the Principal or Board, as appropriate, will have regard to whether:

- the Student's behaviour has had a significantly detrimental effect on the education of other Students;
- the Student's continued presence on the School Premises, at this time, constitutes a threat to the safety of other members of the School Community;
- the Student is responsible for serious damage to property belonging to another member or members of the School Community or the School itself;
- the Student has failed to comply with any significant provision of the behavioural expectations outlined in the Code of Behaviour without lawful authority or reasonable excuse; and/or
- the Student has failed to comply with any significant provision of a School Policy without lawful authority or reasonable excuse.

### **Immediate Suspensions**

Without prejudice to the foregoing, the Principal or Deputy Principal (in the Principal's absence) may, in his/her discretion, where s/he believes that it is warranted in all the circumstances of the case, impose a suspension upon a Student not exceeding three School Days. Such suspension will come into operation immediately following it being communicated to the Student and Parent. A Student who has been suspended with immediate effect, subject to any direction to the contrary being given by the Principal or Deputy Principal (as appropriate), shall leave the School Premises as soon as practicable.

Examples of behaviour that could lead to immediate suspension are provided in the table of consequences of unacceptable behaviour in Section 4.

### **Suspension Procedure**

Once a decision has been taken to impose a suspension, the Principal shall write, as soon as practicable, to the Parent of, or if over 18 years of age, the Student confirming the proposed or immediate, as appropriate, suspension. A copy of such letter will be placed on the School Record.

A suspension letter will contain the following information:

- basis for suspension (i.e. the relevant provision or provisions of this Code);
- the reasons for the suspension;
- the commencement and termination dates for the suspension; and
- a summary of the applicable procedure involved in appealing against the decision to suspend to the Board or Department, as appropriate.

### **Grounds for removal of a suspension**

Section 23 (2) d of the Education Welfare Act 2000 requires the school to publish the grounds for removing a suspension. This implies that a system is in place for review / appeal of a suspension.

Grounds for the Board of Management or Principal removing a suspension may include:

- New circumstances come to light which result in Board of Management/Principal of CETSS deciding to remove the suspension
- The Principal / Board of Management agree that another sanction be applied after discussion with the parents
- Successful internal appeal to the Board of Management
- Successful external appeal under Section 29 of the Education Act

### **Internal Appeals**

The Parents of, or if over 18 years of age, the Student who has been suspended may appeal such suspension to the Board in writing within two School Days of such suspension being imposed. Any appeal should be addressed to the Secretary of the Board of Management and must be either hand delivered to the Principal, sent by registered pre-paid post to him or by email to [principal@cetsl.ie](mailto:principal@cetsl.ie). A suspension will come into operation on the third School Day after it was imposed if no appeal has been received by the Principal within the prescribed time. In determining such appeal, the Board may, in its absolute discretion, either direct that such suspension be quashed, extended or reduced in addition to directing the Principal to amend the School Record accordingly. Where an immediate suspension has been imposed, and the duration of such suspension has expired by the time of the next ordinary meeting of the Board, the Board may, in its absolute discretion, quash such suspension and direct the Principal to amend the School Record accordingly.

The Parents of, or if over 18 years of age, the Student may appeal to the Board against any significant disciplinary sanction short of expulsion imposed upon a Student by the Principal or Deputy Principal. Any appeal should be addressed to the Secretary of the Board of Management and must be either hand delivered to the Principal, sent by registered pre-paid post to him or by email to [principal@cetsl.ie](mailto:principal@cetsl.ie). The entering of an appeal in respect of a disciplinary sanction short of expulsion does not suspend its operation and such sanction shall continue in full force and effect until the next ordinary meeting of the Board where such appeal will be determined.

### **External Appeal**

In accordance with Section 29 of the 1998 Act, an appeal lies to the Secretary General of the Department where a Student is, among other things, suspended from attendance at the School for a period which would bring the cumulative period of suspension to 20 School Days in any one School Year. Further information and the Appeals Application Form is available from the Section 29 Appeals Administration Unit, Department of Education and Skills, Friar's Mill Road, Mullingar, County Westmeath, N91 H30Y (See more at: <http://www.education.ie/en/Parents/Services/Appeal-against-Permanent-Exclusion-Suspension-or-Refusal-to-Enrol/#sthash.ZRSQVVM0.dpuf>)

### **Section 8: Procedures for expulsion**

The power to expel a student is exclusively conferred upon the Board of Management under the Acts.

The following principles apply to the relevant stages of the formal disciplinary procedure:

- While the formal disciplinary procedure will normally be operated on a progressive basis, the Principal or Deputy Principal, as appropriate, may bypass Stage 1 (Verbal Warning) and/or Stage 2 (Written Warning in the Formal Disciplinary Procedures below) should the nature of the Student's behaviour warrant such action;
- No decision regarding expulsion will be made until a formal disciplinary hearing has been convened and the student and her/his parents have been afforded an opportunity to respond;
- The student, if under 18 years of age, will be advised of his right to be accompanied by his parents/guardians at any meeting under the formal disciplinary procedure;

- The student will be advised in advance of a disciplinary hearing convened under Stage 3 (Disciplinary Hearing) of the Formal Disciplinary Procedures below of the precise nature of the complaint against them and will be given copies of any relevant documentation.
- The student and his/her parents will be afforded the opportunity to state their case and challenge any evidence that may be relied upon in reaching a decision by the Board;
- The Board will take into account any mitigating circumstances before deciding on the appropriate action;
- A student may be suspended pending the outcome of the hearing; and
- It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness.

### **Formal Disciplinary procedures**

Where the Student persistently fails to achieve the required standard the formal disciplinary procedure may be invoked. Generally, the stages in the formal disciplinary procedure are progressive and provide for disciplinary action including expulsion as follows:

#### **Stage 1 – Verbal Warning**

A verbal warning will be given by the Principal or Deputy Principal (as appropriate) stating the aspect of behaviour to be rectified and the consequences if improvement does not occur.

The purpose of the verbal warning is to inform the Student of the following:

- the departure from standards;
- what action or improvement is required and the time-scale for same;
- what measures (if any) will be taken to assist the Student;
- when the matter will be reviewed again;
- the action to be taken if the requested improvement is not made; and
- that the warning constitutes the first stage of the disciplinary procedure, and failure to improve may result in further disciplinary action under Stage 2 (Written Warning) of the disciplinary procedure.

The fact that a verbal warning is given will be recorded on the School Record, a copy of which is available to the Student upon receipt of an appropriate request under the Data Protection Acts 1988 and 2003.

#### **Duration of warnings:**

- (i) After six months of satisfactory behaviour, the warning is no longer active as a basis for decision-making on any further disciplinary matters;
- (ii) Any warning documented will, however, be maintained as a historical record; and
- (iii) Routinely, any further disciplinary matter would commence in the normal way under the disciplinary procedure with no link to a non-active verbal warning.

The issue of a verbal warning is without prejudice to any disciplinary sanction short of expulsion that may be imposed upon the Student by the Principal or Deputy Principal, as appropriate, in his absolute discretion.

## **Stage 2 – Written Warning**

If the Student fails to make the necessary improvements, or if the matter is considered sufficiently serious to warrant a written warning (without the necessity for a prior verbal warning), the Principal or Deputy Principal, as appropriate, shall issue a written warning to the Parents of, or if over 18 years of age, the Student, a copy of which will be placed on the School Record.

A written warning will contain the following information:

- the stage of the disciplinary procedure which has been invoked;
- the departure from standards;
- what action or improvement is required, and the time-scale for same;
- when the matter will be reviewed again;
- the length of time the warning will remain on the School Record; and
- the action to be taken if the requested improvement is not made. The Student will be advised that failure to improve may result in proceeding to Stage 3 (Disciplinary Hearing) of the disciplinary procedure.

The fact that a written warning is given will be recorded on the School administration system (VShare).

### **Duration of warnings:**

(i) After one School Year of satisfactory behaviour, the warning is no longer active as a basis for decision-making on any further disciplinary matters. This period may be extended in exceptional circumstances;

(ii) Any warning documented will, however, be maintained as a historical record; and

(iii) Routinely, any further disciplinary matter would commence in the normal way under the disciplinary procedure with no link to a non-active written warning.

The issue of a written warning is without prejudice to any disciplinary sanction short of expulsion that may be imposed upon the Student by the Principal or Deputy Principal, as appropriate, in his absolute discretion.

## **Stage 3 – Disciplinary Hearing**

If the Student shows no evidence of bringing their behaviour up to standard despite a verbal (if any) and written warning being issued, or if an allegation of serious misbehaviour is involved, a disciplinary hearing will be held before the Board. The Principal or Deputy Principal, as appropriate, will be present at this hearing. The Student and Parents will also be in attendance.

Prior to the convening of the disciplinary hearing, the Principal or Deputy Principal, as appropriate, shall notify the Parents of, or if over 18 years of age, the Student of the precise nature of the complaint against them together with a copy of relevant statements and other documentation. Within seven days of receipt of such notification, the Parents or Student, as appropriate, shall deliver to the Principal a statement in writing showing the nature and grounds (if any) of the Student's defence (hereinafter referred to as "the Answer"). Any allegation of misbehaviour not specifically denied in the Answer will be taken to have been admitted by the Student and the Board is entitled to receive into evidence any statement or other document which contains allegations not specifically denied in the Answer.

Disciplinary hearings are held in camera and individuals not directly concerned with the subject matter of the hearing will not be allowed to attend. At the hearing, the Principal or Deputy Principal, as appropriate,

calls witnesses to prove the allegations of misbehaviour not previously admitted, either expressly or implicitly, in the Answer furnished by the Student. When the Principal or Deputy Principal, as appropriate, has finished with a witness, that witness may be examined by the Student and their Parents. A witness can be further examined by the Principal or Deputy Principal, as appropriate, arising out of the Student and Parents' examination. At the close of the Principal's case, the Student may elect to give evidence themselves either in rebuttal of the allegations made against them or in mitigation.

Following the hearing, if a simple majority of the members of the Board find that the stated allegations of misbehaviour have been substantiated the Board may, subject to the requirements of Section 24 of the 2000 Act, expel the Student from the School or take whatever form of disciplinary sanction short of expulsion it considers, in its absolute discretion, appropriate in all the circumstances of the case.

### **External Appeal**

In accordance with Section 29 of the 1998 Act, an appeal lies to the Secretary General of the Department where a Student is, among other things, permanently excluded from the School. Further information and the Appeals Application Form is available from the Section 29 Appeals Administration Unit, Department of Education and Skills, Friar's Mill Road, Mullingar, County Westmeath, N91 H30Y (See more at: <http://www.education.ie/en/Parents/Services/Appeal-against-Permanent-Exclusion-Suspension-or-Refusal-to-Enrol/#sthash.ZRSQVVM0.dpuf>)

### **Section 9: Suspected Criminal Activity**

Without prejudice to any right to privacy or bodily integrity a Student may enjoy under the provisions of the Constitution of Ireland 1937 and/or the European Convention on Human Rights Act 2003, the Principal/ Deputy Principal/school tour leader who, with reasonable cause, suspects a Student to be engaged in any criminal activity may search that Student's personal property (e.g. Student's coat, school bag et cetera) or any relevant School property (e.g. the Student's locker et cetera). ("Reasonable cause for arrest equates with the concept of reasonable suspicion. In that regard, a reasonable suspicion is one founded on some ground which, if subsequently challenged, will show that the person arresting the suspect acted reasonably in suspecting them": Director of Public Prosecutions v Cash [2007] IEHC 108 (Charleton J.)

Without prejudice to any right to personal liberty a Student may enjoy under the provisions of the Constitution of Ireland 1937 and/or the European Convention on Human Rights Act 2003, and in accordance with the provisions of Section 4 of the Criminal Law Act 1997, the Principal, Deputy Principal or any Teacher, as appropriate, may use reasonable force to arrest and, if necessary, detain any Student whom he, with reasonable cause, suspects to have committed, or to be in the course of committing, an arrestable offence for the sole purpose of transferring that Student into the custody of the Garda Síochána as soon as practicable.

An "arrestable offence" means a criminal offence for which a person of full capacity and not previously convicted may, under or by virtue of any enactment, be punished by imprisonment for a term of five years or by a more severe penalty, and includes an attempt to commit any such offence (See Section 2 of the Criminal Law Act 1997).

Examples of arrestable offences would include:

- While on the School Premises, being in possession of a knife or other article made or adapted for use for causing injury or incapacitating a person (See generally Firearms and Offensive Weapons Act 1990);
- While on the School Premises, being in possession of controlled drugs for unlawful sale or supply (See generally Misuse of Drugs Acts 1977 and 1984);



- Damaging or threatening to damage property belonging to another member or members of the School Community (See generally Criminal Damage Act 1991);
- Damaging or threatening to damage the School's property;
- Theft or attempted theft of property belonging to another member or members of the School Community; and/or
- Theft or attempted theft of the School's property.

While examples of arrestable offences, the foregoing is not an exhaustive list.

## Section 10: Bullying, harassment and sexual harassment

This section explains how this Code of Behaviour is related to other school policies that deal with bullying, harassment and sexual harassment.

Bullying and harassment, including sexual harassment, are forms of unacceptable behaviour. The school's Anti-bullying policy outlines how the school prevents bullying and identifies instances of bullying. The Anti-bullying Policy, Sexual Harassment Policy and Dignity in the Workplace Policy should be referred to in all behaviour issues where bullying is suspected, for example to help assess the nature and severity of bullying or harassment. The consequences of these behaviours, like all other unacceptable behaviours, will be determined by the framework for responding to unacceptable behaviours provided in this Code of Behaviour.

## Section 11: Staff responsibilities in relation to behaviour

Staff member	Level of unacceptable behaviour
<b>Subject Teachers including team teachers</b> In the school setting, Teachers are <i>in loco parentis</i> ; they have a duty of care for all Students. They are responsible for consistently following the CETSS agreed Code of Behaviour and for meeting the school's expectations. Whilst we acknowledge that every teacher will have their own strategies for addressing inappropriate conduct; incident recording on VSware, restorative practice meetings, interventions and sanctions are applied in line with the School's agreed Code of Behaviour.	Level 1-3
<b>Special Needs Assistants</b> Are responsible for consistently following the agreed Code of Behaviour and for meeting the school's expectations. Special Needs Assistants support the teacher in applying the appropriate behaviour standards in the classroom. They have a responsibility to report incidents of misbehaviour they witness.	Refer to subject or team teacher
<b>Support Staff (e.g. administrative, IT, maintenance staff)</b> Are responsible for consistently following the agreed Code of Behaviour and for meeting the school's expectations. They have a responsibility to report incidents of misbehaviour they witness.	Report to management
<b>Class Tutors</b> Are responsible for monitoring behaviour incident reports on VSware and interventions implemented for members of their tutor group. Tutors may coach, mentor and guide students should they display concerning behaviour and inform the Head of Year and parents throughout the process. Tutors are responsible for liaising with subject staff/SEN department as appropriate to address inclusion issues for particular student(s) in their tutor group. Tutors are responsible for communicating concerns and praise with parents.	Level 2
<b>Year Heads</b> Are responsible for monitoring and managing the behaviour of the students in their year(s). This includes intervening when students begin to accumulate several incident reports. Year Heads are	Level 3

responsible for arranging meetings with parents to alert them to general concerns about the behaviour of their son or daughter. Year Heads may implement interventions in consultation with the management. The Head of Year is also responsible for liaising with management and the SENCO where a student's infringement of the Code of Behaviour may signal special educational needs, and/or specific intervention is required to support the student effectively. Year Heads shall communicate any concerns and/or praise with parents.	
<b>Management (Principal and Deputy Principal)</b> Supports staff by consistently following and enforcing the Code of Behaviour and meeting the school's expectations, and by reviewing and monitoring the Code of Behaviour in the light of ongoing practice.	Levels 3/4/5
<b>Parents</b> Are responsible for supporting the School's Ethos, following and promoting the Code of Behaviour	
<b>Board of Management</b> Are responsible for approving all policies including the Code of Behaviour, monitoring suspensions, and holding meetings relating to expulsions. The Board is collectively the body to whom Parents of, or if over 18 years of age, students can appeal in cases of suspension.	L5
<b>Outside agencies (e.g. TUSLA, National Educational Psychological Service)</b> Are responsible for supporting the school with students referred to them.	
<b>External coaches</b> must familiarise themselves with the school Code of Behaviour. They have a responsibility to report incidents of misbehaviour they witness.	
<b>Catering staff</b> Refer to any staff member on duty in the canteen	

## Section 12: Reward systems

As a school community, we agree with the NEWB guidelines (2008) that great care is needed to ensure that rewards do not 'become the goal of learning, result in unhelpful competition, repeatedly reward the same students or seem unattainable to some students and, as a result, de-motivate them.' As such, systems for rewarding positive behaviour have not been established.

Individual departments may consider small scale reward systems at their discretion (e.g. free stationary that has been donated to the department being given out as a prize for a quiz) but are asked to consider the NEWB advice above carefully before introducing the activity or initiative.

## Section 13. Procedures for notifying the school about reasons for absence from school

In accordance with the provisions of Section 18 of the Education (Welfare) Act, 2000, where a Student is absent from the School during part of a School Day, for a School Day or more than a School Day one of his Parents must notify the Deputy Principal in writing as soon as practicable of the reasons for the said Student's absence. All written notifications should be addressed to the Deputy Principal and must be either hand delivered, delivered by post or by email to dcole@cetsl.ie.

The Deputy Principal shall note such absence and the reasons thereof in the School Attendance Record.

Where a Student's Parent fails to so notify the Deputy Principal, the Board reserves the right to make a complaint to Educational Welfare Services at the Child and Family Agency (TUSLA) which may ultimately result in a criminal prosecution being instituted against the Parents under Section 25 of the 2000 Act. Further information is available from TUSLA, Child and Family Agency, Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8.

In addition to reporting the total number of days lost through absence by submitting an Annual Attendance Report (AAR) at the end of the academic year, schools are required to submit Student Absence Reports four times each year on those students with serious attendance issues that have been identified during the current academic year, i.e. students falling within the following criteria:

- a student has been absent from school for a cumulative total of twenty days or more
- a student's name is to be removed from the school register for any reason
- a student has been suspended for a cumulative total of six or more days
- the school has expelled a student
- a principal is concerned about a student's attendance

#### **Section 14: Where to get help, contact details and complaint procedures**

This section details procedures for raising a concern or bringing a complaint about a behaviour matter, explains where parents or students can get help when problems arise and gives details of who to contact about behaviour matters.

If a parent has a concern about a minor behaviour matter they should contact the staff member involved to discuss the matter. This can be done by ringing the school office to leave a message for the staff member or by writing in the student journal.

Alternatively, if your concern relates to more than one subject or learning and wellbeing more generally you can ask to speak your child's Class Tutor to discuss the issue.

If a parent has a complaint they should consult the CETSS policy on complaints and follow the procedure outlined therein.

If you would like to appeal a decision made in relation to a sanction such as suspension, the Board of Management is collectively the body to whom Parents or students (if over 18 years of age) can appeal.

#### **Contact details**

Role	Name	How to contact	Contact information
Principal	Colm O'Connor	Phone, email, letter	Principal@cetsl.ie
Deputy Principal	David Cole	Phone, email, letter	Dcole@cetsl.ie
Head of 1 <sup>st</sup> Year	n/a	Phone, letter	021 4357030
Head of 2 <sup>nd</sup> Year	n/a	Phone, letter	021 4357030
Class tutor – Gaia	Laura Nagle-Kiwanuka	Phone, note in journal, letter	021 4357030
Class tutor – Lunasa	Pam O'Leary	Phone, note in journal, letter	021 4357030

#### **Section 15: How our code was developed and the plans for review**

An interim Code of Behaviour was created by the Principal prior to the opening of the school and adopted by the interim Board of Management for use in the school year 2016-2017. The first draft of this code was created by CETSS staff in December 2016. The sections of the document were adapted from the list of sections provided in the NEWB Guidelines (NEWB, 2008, *Developing a Code of Behaviour: Guidelines for Schools*, p59) and supported by advice from a solicitor (Barry Sheehan). Behaviour policies of eight schools in Ireland and the UK were reviewed in order to compare different approaches to writing codes for positive behaviour management.

Following initial drafting by staff members the code was circulated to the various representative bodies in the school community, for suggested alterations.

The Code shall be reviewed in the first term of the 2017/18 academic calendar.

#### **Section 16: Date of approval**

This section indicates that date the code (or a new part of the code) was approved by the Board of Management and Patron.

The Board of Management of CETSS, in exercise of the powers conferred upon it by Section 23 of the Education (Welfare) Act 2000, following consultation with the persons specified in that section of the said Act and having regard to the relevant guidelines published by the National Education Welfare Board, hereby adopts this Code of Behaviour on 6<sup>th</sup> September 2017

This CETSS Code of Behaviour shall come into operation on 6<sup>th</sup> September 2017

Signed:

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Principal

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Chairperson of the Board