

Fairview Primary School



Scheme for the Suspension and Expulsion of Pupils in Controlled Schools

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INTRODUCTION

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

This document therefore sets out the procedures to be followed in the event of a suspension or expulsion of a pupil from a controlled school.

In this scheme:

- 1) "EA" means the Education Authority established under the Education Act (NI) 2014;
- 2) "School" for the purposes of this scheme means institutions providing primary and / or secondary education as defined under Article 2(2) of the Education and Libraries (NI) Order 1986;
- 3) "Chairperson of the Board of Governors" includes, when the Chairperson is absent or otherwise unavailable, the member of the Board of Governors, for the time being, performing the duties of Chairperson;
- 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) "Pupil" 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:
 - a) who is not a parent of his / her but who has 'parental responsibility' for him/her as defined by the Children Order (NI) 1995, or
 - b) who has care of him/her;
- 7) "Authorised Officer" means an officer of the EA's Education Welfare Service 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 pupil shall include, in the case of a pupil who has attained the age of eighteen, the pupil himself / herself;
- 9) "A school day" means a day on which the school is in operation.

In this scheme EA recognises that:

- a) so far as is compatible with the efficient and effective use of resources, pupils should be educated in accordance with their parents' / guardians' wishes. (Article 44 of the Education and Libraries (NI) Order 1986);
- b) a parent / guardian has a duty to ensure that their child / children 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 for every grant-aided school 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 pupils attending the school are pursued at the school;
- e) the scheme of management for every grant-aided school provides that it is the duty of the Principal, having consulted pupils and parents / guardians:
 - to determine measures (which may include the making of rules and provision for enforcing them) to be taken with a view to:
 - i) promoting, among pupils, self-discipline and proper regard for authority;
 - ii) encouraging good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils;
 - iii) securing that the standard of behaviour of pupils is acceptable; and
 - iv) otherwise regulating the conduct of pupils;
- f) each school is therefore required by the Scheme of Management to maintain a discipline policy which details the required standards of behaviour expected of pupils and the sanctions, including suspension and expulsion, which may be imposed whenever a pupil contravenes these standards. (Copies of the school's discipline policy should be made available to the parents / guardians and pupils as they enrol in the school and made available for inspection (at all reasonable times and free of charge) at the school);
- g) Disabled pupils: There is a statutory duty to comply with the Special Education Needs and Disability (NI) Order 2005 ("SENDO"). SENDO defines a disabled pupil as "a pupil who is a disabled person" and a disabled person as someone who has a physical or mental impairment which has a substantial and long term adverse effect on his or her ability to carry out normal day-to-day activities.

It is unlawful for a school to discriminate against a disabled pupil by suspending or expelling him or her for a reason relating to his or her disability (Article 14(3) of SENDO). A school discriminates against a disabled pupil if, for a reason which relates to his or her disability, it treats him or her 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 disabled pupil must be material to the circumstances of the particular case and substantial.

A school is also required under SENDO to ensure that in relation to education and associated services (which include school discipline and sanctions) provided for, or offered to, pupils at the school by it, disabled pupils are not placed at a substantial disadvantage in comparison with pupils who are not disabled. This means that unless it has a justification for not doing so, a school has a duty to make reasonable adjustments so that disabled pupils are not at a substantial disadvantage compared to other nondisabled pupils.

Schools are referred to the Disability Discrimination Code of Practice for Schools issued by the Equality Commission for Northern Ireland.

Suspensions

1. REQUIREMENTS

- 1.1 All parties involved should adhere to confidentiality at all times.
- 1.2 A pupil may be suspended only by the Principal.
- 1.3 An initial period of suspension shall not exceed five school days.
- 1.4 A pupil may be suspended from school for not more than forty-five school days in any one school year.
- 1.5 The Principal shall not extend a period of suspension except with the prior approval of the Chairperson of the Board of Governors.
- 1.6 Acceptable reasons for extending a period of suspension could potentially include:
 - i) where, in the reasonable opinion of the Principal, the return of the pupil concerned would pose serious problems in terms of preserving order and discipline within the school;
 - ii) where, in the reasonable opinion of the Principal, discussion with psychologists and / or other agencies would be facilitated;
 - iii) where a decision to expel the pupil was quite properly being considered;
 - iv) where parents / guardians have without good reason failed to enter into proper and necessary consultations / discussions with the school.
- 1.7 Each individual extension may not exceed five days but individual extensions may run consecutively.
- 1.8 While not all pupils with a statement of SEN will have a disability as defined in SENDO, nevertheless care needs to be taken to ensure that the pupil's identified special needs are not the underlying reason for being in breach of school rules. Therefore, in cases where a pupil with a statement appears to be unable / unwilling to comply with normal school rules and routines, and where reasonable adjustments are not proving effective, guidance in the Code of Practice on the Identification and Assessment of Special Educational Needs (CoP) should be

followed and an early annual review should be convened by the school. This will allow the EA to review the provision as outlined in the statement which may result in the EA making an amendment to the provision or placement to meet the needs of the pupil.

2. STEPS TO BE FOLLOWED PRIOR TO SUSPENSION

A school's disciplinary policy is required to describe the standards of behaviour expected from pupils and to outline the procedures and sanctions to be adopted when these guidelines are not adhered to. A decision to suspend a pupil should only be taken by the Principal in response to a serious breach, or persistent breaches of the school's discipline policy.

Suspension should therefore be considered only after:

2.1a period of indiscipline

The school must maintain a written record of events and of the interventions of teachers, contacts with parent / guardian and any requests for external support from the EA's Education Welfare Service, Educational Psychology Service or other applicable EA services; and / or

2.2a serious incident of indiscipline

The school must have investigated and documented the incident. The investigation should include an opportunity for the pupil to be interviewed and for his or her version of events to be given before any decision to suspend is made. Consideration should be given to the necessity of a parent / guardian being present at an interview particularly if the child is of primary school age.

Precautionary suspensions are not permitted under this scheme i.e. suspension of a pupil to facilitate investigation by a school or a statutory agency such as PSNI or Social Services of an alleged misconduct.

3. INSTIGATING SUSPENSION

- 3.1 On taking the decision to suspend a pupil the Principal must **immediately**:
- i) notify the parent / guardian, verbally by telephone and in writing, of the suspension;
 - ii) the letter must include:
 - the reasons for the suspension;
 - the duration of the suspension;
 - the arrangements for the provision of work to the pupil whilst suspended (see sample letter Appendix 1 and Section 3.5); and
 - an invitation to visit the school in order to discuss the suspension and enlist support for the school's efforts to resolve the difficulty; and
 - iii) the letter notifying the parent / guardian must be sent by 1st class post or hand delivered on the day the suspension is decided upon. If the suspension notice is sent by post the school should, whenever possible, send a copy home with the pupil.
- 3.2 A copy of the letter must be sent **immediately** to the Chairperson of the Board of Governors.
- 3.3 All suspensions must be notified **immediately** to the EA by completing the Department of Education's form (*Notification of Pupil Suspension*). Notification of suspension should be forwarded to suspension.notification@eani.org.uk (Also see Appendix 9 for further contact information).
- 3.4 A suspended pupil can be sent home before the end of the normal school day only with the agreement of the parent / guardian and only if the pupil can be delivered directly into the care of the parent / guardian or of a person nominated by the parent / guardian or unless other arrangements are agreed in consultation with the parent / guardian.
- 3.5 The school has a statutory responsibility to arrange for the provision of suitable education for registered pupils of the school when they are suspended, regardless of the length of suspension or reason for the sanction. Schools should ensure that appropriate work from a nominated teacher is available to be carried out by the pupil during the period of suspension.

- 3.6 If a pupil is at risk of missing a public examination as a result of suspension, the school must make arrangements for the pupil to sit the examination.
- 3.7 If a pupil does not return to school at the end of a period of suspension, the school should firstly contact the parent / guardian to ascertain the reason for not returning. If the reason requires a referral to the Education Welfare Service, schools should liaise with the relevant Education Authority Region.
- 3.8 The Principal should ensure that a full record is kept of the meeting held with the parent / guardian before a pupil returns to school.

4. EXTENSION OF SUSPENSION

- 4.1 Where a period of suspension is to be extended, the prior approval of the Chairperson of the Board of Governors must be obtained for each extension.
- 4.2 Where a decision has been taken to extend the suspension period, the Principal must **immediately**:
- i) notify the parent / guardian, verbally by telephone and in writing of the extension;
 - ii) the letter must include:
 - the reasons for the extension;
 - the duration of the extension (up to 5 days); and
 - iii) the letter notifying the parent / guardian must be sent by 1st class post to arrive before the end of the initial period of suspension.
- 4.3 Suspensions cannot be extended solely on the grounds that the parent / guardian has not attended the meeting under 3.1.
- 4.4 All extensions must be notified **immediately** to the EA by completing the Department of Education's form (*Notification of Pupil Suspension*). Notification of suspension should be forwarded to suspension.notification@eani.org.uk (See Appendix 9 for contact details of the relevant EA Region).
- 4.5 Following a protracted period of suspension (two weeks or more), the school should identify a named member of staff to assist with the pupil's reintegration in order to

e.g. inform teachers in advance of the pupil's return, identify areas where course work etc. needs to be completed, ensure any revised arrangements are in place to manage risk, support the pupil over the first few days of his / her return to school etc. and consider the need to place the pupil on CoP and / or refer to EA Support Services, if not already done so.

Expulsions

5. REQUIREMENTS

- 5.1 All parties involved should adhere to confidentiality at all times.
- 5.2 In relation to controlled schools, the EA is the expelling authority and the decision to expel rests solely with the EA.
- 5.3 Controlled schools have the power, through their Board of Governors, to recommend to the EA that a pupil be expelled.
- 5.4 A pupil may be expelled from a school only after serving a period of suspension.
- 5.5 A pupil may be expelled from a school only after consultation has taken place between the Principal, the parent / guardian of the pupil, the Authorised Officer of the EA and the Chairperson of the Board of Governors.
- 5.6 The consultations must include consultation about the future provision of suitable education for the pupil concerned.
- 5.7 The parent / guardian of any pupil expelled from school has the right to appeal against the decision.
- 5.8 Expulsion should be used only in response to serious breaches of a school's discipline policy and only after a range of alternative strategies to resolve the pupil's disciplinary problems have been tried and proven to have failed; and where allowing the pupil to remain in school would be seriously detrimental to the education or welfare of other pupils and staff, or of the pupil himself or herself. However, there may be circumstances where it is appropriate to expel a pupil for a first or 'one off' offence. These might include serious actual or threatened violence against another pupil or a member of staff; sexual abuse or assault; supplying an illegal drug; or carrying an offensive weapon.

6. STEPS TO BE TAKEN PRIOR TO EXPULSION

- 6.1 In all cases where a recommendation for expulsion is being considered, the Principal shall convene a consultative meeting to be attended by the Principal, the Chairperson of the Board of Governors, the parent / guardian, the pupil (appropriate to his / her age, ability and aptitude) and the Authorised Officer of the EA.
- 6.2 At least 5 working days' written notice of the consultative meeting and its purpose must be given to the parent / guardian and all other parties required to attend (see 6.1 above for list of parties to be in attendance). A copy of all available evidence must be given prior to the consultative meeting to all invited to attend (see Appendices 2, 2a, 3 and 5).
- 6.3 The consultative meeting shall be chaired by the Chairperson of the Board of Governors. A sample agenda of the consultative meeting is included in Appendix 3.
- 6.4 At this consultative meeting the possibility of expulsion and the implications of this course of action must be discussed. The consultative meeting must also consider the future provision of suitable education for the pupil concerned (see Appendix 3).
- 6.5 Non-attendance by the parent / guardian at the meeting of the consultative meeting will not prevent the Board of Governors from considering the future action to be taken.
- 6.6 The Principal must ensure that a minute of the consultative meeting is kept after agreeing it with the Authorised Officer who was present at the meeting.
- 6.7 Following the consultative meeting, the parent / guardian must be informed by the Principal that a report on the matter, along with a copy of the minute of the consultative meeting, will be presented to the next meeting of the Board of Governors. The parent / guardian should be invited to the meeting of the Board of Governors if the expulsion of the pupil remains as an option.
- 6.8 The meeting of the Board of Governors should **normally** take place within 7 working days after the date on which the consultative meeting was held.

6.9 Where a parent / guardian is to be invited to attend a meeting of the Board of Governors, at least 7 working days written notice should be given:

- i) the parent / guardian should be:
 - advised of the date, time and venue of the Board of Governors meeting;
 - advised of their right to attend and / or make written submissions to the Board of Governors; and
- ii) the parent / guardian should also be given a copy of the minute of the consultative meeting.

6.10 Non-attendance by the parent / guardian at the meeting of the Board of Governors will not prevent the governors from proceeding to request the EA to consider a recommendation for expulsion if necessary.

6.11 Following discussion by the Board of Governors of all the available evidence, including the outcome of all consultations, any decision taken and the reasons for it must be recorded in the minutes of the meeting of the Board of Governor's meeting.

7. PROCEDURE FOR THE EXPULSION COMMITTEE

7.1 For the composition and powers of the EA's Expulsion Committee (see Appendix 8.

7.2 Any recommendation for the expulsion of a pupil from a controlled school must be in writing to the Chief Executive of the EA (see Appendix 9) by the Chairperson of the Board of Governors of the school **immediately** after the Board of Governors meeting:

- i) the letter must include:
 - the reasons why the recommendation for expulsion is being made;
 - where appropriate, the strategies and sanctions already taken in an effort to ameliorate the problem;
- ii) a copy of the minutes of the consultative meeting should be provided with the letter; and
- iii) a copy of the extract from the draft minutes of the Board of Governors at which expulsion was discussed should be included with the letter.

7.3 The Principal must advise the parent / guardian in writing that a recommendation for expulsion has been lodged with the EA.

- 7.4 Where expulsion of a pupil from a school is being recommended, the EA will require evidence that all appropriate procedures have been followed. (see Appendices 4 and 5).
- 7.5 Following a recommendation to the EA that a pupil be expelled, a meeting of the EA's Expulsion Committee will be convened by the Chief Executive or his nominee at the earliest possible date.
- 7.6 The following will be entitled to attend the meeting of the EA's Expulsion Committee:
- i) the Principal of the school;
 - ii) the Chairperson or another member nominated by the Board of Governors;
 - iii) the parent / guardian of the pupil; and
 - iv) the pupil (appropriate to his / her age, ability and aptitude).
- 7.7 The school and parent / guardian will be given 7 working days written notice of the invitation to the meeting of the EA's Expulsion Committee:
- i) the letter must include:
 - the date, time and venue of the meeting;
 - the parent's / guardian's right to attend and / or make written submissions to the Committee considering the recommendation for expulsion; and
 - ii) a copy of all available evidence must be given prior to the EA Expulsion Committee meeting to all invited to attend.
- 7.8 As part of its deliberations on the case, the EA's Expulsion Committee will:
- i) consider all relevant verbal and written evidence;
 - ii) determine whether or not proper procedures have been followed; and
 - iii) determine whether expulsion is or is not reasonable taking account of the circumstances of each individual case.
- 7.9 The EA Expulsion Committee will **immediately** inform the Principal in writing of the outcome of the EA's Expulsion Committee meeting and the reasons for the decision taken.
- 7.10 The Principal (on behalf of the EA, as expelling authority for controlled schools) will **immediately** inform the parent / guardian in writing of the outcome of the EA

Expulsion Committee and the reasons for the decision taken (see Appendices 6 and 7).

8. RIGHT OF APPEAL

- 8.1 Where it has been decided to expel the pupil, the school must inform the parent/ guardian of their statutory right to make an appeal to the Independent Appeal Tribunal:
- i) the letter should include:
 - details on the time limit set by the EA for lodging the appeal (i.e. 10 days from the date of the letter issued to a parent / guardian informing them of the decision to expel);
 - where the appeal should be lodged (see Appendices 6 and 9).
 - ii) a copy of this letter should also be forwarded to the EA's Education Welfare Service (see Appendix 9).
- 8.2 The parent / guardian of a pupil or the pupil himself / herself, if she / he has reached the age of eighteen, may appeal to an Independent Appeal Tribunal against a decision to expel.

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

Dear (INSERT PARENT / GUARDIAN TITLE / NAME)

NOTIFICATION OF SUSPENSION

NAME OF PUPIL / DOB OF PUPIL

In accordance with the disciplinary policy of the school it has been decided to suspend your son / daughter (NAME OF PUPIL) from (NAME OF SCHOOL) for the period (DATE – e.g. 1 November 2013 to 3 November 2013) inclusive (3 school days). During this time (NAME OF PUPIL) will be regarded as being in your care.

The reason(s) for suspension is / are:

Insert reason for suspension from school discipline policy.

The school will arrange for a programme of work to be available from (NAME OF TEACHER, e.g. (form teacher) for (NAME OF PUPIL) during this period but it will be your responsibility to collect the work and ensure it is completed and ready for marking by the teachers.

The decision to suspend is regarded as a very serious matter. I would therefore invite you to visit the school as soon as possible to discuss the suspension. Please contact my secretary, (INSERT NAME), at telephone number 028to make the appropriate arrangements.

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

Yours sincerely Principal

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

Dear (INSERT PARENT / GUARDIAN TITLE / NAME)

***NAME OF PUPIL DOB
OF PUPIL***

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

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

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

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

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

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

Yours sincerely

Principal Enc

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

Introduction to the Consultative Process

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

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

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

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

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

The Chairperson of the Board of Governors (or his / her nominee)

The Chairperson's role is to:

- chair the meeting and outline the procedures for you;
- ensure that you are properly introduced to all in attendance;
- provide you with the opportunity to contribute at all stages to the discussion and allow you to pose any questions you may have; and primarily,
- gather the information necessary to enable him/her to make recommendations to the full Board of Governors on appropriate arrangements for the future education provision for your son/daughter.

The Principal (or his / her nominee)

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

- support you and your son / daughter;
- modify your son / daughters behaviour; and,
- avert the need for these formal proceedings having to take place.

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

The role of the Authorised Officer is to:

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

Other roles of the Authorised Officer include:

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

Others who may also be in Attendance

In addition, it may sometimes be necessary, depending on specific circumstances, for the other teachers (e.g. the Year Head or School Special Needs Coordinator) or other applicable officers from Education Authority services, etc. to be invited to the Consultative Meeting.

Possible Outcomes to the Consultative Meeting

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

Examples of possible outcomes might include a recommendation that your son / daughter:

- return to school having accepted the seriousness of the situation and offered guarantees in respect of his / her future behaviour in the school;
- return to school having agreed and signed a 'Discipline Contract' which has been specifically drawn up to suit the particular circumstances;
- return to school having agreed to avail of outreach and counselling assistance as deemed appropriate by the school authorities;

- remain registered at the school in order to avail of alternative off-site opportunities and programmes or other placements if deemed to be appropriate by the school and other agencies;
- be considered for expulsion from the school by the full Board of Governors.

The Role of the Full Board of Governors

Following the Consultative Meeting, the Chairperson, having considered all the available evidence together with your representations and concerns, will make a recommendation on your son / daughter's future educational provision and this will be considered at a formal meeting of the Board of Governors.

You will be advised in writing of this recommendation and further advised of your right to attend the Board of Governors' meeting to make representations you deem to be appropriate in support of your son / daughter.

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

Further Information

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

CHAIRPERSON'S AGENDA FOR PUPIL CONSULTATIVE MEETING

AGENDA

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

**CHECKLIST FOR BOARDS OF GOVERNORS
RECOMMENDING EXPULSION OF A PUPIL**

		Yes/No
1	Has the pupil already served a period of suspension?	
2	Have all measures been taken to reintegrate the pupil where appropriate?	
3	Is the pupil disabled for the purposes of SENDO? If so, is the school satisfied that he / she is not being treated less favourably than non- disabled pupils without justification and has the duty to make reasonable adjustments been complied with?	
4	Is expulsion a reasonable response to the pupil's behaviour given the school's disciplinary policy?	
5	Has the parent / guardian been advised in writing that expulsion is being considered and invited to take part in consultations about the matter?	
6	Have consultations about the future provision of suitable education for the pupil taken place before any decision to recommend expulsion has been made?	
7	Has the proposed expulsion been fully discussed by the Board of Governors and any decision recorded in the minutes (see Section 6.8 to 6.11)	

EVIDENCE TO BE CONSIDERED IN THE CASE OF POTENTIAL EXPULSION

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

- ✓ detailed records of the pupil's behaviour including the steps taken by the school at each stage;
- ✓ a record of the sanctions / strategies adopted to modify behaviour;
- ✓ the minute of the consultative meeting;
- ✓ any records from schools previously attended by the pupil (where appropriate);
- ✓ correspondence with parent / guardian;
- ✓ correspondence with other relevant agencies;
- ✓ correspondence with the EA's Education Welfare Service, Educational Psychology Service or other applicable EA services; and
- ✓ copies of all relevant policies.

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

Dear (INSERT PARENT / GUARDIAN TITLE/NAME)

NOTIFICATION OF EXPULSION
NAME OF PUPIL / DOB OF PUPIL

At the meeting of the Education Authority's Expulsion Committee, which was held on (DATE), the Panel took the decision to expel your son / daughter (NAME OF PUPIL) from (NAME OF SCHOOL) with effect from (DATE e.g. 1 December 2013).

The reasons for expulsion are:

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

Following paragraph ONLY to be inserted for children of compulsory school age. *The decision to expel is regarded as a very serious matter and I would ask you to contact the Education Authority's Education Welfare Service as soon as possible to arrange an interview to discuss (NAME OF PUPIL)'s future education.*

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

The Clerk to the Appeals Tribunal

admissionappeals@eani.org.uk

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

Yours sincerely

Principal

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

Dear (INSERT PARENT / GUARDIAN TITLE/NAME)

**NOTIFICATION – NOT TO EXPEL
*NAME OF PUPIL / DOB OF PUPIL***

At the meeting of the Education Authority's Expulsion Committee, which was held on (DATE), the Committee took the decision not to expel your son / daughter from school.

The reasons for this decision are:-

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

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

Yours sincerely

Principal

COMPOSITION AND POWERS OF THE EDUCATION

AUTHORITY'S EXPULSION COMMITTEE

- The Committee, in its capacity as statutory expelling authority for controlled schools, shall have full power to hear and make decisions on behalf of, and in the name of the EA on receipt of requests from Boards of Governors seeking the expulsion of particular pupils from such schools. It shall proceed as set out in the Authority's Scheme for the Suspension and Expulsion of Pupils after a recommendation to expel a pupil has been received from a Board of Governors.
- The Committee shall consist of all members of the Authority.
- The quorum for the Committee shall be three.
- The Committee may receive advice and guidance from an EA officer nominated by the Chief Executive with appropriate specialist knowledge e.g. Special Education / Education Welfare. This officer will have a non-voting capacity and will not be involved in any decision making.
- The Committee shall be serviced by an officer nominated by the Chief Executive of the EA. This officer will also have a non-voting capacity and will not be involved in any decision making.
- A report of the EA Expulsion Committee hearing will be presented to the next meeting of the EA Board for noting.

EDUCATION AUTHORITY CONTACT DETAILS

Education Authority contact details:

- a) for the Chairperson of the Board of Governors to write to the Chief Executive of the EA if it has been decided to recommend a pupil for expulsion from a controlled school (ref 7.2);
- Chief Executive
Education
Authority
Belfast Office
40 Academy
Street
Belfast
BT1 2NQ
- b) for the Principal to notify the relevant EA Office for the area that school is located in that a pupil has been suspended from their school. This includes notification of extensions to a suspension (ref 3.3 and 4.4);
- c) for the Principal to notify a parent / guardian of their right to appeal if the decision has been taken that their son or daughter is to be expelled and for a Principal to copy this letter to the EA Education Welfare Service within the relevant EA Office (ref 8 .1 and Appendix 6)

Education Authority Offices

Heather Grimason
Education Authority
Belfast Office
40 Academy Street
Belfast BT1 2NQ
Tel: 028 9056 4031

Paul Blanchflower
Education Authority
Dundonald Office
Grahamsbridge Road
Belfast BT16 2HS
Tel: 028 9056 6498

Andrea Wills
Education Authority
Armagh Office
3 Charlemont Place
The Mall
Armagh BT61 9AX
Tel: 028 3751 2386

Michael Kelly
Education Authority
Ballymena Office
County Hall
182 Galgorm Road
Ballymena BT42 1HN
Tel: 028 2566 1266

Patricia Devine
Education
Authority
Omagh Office

1 Hospital Road
Omagh
BT79 0AW Tel:
028 8241 1461

- d) Parents wishing to appeal an expulsion should contact the Clerk to the Tribunal at the following email address: admissionappeals@eani.org.uk