# Student Code of Behaviour Policy

*A code of behaviour shall be prepared in accordance with such guidelines as may, following consultation by the Board with national associations of parents, recognised school management organisations and trade unions and staff associations representing teachers, be issued by the Board*. **Education (Welfare) Act 2000, section 23(3)**

The code of behaviour is the set of programmes, practices and procedures that together form the centre’s plan for helping students in the centre to behave well and learn well. It helps the centre community promote the Youthreach ethos, relationships, policies, procedures and practices that encourage good behaviour and prevent unacceptable behaviour.

### **This Code of Behaviour Shall Specify—**

(a) The standards of behaviour that shall be observed by each student attending the centre.

(b) The measures that may be taken when a student fails or refuses to observe those standards.

(c) The procedures to be followed before a student may be suspended or terminated from the centre.

### **Relevant Legislation and Legal Instruments**

*The Constitution of Ireland*

*The European Convention on Human Rights (1950)*

*The UN Convention on the Rights of the Child (1989)*

*Education Act 1998*

*Education (Miscellaneous Provisions) Act 2007*

*Equal Status legislation*

*Ombudsman for Children Act 2002*

*Education of Persons with Special Needs Act 2004 (EPSEN Act)*

*Disability Act 2005*

*Non-Fatal Offences against the Person Act 1997*

*Health and Safety legislation*

*Data Protection Act 2018*

*Age of Majority Act, 1985*

**Note:** Schools/Centres of Education are required, under section 23(2) of the Education (Welfare) Act 2000, to include their procedures for suspension and expulsion/termination in their code of behaviour and by law to follow fair procedures when proposing to suspend or expel/terminate a student. Fair procedures derives from the Constitution of Ireland, international Conventions and case law.

### **Fair procedures have two essential parts:**

* The right to be heard.
* The right to impartiality.

### **Aims**

The Code of Behaviour assists in promoting good behaviour through:-

* The provision of a safe and productive environment for teaching and learning for all.
* The efficient operation of a worthwhile, effective and stimulating learning programme for all students.
* The fostering of self-discipline.
* The encouragement of personal responsibility.
* The maintenance of good order throughout the centre and respect for both centre, personal property and for the environment.
* The involvement and co-operation of parents/guardians in supporting the code and the operation of sanctions.
* The understanding and acceptance of the rules governing behaviour within the centre.
* The recognition and acceptance of the diversity of persons in the centre community.

### **Promoting Positive Behaviour**

The vast majority of students are hard-working and well behaved and it is Youthreach policy to applaud and affirm this positive behaviour. Towards this end each centre has a range of initiatives to encourage and acknowledge hard work, commitment, leadership qualities, sporting skills and artistic talent. These initiatives and procedures are to be devised and implemented individually by each centre.

In the application of this code of behaviour, whilst the first concern will be the student, it is necessary to recognise the need to balance the interests of the individual student with the overall safety and general welfare of all students and the rest of the centre community; and also recognises the right to learn of all students in this centre.

This policy sets out below the rules, regulations and procedures which have been drawn up in consultation with students, staff, and parents to ensure a good learning environment and the smooth operation of the centre’s disciplinary system. Tolerance, politeness, courtesy, co-operation and respect for others and their property is expected. Under existing legislation, there will be no differentiation in the application of this Code of Behaviour on the basis of gender, family status, marital status, religion, age, race, sexual orientation, disability, or membership of the travelling community.

### **Role of Parents**

The support and co-operation of parents/guardians are essential for the effective operation of the code of behaviour.  Parents/guardians and students are required at registration to confirm in writing that they have read and agree to abide by the centre rules, code of behaviour and all relevant policies

### **Standards of Behaviour**

### **Attendance, Punctuality, Absence & Sick Leave**

* Student must sign in every day and be in centre 10 minutes before class start time. Failure to sign in may result in loss of pay.
* If a student has an appointment he/she must produce an appointment card in advance of the appointment.
* If student cannot produce a doctor’s note for absence he/she will lose pay for every day he/she is absent.
* Students are only allowed payment for a maximum of 7 sick days per year and 3 self-certified days.
* Illness certificates must be handed to office before 10am every Friday.
* If a student is persistently absent without a valid reason he/she will lose their place after receiving a written warning.

### **Permission to Leave Centre Premises**

* Once signed in, all students are not permitted to leave the building at any time during the day without informing staff.

**In Class**

* Student must participate and engage in all aspects of the class and the programme including the work experience programme.
* Student must be in a fit state to participate in the class. This means he/she is not tired, hung-over or under the influence of drugs.
* Student must respect teacher/tutor, staff and other members of the group.

**Student Illness or Injury**

* Students who become ill or are injured during the day must notify the class teacher or the Resource Manager.
* No one may go home without receiving permission from the Coordinator or Resource Manager if under 18 years of age or if over 18 years of age have informed a staff member.
* In every instance, the centre will attempt to contact parents/guardians before a student who is under 18 years is sent home.  However, in an emergency, the centre will take whatever action is deemed to be appropriate for the good of the student, and advise the parents as soon as possible.
* In the event of an emergency which may require the services of an ambulance, the Coordinator or a member of the staff delegated to do so will assess the situation.  In the event of an ambulance being summoned, contact will be made with a parent/guardian as soon as practicable and arrangements made for the parent/guardian to go directly to the hospital to meet the patient.  An adult person designated by the Coordinator shall accompany the student in the ambulance.

**Vandalism/Property**

* Members of the centre community are reminded from time to time to respect the property of the centre and the property of others. The centre has an obligation to protect that property. Malicious damage to centre property, or the placement of graffiti, may result in the student responsible, or his/her parents/guardians, being responsible for the financial cost of replacement or restitution.
* Student must respect all materials and resources he/she is given as part of the course; this includes paints, pens, folders, books etc.
* Student must not break, mark, write on or damage in any way materials received & used.
* Students are generally responsible for the safety of their own property.  When participating in P.E. or sport, students are advised to place any valuables in the possession of the teacher/coach for safe-keeping as the centre will not take responsibility for such items if stolen.
* Should students suffer a loss of property through no fault of their own, the matter should be reported to the Coordinator. Theft of, or damage to, personal property is always investigated as thoroughly as possible and those found responsible given appropriate sanctions.
* It may be necessary at times to search a student’s property during the investigation of a particular issue – for example, theft or substance abuse. Students are entitled to the same personal rights, right of privacy and defence of human dignity as anyone else.  Accordingly, a search of a bag of a particular student may only be undertaken if -
	1. The Coordinator or senior member of staff, determines there is sufficient evidence to suggest the person may be responsible for theft of property, possession of a dangerous weapon or possession of illegal substance.
	2. Permission has been obtained from a parent/guardian to institute such a search in the absence of the parent/guardian if the student is under 18 years of age.
	3. The parent/guardian has indicated a wish to be present when the search is instigated.
	4. Another person of authority (e.g. parent, member of staff) is present.

**Physical Contact**

* Physical contact is not acceptable by any student at any time with another student. (Horseplay, hitting, pushing, kicking, punching, shoving or any other contact).

**Mobile Phones/Personal Music Players**

* Refer to policy.

**Drugs & Alcohol**

* Refer to policy.

**Health & Safety**

* Refer to Centre Health and Safety Policy.

**Bullying**

* Refer to policy.

**Trips, Outings & Outdoor Pursuits**

* Students may not participate in trips or outings unless they have returned a signed permission form if under 18 years of age.
* When on trips or outings, students are expected at all times to maintain high standards of consideration for others.
* Students must comply, without question, with all specific and reasonable requirements laid down by those in charge as well as complying with any other rules or regulations set down by the venue being visited.
* Centre rules, and related policies apply on all outings. Any student guilty of misbehaviour on a trip, or outing, may be excluded from participating in similar future events or be subject to other sanctions.

**Specialist Rooms**

* Preparation and tidying up are essential for success of all practical classes. Each student is responsible for cleaning his/her work station and equipment after use.
* When in specialist rooms such as practical workshops, home economic kitchen or the gym, due regard must be shown by students for rules and safety procedures.
* It is centre policy that students participate in Physical Education classes unless excused on medical grounds supported by a medical certificate.

**SEN Students**

* The SEN co-ordinator (certain centres) for each group will go through the Behaviour Code and centre rules at the beginning of each academic year in a way that is accessible to them, reinforcing rationale and expectations. In the event of a serious breach of discipline involving a SEN student, in particular students with ADHD, EBD and Asperger’s Syndrome their coordinator will be consulted before any decisions are made or sanctions imposed. The SEN coordinator may, in certain cases, act as an advocate in support of the student with SEN.
* To avoid conflict and to better understand their students, teachers must inform themselves of any specific problem of SEN students in their class and observe the recommendations.

**Sanctions**

Sanctions may be imposed on any student who offends against the centre rules, code of behaviour, centre policies or is involved in abuse of substances on centre property or on centre related activities.  Such substances include alcohol, illegal drugs and other substances deemed to be potentially dangerous. The carrying of offensive weapons, including knives of any description, is expressly forbidden. In cases of substance abuse, possession and use of alcohol and illegal substances, the appropriate policy and procedures will apply.

**Communication**

In cases of serious or disruptive misbehaviour, or behaviour which is a threat to others, a student may be temporarily excluded from the centre until such time as student, parents/guardians and the Coordinator, should meet. In such circumstances, a written undertaking will be required from the student and agreed by parents, that their work, behaviour etc. will conform to the codes currently in place. No student will be sent from the centre during the centre day without prior contact with parents if student is under 18 years of age.

**Exclusion of Students from Centre**

Suspension from centre for a limited period of time, usually a maximum of 3 days, is a punishment generally reserved for cases where other sanctions have already been applied, yet misbehaviour persists, or for cases of serious misbehaviour or where a student poses a threat to others by his/her continued presence in the centre.  Students may only be suspended by decision of the Coordinator, or in the absence of the Coordinator, by the Resource Manager.  No student will be sent from centre during the centre day without prior contact with parents if student is under the age of 18 years.

A suspension will terminate following a meeting of student, parent and Coordinator provided a satisfactory undertaking is given about the future conduct of the student.  All cases of suspension must be brought to the attention of the Regional Manager. In serious cases of breaches of discipline, the student may not be permitted to return to centre pending a decision made by the Regional Manager.

A student whose behaviour threatens the safety and welfare of others or whose serious misbehaviour continues to contravene the Codes of Behaviour, shall be liable to termination by the Coordinator with the approval of the Regional Manager. The termination will normally follow on a suspension and a meeting of student, parents/guardians and the Coordinator. In cases of termination, parents/guardians have the right to appeal the decision and present their case to the Regional Manager.

In the event of a student being terminated from the centre, the Coordinator, as stated in the Education Act, will endeavour to support parents to find an alternative centre in which the student may continue his/her education if under the age of 18 years.

**Minor Breaches of Centre Rules/Behaviour**

Minor breaches may include the following- (**note:** list is neither exhaustive nor prescriptive)

* Minor rough behaviour in class, corridors or canteen.
* Minor disruption of class, e.g. continually speaking out of turn or continually talking during class.
* Writing on desks or walls.
* Arriving late to class.
* Using mobile phones in class.
* Littering the centre, canteen or grounds.
* The use of bad/offensive language amongst students.

**Measures to be taken**

* Misconduct will be dealt with by the classroom teacher in the first instance.
* A verbal warning should be issued to student.
* A student may be moved in the classroom seating arrangement.
* A letter may be sent home to parents.
* Cleaning/ litter duties in classroom or grounds.

**More Serious Breaches of Centre Rules/Behaviour**

Serious Breaches may include the following - (**note:** list is neither exhaustive nor prescriptive)

* Repeated minor breaches.
* Major rough behaviour in class or corridors.
* Showing disrespect to staff members including the use of bad/offensive language.
* Failure to co-operate with staff members in the classroom, corridors, canteen etc.
* Any form of bullying behaviour towards others.
* Theft.
* Failure to attend classes.
* Damage to the property of others or the centre, particularly Centre Safety Equipment.
* Serious disruption of classes and interference with the education of fellow students.
* Behaviour which is a threat to others.
* The carrying of offensive weapons or threat to use such weapons.

**Measures to be taken**

* Student may go on a Daily Report to closely monitor behaviour.
* Referral to Coordinator.
* Phone call home to Parents/Guardians.
* Invitation to Parents/Guardian to attend centre.
* Temporary removal from class in extreme cases.
* Excluded from participating in centre outings/trips.
* Gardaí informed.
* Legal action initiated.
* Exclusion/suspension from centre.
* Termination from centre

Every incident will be dealt with accordingly & recorded in the incident report book and kept on student’s file for a period of six months. The following procedure is a general outline-

* 1st Incident - Verbal Warning /report
* 2nd Incident - Suspension
* 3rd Incident - Written warning
* 4th Incident - Termination from the centre