



APPLICABLE TO	All Staff and Students		
DOCUMENT OWNER	Assistant Principal – Community & Wellbeing		
APPROVAL DATE	February 2018		
APPROVED BY	Principal		
LAST REVIEW DATE/S	Not Applicable	NEXT REVIEW DATE	December 2018
RELATED DOCUMENTS	Pastoral Care and Wellbeing Policy 2017 Complaints and Grievances Resolution Policy (2013) Policy on Anti-Bullying 2017		

## Purpose

These guidelines, which present the Catholic Schools Office expectations and recommended procedures regarding student behaviour management, are to be read within the context of the Policy for Pastoral Care and Wellbeing at St Paul's Catholic College. As stated in the policy, student behaviour management policies and procedures in Catholic schools should seek to protect personal and the College community safety, heal destructive behaviours, restore relationships, encourage reconciliation, enhance wellbeing, foster responsibility, enable personal growth, and promote the common good.

The guidelines herein do not attempt to cover the broad range of behavioural issues, protocols and procedures that might constitute a school's discipline policy or code of conduct. Rather, the emphasis is on student behaviours of a more harmful or serious nature that require careful and sustained management, often on an individual student/family basis.

Assistance and guidance in the implementation of processes described herein may be obtained from the Catholic School's Office.

## Guiding Principles

**Student behaviour education and pastoral care – a whole-of-school responsibility.** A Catholic school's provision of positive behaviour education and behaviour management skilling of students ought to be pastorally driven, comprehensive, and whole-of-school in nature. An appropriate model is the Safe Schools Framework. The focus and intended outcome is personal resilience, the mode is prevention and primary intervention, and the application is to the College community as a whole, and to each members of the College community individually. It is within such a positive and broad framework that a school's student behaviour management processes for individual cases be formulated.

**Pastoral care for the whole College community – the Principal/Assistant Principals' responsibility.** The Principal and the Assistant Principals have responsibility for ensuring that pastoral care is extended to all members of the College community. Because student wrongful behaviour can have an adverse effect on the wellbeing of students, staff members and others, the proper exercise of pastoral care requires the Executive to ensure a just and reasonable balancing of the rights, needs, obligations and wellbeing of all concerned. In addition, the Executive will sometimes need to authorise action beyond the College's formal student behaviour management procedures, based on knowledge of the particular issues and local realities, and guided by principles that include justice, respect, compassion, personal and communal safety, health, and duty of care.

**Student connectedness and engagement.** An essential element of human wellbeing is the experience of belonging, of being connected to others in a community, being accepted and valued, and being positively involved and engaged within a community. For the wellbeing of students, their College must provide them with such an experience. It follows that, when St Paul's is addressing student behaviour that is judged inappropriate or wrongful, behaviour management processes which ensure that the student remains engaged and connected with College activities and the College community are to be preferred to those that disengage the student. It is the culture at St Paul's that processes that disengage not be applied unless other options are clearly not appropriate or have been exhausted. Disengagement and disconnection are potentially harmful of student wellbeing.

**Restorative practices.** The philosophy of Restorative Justice and Restorative Practices fosters a positive and formative approach to student behaviour management. A commitment to Restorative Practices has as its aim the promotion of resilience in the one harmed and the one causing harm. Restorative measures help students learn from their mistakes, grow in self-discipline, take responsibility for their actions, recognise the impact of their actions on others, and reconcile and resolve conflict with others.

## Scope

The Scope of this procedure is to support the Pastoral Care and Wellbeing of St Paul's Catholic College and provide information for staff, students and the parent body of St Paul's in relation to any incidence of serious student misbehaviour.

## Responsibilities

**The Principal** is responsible for communicating, administering and managing this procedure with staff, students and families.

The Principal will review the information from the Assistant Principal (or College Executive where relevant) and make the final decision for students who exhibit serious misbehaviours.

**The College Executive** (Principal, Assistant Principals, Ministry Coordinator, Administration Coordinator, Elected Staff Representatives) will advise the Principal at an Extraordinary Executive Meeting on a student's continued enrolment. The relevant Student Coordinator will also be invited to this meeting to offer support/clarification for the student's actions.

**The Assistant Principal** will work with the relevant Coordinator and discuss the issue and relevant aggravating and mitigating factors of the student's actions.

**The Student Coordinator/Studies Coordinator** will investigate the issue and liaise with the relevant students and their families

## Step by Step

### **Process for Suspension of Students (Internal and External Suspensions):**

#### **Pre Suspension**

1. Student/Studies Coordinator (SC) will thoroughly investigate the facts, generally from people directly involved, witnesses, students who volunteer information and also staff members if possible.
2. SC will speak with the relevant students and take an account of their version of the event as either an informal interview, statement pro-forma or adding to the SCs own notes. This avenue allows procedural fairness to be followed as all stakeholders get to give their account.

From this process the a summary of the incident will be collated

3. The SC will discuss the situation with the Assistant Principal to recommend the consequences based on the facts, previous behaviour and precedents set for similar behaviour in the past. A discussion of mitigating and aggravating factors will also be considered at this stage by the Assistant Principal.
4. A phone call/conversation should be made with the parents of the student before any letter is communicated home, so parents can engage in the facts and ask appropriate questions if needed. Parents are also informed in writing detailing the behaviour, consequences and options available.

#### **Suspension/Post Suspension**

5. The SC will arrange with the student for work to be collected, mailed out or accessed electronically whilst on suspension. This is especially important for External Suspensions.
6. Upon returning to School from a 2-day (or longer) External Suspension, it is necessary for a parent interview to be held as part of the student's return to normal lessons.

7. The purpose of this interview is to discuss the nature of the suspension and outline a process of how to prevent similar behaviours in the future. As well, it gives the parents an opportunity to seek clarification on any matters and a forum to express their concerns as well as an opportunity for the College to offer student/family support options.
8. This interview will generally be with a parent, the student, the relevant SC and AP.
9. The Student will be offered relevant support – eg. Counselling/mentoring.
10. Upon the student's return to College, the SC will re-orientate the student before lessons to discuss any issues and outline the clear expectations for the day.
11. Any appeals from families will be referred to the Principal or CSO process of complaints and grievances as outlined in the CSO **Complaints and Grievances Resolution Policy (2013)**.

The Policy for Pastoral Care and Wellbeing responds to three broad categories of a student's behaviour. Generally, movement will be sequential although based on the nature of a student's behaviour. Students may move straight to the most serious category of behaviour and its associated consequences.

It is important to also remember appropriate consequences in each category are considered whilst using restorative principles until no longer deemed effective or a desired outcome is achieved; each category is not in a linear sequence necessarily, but movement may fluid and evolving and responses developed accordingly.

*Corporal punishment is expressly prohibited as a disciplinary measure at St Paul's by College personnel and external agencies used by the school.*

#### **Mandated Sanctions – Restorative Principles approach:**

The restorative principles approach is based on the belief that the people best placed to resolve a conflict or a problem are the people directly involved, and that imposed solutions are less effective, less educative and possibly less likely to be honoured. In order to engage in a restorative approach to conflict and challenging behaviour, students need certain attitudes and skills. St Paul's seeks to develop a skills-based approach to dealing with sanctions to develop both restorative skills and attitudes.

Mandated sanctions are delivered with procedural fairness with the aim of getting students to identify a variety of applications of these skills to meet the needs of the whole College community. The ultimate aim of working restoratively with students is to build a strong, mutually respectful, safe and inclusive College community in which everyone feels valued and heard.

### **Student Wrongful Behaviour of a Serious Nature**

This will involve the Assistant Principal Community & Wellbeing, Principal and may incorporate the CSO and external agencies.

The Catholic School's Office and St Paul's Catholic College understands *student wrongful behaviour of a serious nature* to be activity or behaviour of a student which:

- seriously undermines the ethos of the Catholic school; and/or
- consistently and deliberately fails to comply with any lawful direction by the Principal/Assistant Principal or teacher; and/or
- is offensive or dangerous to the physical or emotional health of any student or staff member; and/or
- consistently and deliberately interferes with the educational opportunities of other students.

Appropriate sanctions can embrace:

- Engagement of professional support agencies
- Use of CSO services, NSW Police services
- Implementing Court conditions/legal sanctions
- Continued suspension (Short and Long Suspensions)
- Recommendations for withdrawal from College; and/or
- Expulsion from College.

Some wrongful behaviours of a serious nature are by definition *criminal offences*. These may include criminal damage of property, possession of a weapon, theft, assault, assault with weapons, use, possession or distribution of drugs, sexual assault, harassment and types of cyber bullying. This list is indicative only and not all-inclusive. When a principal determines that a serious offence of a criminal nature has occurred, the welfare needs of the offending student(s) is paramount. The incident should be reported to the police at the earliest opportunity.

When it is judged by the school that a student has engaged in wrongful behaviour of a serious nature within the College community, it is recommended that an **Extraordinary Executive Meeting** be held to:

- consider the behaviour of the student and the implications for the student and the College community
- consider the personal and social needs of the student, and how they may best be responded to
- determine what behaviour management action within the College's stated processes is most appropriate

- identify strategies to assist the student, following successful behaviour management, to re-establish his/her place satisfactorily in the College community
- ensure that decisions of the **Principal** are implemented
- access any relevant agencies to provide support.

In arriving at advice for the Principal, the **Extraordinary Executive Meeting** aims for consensus. Where this is not achievable, the Principal (or Principal's nominee) makes the decision, in accordance with College policies and directives. The decision of the **Extraordinary Executive Meeting** is recorded in writing and filed in the College records. Confidentiality should be honoured at all times.

A suggested membership is:

- The Principal as convenor and chairperson
- The Executive
- The relevant Student Coordinator
- a specialist person (as required) who may be of assistance, for example, the School Counsellor or Learning Support Coordinator or Catholic Schools Office representative
- In some instances, where the behaviour of a student is deemed to threaten immediate or ongoing harm, distress or danger to others, it may be necessary to withdraw or suspend the student temporarily from the student community, pending an **Extraordinary Executive Meeting**. Responsibility for such a decision rests with the Principal or Assistant Principal.

### **Internal Suspension**

Withdrawal from class and/or other College activities, if judged necessary as a behaviour management process, is best done in-college rather than out-of-college, as this maintains a student's connectedness and engagement with the College. As part of the College's processes for the withdrawal of the student from regular classes/activities and recess/lunch, structured lesson work will be completed to prevent any loss of learning. In addition, the student will meet with their Student Coordinator to positively assist in the student's return to acceptable behaviours. This meeting will allow for the student to reflect upon their behaviours and attitudes, the impact of these on themselves and others, reasons for preferring acceptable behaviours, and ways to find encouragement and assistance to achieve this goal. An allocated task in keeping with such a purpose could be implemented as part of the Internal Suspension.

### **External Suspension**

If out-of-college suspension is judged appropriate by the school, it is recommended that it be for the shortest time necessary. At least one day prior to the day on which the suspension is to commence, the College ought to notify the student's parent(s)/guardian(s), if possible by verbal communication initially and by confirmation in writing. The communication ought to include the reason for the suspension, the

purpose of the suspension, and the date(s) on which the suspension will occur.

The College will offer the parent(s)/guardian(s) the opportunity to participate in a meeting to consider these and other related matters, including:

- the legal and pastoral responsibilities of the parent(s)/guardian(s) during the time of suspension
- the College's responsibility for providing learning material during the time of suspension
- the process of settling back into the College environment, and how this is to be facilitated
- arrangements for monitoring the student's progress following his/her return to College

If an initial verbal contact with the parent/s is not possible, it may be necessary to ask the student to take the written notice home to them as their first notification. This decision rests with the College authority, taking into account the age of the student, legal requirements, duty of care, and other relevant circumstances.

**With the support of the Catholic School's Office, St Paul's Catholic College can impose a short suspension of 1-4 days or a long suspension of between 5-20 days.**

### **Negotiated Transfer**

Negotiated Transfer involves a change of school by a student either between Catholic schools, or to a school within another sector, or to an alternative educational setting. In the case of students who are of post-compulsory school age, a wider range of options might be considered, for example, a negotiated transfer, either temporary or permanent, to the workforce, or to a higher education or training institute.

Negotiated Transfer is an option in circumstances in which the school judges that the student's present school is not the right environment for the student, and that another setting would more suitably meet the student's current and future needs and be the most appropriate means of providing for the student's wellbeing. It may also be that, due to serious behavioural issues, a student's Negotiated Transfer is an appropriate means of providing for the wellbeing of the school community.

When Negotiated Transfer is being offered, the Principal/Assistant Principal will provide comprehensive advice to the student and the student's parents about the benefits this option would provide, and seek their agreement for a Negotiated Transfer.

Responsibility for negotiating a transfer is with the Principal of the school from which the student is to transfer. The following matters need to be considered:

- the environment which would best provide for the student's emotional, social and spiritual needs
- the school which would provide an educational program suitable to the student's needs, abilities and aspirations
- the process by which the transfer is to be negotiated
- the support required by the student and parent(s)/guardian(s) in making the transition

These and other relevant matters will be included in the formal record of Negotiated Transfer. If a Negotiated Transfer is desired but cannot be arranged, the Assistant Director of the Catholic Schools Office will be informed in writing, and assistance requested. If a Negotiated Transfer is still unable to be achieved, the student is to remain enrolled at their current school, unless the circumstances are such as to require expulsion.

### **Expulsion**

It is an expectation of Catholic Schools Office that expulsion of a student from a Catholic College in the Maitland-Newcastle Diocese will not occur except in the most serious of circumstances, and when the following conditions all apply:

- the student has engaged in wrongful behaviour of a serious nature (see definition above), and
- the school's other processes for addressing such behaviours have been applied and not been successful, and
- the welfare and safety of others in the school community, or the need to maintain order and protect the rights of others, make it necessary that the student no longer be present in that school community.

Only the Principal has the authority to expel a student. The Catholic School's Office expects that, prior to confirming an expulsion, the Principal will:

- explain clearly to the student and the student's parent(s)/guardian(s) the reason(s) for the intended expulsion, and provide them with an opportunity to speak on behalf of the student
- provide to the Assistant Director at the Catholic Schools Office, formal written notification of the intended expulsion and the reasons for it and seek endorsement. In addition, provide to the Assistant Director formal written notification of the intended expulsion, and the reasons for it, and request that the Assistant Director endorse the Principal's decision

Should the decision to expel the student be confirmed, the Principal must ensure that the expulsion is formally recorded in the school's files, and provide to the parent(s)/guardian(s) of the expelled student a formal Notice of Expulsion. When possible, this notice is to be issued before or on the day the expulsion is to commence, and if that is not possible then as soon after that as possible. This notice needs to include:

- The reason(s) for the expulsion

- The commencement date of the expulsion
- Details of CSO's Complaints and Grievances Resolution Policy (2013)

Natural justice must apply, and consequently St Paul's Catholic College has a formally authorised process by which parent(s)/guardian(s) of an expelled student, and in some circumstances the expelled student himself/herself, may have the expulsion decision reviewed by the CSO.

### **Process for Appeal against an Expulsion Decision by the School**

After the School's procedure and decision has been concluded, if the expulsion decision is still in place the parent(s)/guardian(s) may appeal against that decision. The parent(s)/guardian(s) may, **within five school days** (in exceptional circumstances, ten school days) of receipt of the School's decision, lodge a formal Appeal. When a student is living independently from their parent(s)/guardian(s), the student also has the right of appeal.

Valid grounds for requesting an Appeal are that:

- proper procedures were not followed in the Review process, and/or that
- the decision to continue the expulsion was unjust.

The Appeal must be in writing to the Assistant Director of the Catholic Schools Office. Upon receipt of a written parental appeal against an expulsion, the Assistant Director will investigate the merits of the appeal. When the investigation has been completed, the Assistant Director will deliver their findings and will formally notify the principal and the person(s) who made the appeal. If the grounds on which the Appeal was made are found to be true, the expulsion must be repealed. Otherwise, the expulsion will remain.

Following receipt of these findings, the Principal will formally notify all parties to the Appeal as to whether the expulsion decision remains or is repealed, and the reason(s) for the decision. This decision will be final, and is not subject to further Review or Appeal within the Catholic Education system.

## Definitions

**Appeal** An impartial, determinative process available to all parties to a complaint wherein an independent person reviews both the way in which the complaint management process has been conducted and the integrity of its outcome(s).

**Complaint** An expression of dissatisfaction or concern with a College or the Catholic Schools Office regarding policy, procedures and/or actions and decisions made.

**Formal complaint** A grievance that requires investigation with a written response

**Informal complaint** A comment, or concern or that may or may not require a response, to ensure that a member of staff is aware of the issue and that it is brought to the attention of the principal.

**Complaints management** An established system of responding to and handling complaints and suggestions regarding matters causing dissatisfaction or concern.

**Confidentiality** Protection given to the non-disclosure of things said and one; an ethical duty held by persons to ensure that matters are held to be private and in confidence between themselves and others.

**Due diligence** The care taken by a reasonable person to ensure that others do not suffer unnecessary harm or disadvantage; the obligation bestowed upon a person to act responsibly, efficiently and prudently in the carrying out of his or her duties.

**Duty of care** A legal requirement that a person exercise a reasonable standard of care toward others in order to protect them from unnecessary risk of harm; professional duty of care exists at a level higher than that placed upon a member of the general public.

**Extraordinary Executive Meeting.** A meeting of the Executive with the purpose of advising the Principal on a single matter - eg review of a student's enrolment.

**Grievance** A real or imaginary wrong causing resentment and regarded as grounds for complaint a feeling of resentment or injustice at having been unfairly treated

**Impartial** Responding to all persons equally, free of bias and with no preconceived opinion; taking no personal advantage from espousing either side of a disagreement or conflict.

**Inclusivity** Respectful, supportive and equitable school communities. All embracing.

**Privacy** The extent to which a person can determine which personal information is to be shared with whom and for what purpose; a legally bestowed principle that ensures that certain information remains protected from disclosure.

**Procedural fairness** An obligation placed upon organisations and persons making decisions affecting the rights and welfare of others to engage in decision-making with due diligence, transparency and

without bias. Procedural fairness affords certain rights to persons including the right to know of matters alleged, the right to respond and the right to appeal decisions made.

**Restorative Practice** The overriding principle of all our interaction is that we strive to restore relationships: holding parties accountable with the aim to repair any harm that may have been done. Clearly stipulate what is meant by a term.