

6 March 2006

Dear Sir

We write on behalf of the Post Primary Principals' Association of the Southern Education and Library Board to express our deep concern and strong opposition to the inclusion of Article 32 in the Draft Education Order which makes provision for **"appeals against decisions to suspend a registered pupil from a grant-aided school."** The decision to include this runs contrary to the Department's own proposals, outlined in "Suspension and Expulsion Procedures; proposals for change" March 2004 par 4.17 page 15, which states, **"A formal right of appeal against a suspension should not be introduced"**

In the consultation exercise which followed in 2004, of the 168 schools which responded, 137 agreed that there should be no formal right of appeal, i.e. 81.5% of the schools. Of the 218 respondents in total (schools and others) 152 agreed, representing 69.7% of the total.

In spite of this overwhelming support for the Department's own proposal we are at a loss to understand why the Department has now changed its stance and why the opinion of the majority of schools has been deliberately discounted, resulting in Article 32 appearing in the Draft Order.

Dismissing the professional opinions of the practitioners in this instance, by including Article 32, has aroused strong feelings and dismay among the members of the Post Primary Principals' Association who view the prospect of there being a right of appeal against a decision to suspend a pupil as;

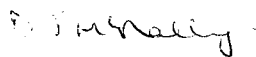
- (a) **undermining** the authority of the Principal and the Board of Governors,
- (b) **undermining** the operation of an effective discipline policy
- (c) **impractical** and impossible to operate within a realistic timescale,
- (d) an additional **bureaucratic burden**
- (e) **unnecessary**, since Principals consistently follow existing good practice as outlined in the SELB/CCMS Policy and Procedures for Suspensions and Expulsions.

In addition this proposal ignores the fact that for reasons of Health and Safety, Child Protection and the Human Rights of the school population as a whole, suspension in certain circumstances may be warranted. It also raises serious questions in relation to the duty of care and protection of members of staff in their dealings with more challenging pupils.

The provision of a safe and secure learning environment for all our pupils can only be safeguarded if Principals and Boards of Governors have recourse to a range of sanctions which include the suspension of a pupil, albeit as an extreme measure.

As officers of the Association we trust that the views of our members will not be ignored in this consultation.

Yours sincerely



Chairperson

D McNally



Secretary

R Pollock

Consultation on Proposal for a draft Education (NI) Order

SECTION 2 (To be completed if you are making an individual response)

Name:

Address:

Town/City:

Postcode:

Signature: Date:

SECTION 3 (To be completed if you are responding on behalf of an organisation)

Name: DEIRDRE J Mc NALLY (Ms)

Position in Organisation: CHAIRPERSON

Name of Organisation: POST PRIMARY PRINCIPALS ASSOCIATION OF SELB AREA

Address of Organisation: 40 ST MARY'S HIGH SCHOOL

Postcode: WALING ST LURGAN. BT 66 6DQ

Signature: DJ Mc Nally. Date: 06/03/06

**PLEASE ensure that you have completed SECTIONS 1 and 2,
or SECTIONS 1 and 3 before continuing.**

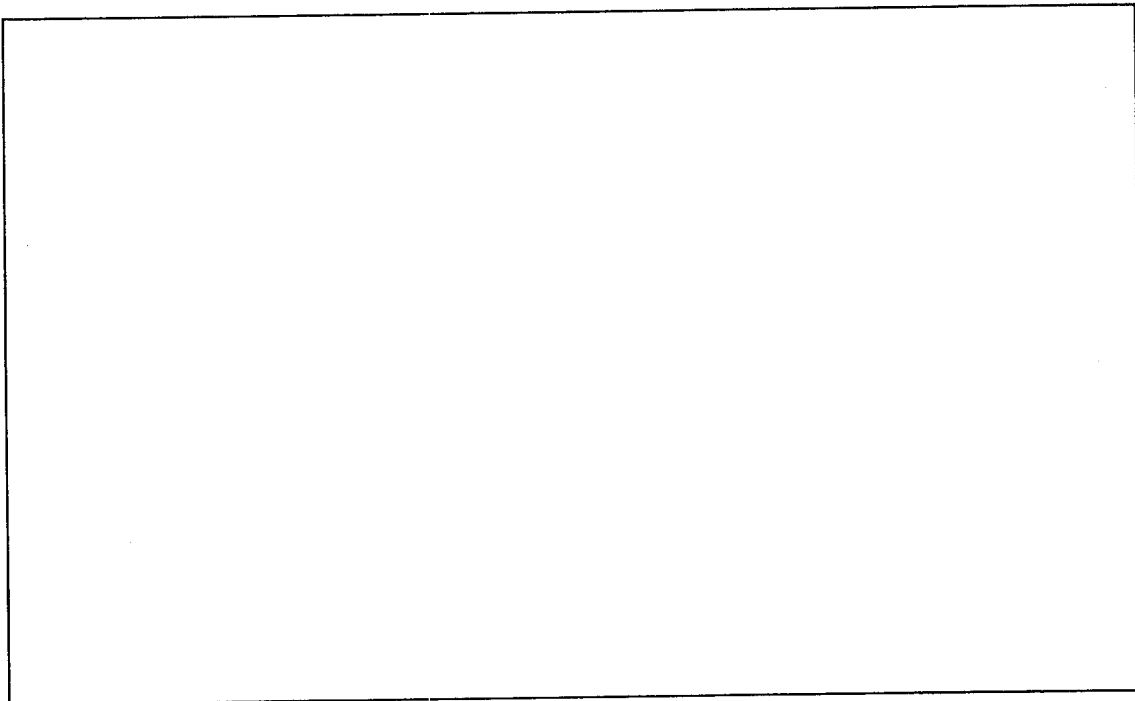
It is important that you write clearly and legibly.
We would ask you to use black pen and
BLOCK CAPITALS at all times.

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Suspension and expulsion of pupils from grant-aided schools

Articles 30 to 33 require the Department to prepare a common scheme for the suspension and expulsion of pupils in all grant-aided schools, which must be followed by Education and Library Boards and Boards of Governors. Education and Library Boards will become the expelling authority for all grant-aided schools in their area. Regulations made by the Department will provide arrangements for the consideration of appeals against suspensions and for a tribunal to be set up to consider appeals against expulsions. The education of a suspended pupil will be the responsibility of the school and, in circumstances determined by the Department, the Education and Library Board can provide assistance to the school in providing that education.

(A) If you support what these Articles are designed to do, please say why:



- (B) If you do not support all or part of what these Articles are designed to do, please say what your objections are and give your reasons:

SEE ATTACHED LETTER FROM PPPA - SELB AREA.

- (C) If you have made comments in (B), or for some other reason think that these Articles need to be changed, please state below what changes should be made: '

- ARTICLE 32 SHOULD NOT BE INCLUDED.
- ARTICLE 30 SHOULD CLEARLY INCLUDE A REQUIREMENT THAT THE PUPIL TO BE SUSPENDED SHOULD BE GIVEN AN OPPORTUNITY TO EXPLAIN HIS/HER POSITION - THUS SAFEGUARDING HIS/HER HUMAN RIGHTS.