

<b>J.</b>	<b>PUPIL CONDUCT AND DISCIPLINE</b>
-----------	-------------------------------------

- J.1** School Uniform and dress
- J.2** School discipline (general)
- J.3** Discipline on school transport
- J.4** Exclusion of pupils from school
- J.5** Dealing with cases of non attendance and irregular attendance of pupils at schools
- J.6** Dealing with cases of substance use and misuse
- J.7** Offensive weapons
- J.8** Reporting incidents of anti social behaviour and violence

Appendix J1: Discipline on school transport : Code of Conduct relative to pupils' behaviour

Appendix J2: Letter informing parents of a decision to exclude a pupil from school

Appendix J3: Parental undertaking as to a child's future behaviour

Appendix J4: Letter informing parent(s) of references in pupil's progress record

Appendix J5: Letter informing parent(s) of references in pupil's progress record (appeal cases)

Appendix J6: Dealing with cases of substance use and misuse: sample school policy

Appendix J7: Comhairle nan Eilean Siar policy on school uniform

Appendix J8: Dealing with bullying in schools: policy guidelines

Appendix J9 Care and Welfare of pupils: policy on exclusion of pupils from school

Appendix J10 Reporting incidents of anti social behaviour and violence: local procedures

## J. PUPIL CONDUCT AND DISCIPLINE

### J.1 SCHOOL UNIFORM AND DRESS

Source	Description	Reference
SEM	School Uniform	SEM 3.1.4
Web	Parentzonescotland (for parents, carers of pupils.)	<a href="http://www.parentzonescotland.gov.uk">www.parentzonescotland.gov.uk</a>

#### General

- J.1.1 The Comhairle's policy is that pupils attending schools within the Western Isles shall wear school uniform. The policy, and guidelines on its implementation, are set out at Appendix J 7.
- J.1.2 Schools are required to include a statement about their uniform policy, including the approximate cost of each item of uniform, in the school handbook which is issued annually to parents (see Section M) . (Schools may also find it helpful to give parents an indication of the types of clothing which are required for specific activities such as PE where these are not specifically mentioned in the policy.) Where a parent or carer indicates that they may have difficulty in funding suitable clothing, attention should be drawn to the availability of local authority clothing grants (see Section L.1.)

### J.2 SCHOOL DISCIPLINE (GENERAL)

Source	Description	Reference
SEM	Behaviour and Discipline	SEM 3.5
Web	Parentzonescotland (for parents, carers of pupils.)	<a href="http://www.parentzonescotland.gov.uk">www.parentzonescotland.gov.uk</a>

#### Discipline on school premises

- J.2.1 All schools are expected to draw up a local statement of their behaviour and discipline policy. A sample Primary Policy on Promoting Positive Behaviour is included on the Department's Intranet site under Policies. Schools are also required to draw up a policy on Bullying in line with the authority's policy as at Appendix J. 8. Policies on discipline, bullying and enforcement of attendance must be made known to pupils and parents and included in the school handbook which is issued annually to parents (see Section M.)

#### Discipline on school activities outwith school premises

- J.2.2 School policies on discipline apply to all formal school activities outwith school premises, including school trips, expeditions and events. Schools should ensure that advance information given to parents on school trips includes specific reference to the continuing application of normal disciplinary requirements while pupils are outwith normal school premises but under the overall control of the school.

### J.3 DISCIPLINE ON SCHOOL TRANSPORT

Source	Description	Reference
SEM	Transport to School	SEM 3.2
Web	Parentzonescotland (for parents, carers of pupils.)	<a href="http://www.parentzonescotland.gov.uk">www.parentzonescotland.gov.uk</a>
Internet site	School Transport Guide	<a href="http://www.cne-siar.gov.uk/education/policies">www.cne-siar.gov.uk/education/policies</a>

- J.3.1 Responsibility for the maintenance of discipline on school transport rests with the transport operator, in practice with the driver of the bus or car. Drivers are required to adhere to the Code of Conduct relative to pupils' behaviour which is set out at Appendix J1. (See also the Comhairle's School Transport guide which is included on both the Internet and Intranet sites under Policies and Procedures.
- J.3.2 Where a school has been advised of serious misbehaviour by identifiable pupil(s) the Head Teacher should consider whether action should be taken on the same basis as they would if the misbehaviour had occurred in school. If the misbehaviour is of a very serious nature, or is repeated, the Head Teacher should immediately advise the Head of Service of the circumstances.
- J.3.3 The Head of Service will consider the circumstances of the case and will, if exclusion from school transport is required, advise the parent(s) and the bus driver in writing of the decision. Parents have the right to appeal against any decision to exclude a child from school transport.

## J.4 PROCEDURE FOR EXCLUSION OF PUPILS FROM SCHOOLS

Source	Description	Reference
SEM	Exclusion from School	SEM 3.5.9 et seq
Web	Parentzonescotland (for parents, carers of pupils.)	<a href="http://www.parentzonescotland.gov.uk">www.parentzonescotland.gov.uk</a>

### General

- J.4.1. The authority accepts that exclusion is the most severe sanction available to schools and should be used only as a last resort in response to serious breaches of discipline or criminal behaviour. The authority will aim to minimise the need to use exclusion procedures through an inclusive approach which ensures that all pupils are treated equally and offered an educational experience which they can value. If problems occur, and children are excluded, the authority will aim to resolve behavioural issues with a view to the early reintegration of pupils into mainstream education.
- J.4.2 A copy of the authority's policy "Care and welfare of pupils: policy on exclusion of pupils from school" is set out at Appendix J 9. A sample school policy is included on the Intranet site under Policies and Procedures (School Policies.)

### Introduction

- J.4.3 Where all normal disciplinary procedures have been exhausted, including involvement of other agencies such as Social Work and the Reporter to the Children's Panel, if appropriate, Head Teachers may need to take further action which may lead to the exclusion of a pupil from school.
- J.4.4 The action taken in excluding a pupil from school must be in accordance with the statutory regulations and the following procedure outlines the legal requirements which must be observed.

### Legal requirements

- J.4.5 The legal background to exclusion is set out at SEM 3.5.9.1. The law makes no distinction between suspension and exclusion and consequently what was previously termed as suspension should now be regarded as an exclusion. The law also prescribes the timescales for informing parents in writing of a decision to exclude and the rights of parents to appeal against a decision to exclude to the Appeals Committee (School Placings).

### Authority to exclude

J.4.6 The Comhairle has delegated the power to exclude a pupil from school to the Director of Education. In practice, however, this delegation will be exercised on behalf of the Director of Education by the Head Teacher. It is expected, therefore, that **before any decision is taken by the Head Teacher to exclude a pupil from school, the Head Teacher will have discussed the matter with the Director of Education or Head of Service (HOS).**

#### **Grounds for Exclusion**

J.4.7 The statutory grounds for the exclusion of pupils from schools are set out at SEM 3.5.10 and are as follows:

- (a) if the authority is of the opinion that the parent of a pupil refuses or fails to comply, or to allow the pupil to comply with the rules, regulations or disciplinary requirements of the school; or
- (b) if it considers that, in all the circumstances, to allow the pupil to continue attendance at the school would be likely to be seriously detrimental to order and discipline in the school or the educational well-being of the pupils there.

#### **Decision to exclude (temporary exclusion and exclusion/withdrawal from register)**

J.4.8 The term “temporary exclusion” should be used when a pupil is excluded from a school but remains on the register of that school because it is expected that he or she will return when the period of exclusion is completed. When a pupil is excluded from a school and the pupil’s name is removed from the school register, the term “exclusion/removed from the register” should be used.

J.4.9 The Head Teacher will, on the day of the decision to exclude a pupil from a school, inform the parents of the decision by letter sent by recorded delivery. If possible, parents should also be informed orally of the decision on the same day. The letter from the Head Teacher, a model of which is set out at Appendix J2, shall include the following information:

- (a) confirmation of the decision to exclude
- (b) the period, where appropriate, of the exclusion and the reasons for exclusion;
- (c) conditions of re-admission;
- (e) rights of appeal;
- (f) the date, time and place when the Head Teacher shall be available for a discussion of the decision with the parent(s); and
- (g) any other information which may be considered appropriate in the particular case.

#### **Conditions of readmission: parental undertakings**

J.4.10 In a 1992 High Court case, the High Court confirmed that:

- (a) a local authority could lay down conditions for a pupil’s return to school; and
- (b) where a school had been authorised by a local authority to require a parent’s undertaking as a condition of readmission, such an undertaking constituted part of the “rules, regulations and disciplinary requirements of the school”.

J.4.11 In its judgement, however, the High Court also made clear that such undertakings should be reasonable - ie a parent could be asked to give a measure of assurance that their child would comply with the undertaking but could not be asked to guarantee it. Head Teachers requiring a parental undertaking as a condition of readmission should use the form of undertaking at Appendix J3.

### **Appeals procedure**

- J.4.12 The parent has a right of appeal against the decision of the Head Teacher to exclude a pupil from school and written intimation of the appeal must be submitted to the Clerk to the Appeals Committee (School Placings) within 28 days from the date of receipt of the Head Teacher's letter. The Appeals Committee may confirm or annul the decision of the Head Teacher to exclude the pupil and, if conditions have been attached for the pupil's readmission to school, the Appeals Committee may confirm the decision but modify the conditions.
- J.4.13 If the parent has intimated to the Clerk to the Appeals Committee (School Placings) that an appeal has been lodged against the decision to exclude the pupil from school, the Head Teacher will be asked by the Clerk to the Appeals Committee (School Placings) to submit copies of all correspondence concerning the case and a written statement detailing the background to the case for submission to the Appeals Committee. It will also be necessary for the Head Teacher to attend the hearing at which the appeal will be considered.

### **Right of appeal to the Sheriff**

- J.4.14 The parent has the right of appeal to the Sheriff against a decision of an Appeals Committee confirming the Comhairle's decision. The Sheriff has the same powers as the Appeals Committee in this regard.

### **Pupil's progress record**

Cases where no appeal has been lodged

- J.4.15 The parent of a pupil who is excluded from school must be informed in writing of the terms of any reference in the pupil's progress record to the exclusion. If a pupil is readmitted to the school at the end of the period of exclusion and the parent has decided that he or she does not wish to pursue the matter further, the Head Teacher will inform the parent in writing as soon as practicable after the entry is made of the term of any reference in the pupil's progress record to the exclusion. (A form of letter is attached at Appendix J4.)

### **Pupil's progress record in case of an appeal**

- J.4.16 If reference is made in a progress record to an exclusion it must also contain details of any decisions on any subsequent appeals and when a decision to exclude has been rescinded on appeal, any reference on a progress record to the exclusion may not be disclosed. (A form of letter is attached at Appendix J5.)

### **Readmission to school**

- J.4.17 The pupil will not be readmitted to the school until the period of exclusion has expired or until the outcome of an appeal has been determined by either the Appeals Committee (School Placings) or the Sheriff, whichever period is the shorter.
- J.4.18 In the case of a pupil who has been withdrawn from the register of a particular school and where the parent accepts this decision or the decision is upheld by the Appeals Committee and/or the Sheriff, where the pupil is under 16 years of age it will be the responsibility of the parents to submit a placing request to the Director of Education for the admission of the pupil to another school. The placing request will be considered by the Director of Education under the Education (Scotland) Act 1980 as amended.

### **Interpretation**

- J.4.19 In the context of this procedure, all references to parents shall also mean pupils over the age of 16.

## Statistics on exclusion

- J.4.20 Schools will record information about each exclusion on their school Phoenix system/in the form set out in Appendix J10. The Education authority will request this information annually and during the academic year as appropriate.

## J.5 DEALING WITH CASES OF NON- ATTENDANCE OR IRREGULAR ATTENDANCE OF PUPILS AT SCHOOLS

Source	Description	Reference
SEM	Action in the event of non-attendance at schools	SEM 3.4.5
Web	Parentzonescotland (for parents, carers of pupils.)	<a href="http://www.parentzonescotland.gov.uk">www.parentzonescotland.gov.uk</a>

### General

- J.5.1 Data on attendance and absence is collected for schools on a continuous basis through out the year through the Phoenix system and sent annually to the Scottish Executive. All schools should regularly monitor attendance data which will identify cases of irregular attendance and suspected truancy. Schools should also, as part of their local management procedures, have clearly understood lines of communication and agreed methods for dealing with pupils who present difficulties, including those who are poor or irregular attenders.

### Initial action at school level

- J.5.2 As soon as the school identifies truancy or irregular attendance, the matter should be investigated speedily within agreed school procedures by the appropriate guidance staff (secondary schools) or Head Teacher (primary schools ) to:
- establish the reasons for the non-attendance; and
  - identify the action to be taken in the particular case including any school and other agency help which might be required.

### Initial approach to parents

- J.5.3 Schools should adopt a flexible approach to cases of truancy or irregular attendance and consider a range of methods for dealing with the problems. Methods of contacting parents or guardians of pupils should reflect the circumstances of each case although contact should be made quickly and parents clearly informed of their responsibilities with regard to attendance. In most cases the Head Teacher will send a letter to the parent or guardian of the pupil, detailing the period(s) of unexplained absence, requesting an explanation for the absence(s) and advising the parent of the consequences of continued truancy or irregular attendance and in terms of the loss of educational experience for the pupil and potential action by the school and education authority.
- J.5.4 Exceptionally, the school may consider it advisable that contact with parents in a particular case should be from the Department of Education. The Head Teacher should refer any such case to the appropriate HOS. The Head Teacher will be advised of the action taken by the HOS and of the outcome.

### Early resolution of problem by school

- J.5.5 Where the school, in consultation with a pupil's parents or carers, can resolve effectively a case of truancy or irregular attendance, the matter need not be formally notified to the Department or other agencies unless there are specific reasons for the action, or unless the school judges that general lessons might be learnt from the circumstances of the case.

### **Involvement of Education Department**

- J.5.6 The HOS should be informed immediately if no response has been received or no improvement has been apparent after a period of 5 school days from contact with the pupil's parents or guardians. (Where the HOS has not previously been involved in the case, full details of the circumstances should be attached.) The HOS will consider whether a home visit by Departmental staff is appropriate and will also arrange where necessary for consultation with the Social Work Department and, if considered appropriate, the Reporter or Depute Reporter to the Children's Panel on an informal basis. The Head Teacher will be kept fully informed of any action taken and the outcome.

### **Further instances of truancy/irregular attendance**

- J.5.7 If there is still no improvement (or insufficient improvement) in the pupil's attendance, the Head Teacher should advise the HOS of the position. The HOS will arrange for the Director of Education to issue a letter to the parents by recorded delivery warning them of legal action if the pupil has not returned to school by a specified date or if no attempt is made to secure the regular attendance of the pupil at school. A copy of the letter will be sent to the Head Teacher for information.

### **Involvement of the Reporter to the Children's Panel**

- J.5.8 Irregular attendance or truancy which persists following the issue of the Director of Education's letter should again be notified by the Head Teacher to the Head of Service who will take action, following discussion with the Social Work Department and the Reporter, to refer the case formally to the Reporter to the Children's Panel.
- J.5.9 The Reporter to the Children's Panel will inform the Education Department and the schools involved of what action has been taken on the case.

### **Further legal action**

- J.5.10 If there is no improvement in the attendance of the pupil following action by the Reporter, the Head Teacher should ensure that the situation is reported to the HOS. The Department will proceed to institute legal action against the parent/guardian and the matter will be determined by the Courts.

## **J.6 SUBSTANCE MISUSE AND INCIDENTS**

<b>Source</b>	<b>Description</b>	<b>Reference</b>
SEM	Misuse of Drugs	SEM 3.1.11

### **General**

- J.6.1 All schools are expected to draw up a general statement of their policy on substance use and misuse, although the level of detail contained in the policy may vary with the type of school (eg primary or secondary.) A sample policy is on the Department's Intranet site under Policies. The Head Teacher carries overall responsibility for the policy and its implementation, for liaison with parents, local authority and appropriate outside agencies.
- J.6.2 In instances involving substance misuse or supply on the premises, and following discussion between staff members who know the pupil well, parents should be informed at the earliest opportunity by the Head Teacher. The school and the parents can then work together to support the young person involved.
- J.6.3 Schools should consider each substance incident individually and recognise that a variety of responses will be necessary to deal with incidents. The school should consider very carefully the implications of any action it may take, and seek to balance the interests of the pupil

involved, the other school pupils and the local community. Exclusion should be viewed as a last resort as it may only transfer the problem.

- J.6.4 A school cannot knowingly allow its premises to be used for the production or supply of any controlled drug, alcohol, or the preparation or usage of cannabis or opium. Where it is suspected that such substances are being supplied on the premises, details regarding those involved and as much information as possible, must be passed to the Police.
- J.6.5 If a pupil admits to using or supplying substances **off the premises** the teacher may decide that the matter need go no further. In this instance there is no legal obligation to inform the police though they may be able to offer advice and support. If the head teacher is informed it is important that the school should inform the parents.
- J.6.6 The Head Teacher will take responsibility for liaison with the media where necessary. As the issue of substance misuse is an emotive one, and is likely to generate interest from the local and national media, the school should take appropriate advice and guidance from the Education Department and act in accordance with the Comhairle's Policy on contact with the media.

### **MANAGEMENT OF DRUG INCIDENTS**

- J.6.7 Within the Guidance system of the school an ethos should be encouraged that enables students to feel confident enough to discuss any problems or concerns with staff. Pupils should be made aware that staff have access to helping agencies and will deal with such matters in a professional and caring way. The Head Teacher should take overall responsibility for co-ordinating the school's approach to drug incidents. Action when managing drug incidents should be as follows:

#### Possession

- (a) Staff who become aware of pupils being in possession of drugs on school premises must notify the Head Teacher.

#### Action and Process

- (b) The Head Teacher should look into the matter, outlining the investigation process and informing staff and pupils of the next steps. The process may involve the following:
- search of lockers etc.
  - explanation and identification of suspicious substances
  - corroboration of the evidence from other sources.
- (c) **IF** the allegations are substantiated or in need of further investigation, the Director of Education should be informed and the parent/guardian contacted by the Head Teacher.
- (d) Appropriate courses of action may include:
- *the calling of a case conference involving the pupil, parent/guardian, Head Teacher and other parties as appropriate eg. Guidance Teacher, Social Worker, Drugs Agency (each incident would dictate the makeup of such a group).*
  - *counselling and support for the pupil from an appropriate agency.*
  - *temporary exclusion from school.*
  - *contacting Police*
  - *any combination of the above.*

- (e) Any approaches from the media will be dealt with by the Head Teacher as in J.6.6 above.
- (e) If drugs are confiscated by a teacher he/she must inform the Head Teacher who will inform the police. The destruction of such drugs will be the responsibility of the police.

### **SUPPLY**

- J.6.8 Pupils who are found to be selling or supplying drugs on the school site will be dealt with by the Head Teacher in the first instance. The procedure would be the same as J.6.7 (Possession) but it should be noted that in this instance the Police **must** be informed.

### **MANAGEMENT OF ALCOHOL RELATED INCIDENTS**

- J.6.9 Incidents related to the supply or use of alcohol on school premises should be dealt with as in J.6.7 and J.6.8.

### **DISCLOSURE OF ILLICIT DRUG USE OUTWITH SCHOOL**

- J.6.10 If pupils disclose that they are using drugs off the school site staff should exercise their professional judgement about informing parents. Staff should take account of the age and maturity of the pupil and the possible risks involved. They should also encourage the student to talk to their parents and seek help where necessary.

### **FIRST AID**

- J.6.11 If a pupil collapses or is in danger of doing so normal first aid procedures should be followed.

### **MEDICINES IN SCHOOL**

- J.6.12 Parents/guardians of any student on prescribed medication must supply the school with written information on usage and dosage.

### **SCHOOL TRIPS**

- J.6.13 Any school trip, expedition or event that takes place outwith the school premises is subject to the procedures outlined for school premises.

## **J.7 OFFENSIVE WEAPONS**

<b>Source</b>	<b>Description</b>	<b>Reference</b>
SEM	Offensive Weapons Act 1996	SEM 4.5.5.4

### **Offensive Weapons Act 1996**

- J.7.1. Section 4 of the Offensive Weapons Act 1996 which came into force on 1 September 1996 had the effect of extending to school premises:
- (a) the offences of carrying an offensive weapon or knife (ie a bladed or sharply pointed article, except a folding pocket knife so long as the cutting edge of the blade does not exceed 3 inches/7.63 cm) in public; and
  - (b) the associated police powers of entry and search.
- J.7.2 The law gives a constable the power to enter school premises and search for knives and offensive weapons if he/she has reason to believe that an offence under the law is being or has been committed, and to seize any such knives or weapons found during the search.

## Action by schools

- J.7.3 A teacher with substantial evidence that a pupil is in possession of an offensive weapon has an obligation to inform the Head Teacher who will contact the parents immediately. Where, in the view of the teacher or the Head Teacher, there is a real and immediate threat posed by the weapon, the police should be called immediately. It is the Education Authority's policy that police are informed whenever involvement with such weapons is suspected by a Head Teacher. The Department expects that any police search would be conducted in close co-operation with the Head Teacher and other senior staff, having due regard to school security and with the aim of avoiding undue alarm among pupils and minimising disruption to educational activities.
- J.7.4 Head Teachers should ensure that all staff, in particular Guidance staff, are aware of the impact of the legislation. They should ensure that the guidance is brought to the attention of all pupils on a regular basis, in particular to new pupils. ( In both cases, Head Teachers will wish to ensure that the extent of the police powers of search are emphasised and that pupils and teachers are aware that the powers cover both school buildings and playground areas. ) While the advice is likely to be of particular relevance to secondary schools and older pupils, teachers of younger, primary classes should also ensure that their pupils are aware of the general thrust of the legislation although they will wish to set the information to pupils in appropriate context and using suitable language.
- J.7.5 Schools should ensure that School Boards, Parent Associations and parents are generally aware of the provisions of the legislation, particularly when new members are appointed, and may wish to consider incorporating the issue in their discipline policies or otherwise for annual publication in December School Handbooks.
- J.7.6. Written details of any police action under the new Act should be passed to the relevant Head of Service as soon as possible after the event, together with the results of the action (when known) and any school intentions with regard to disciplinary action against pupils. Any urgent difficulties or matters which, exceptionally, cannot be resolved directly with police officers attending a school should be discussed by phone with the Head of Service who will liaise with the Police Authority as appropriate.

## J.8 REPORTING INCIDENTS OF ANTI SOCIAL BEHAVIOUR OR VIOLENCE

References	Subject	Location
Scottish Education Manual	Incidents of violence against school staff	SEM 3.5.6.5
SEED Circular 6/03	Reporting incidents of anti social behaviour and violence	Further copy attached
Comhairle nan Eilean Siar	Violence and aggression at work policy	CNES Intranet site ("Policies")
CNES Education Department	FORM - Reporting incidents of anti-social behaviour and violence	Education Intranet site (Policies and procedures – SAH e-version)

### CNES Violence and aggression at work policy

- J.8.1 The Comhairle's Violence and aggression at work Policy is available on the Comhairle's Intranet site under "Policies". The policy applies to all employees and covers incidents of violent or aggressive behaviour perpetrated by members of the public, school pupils, service users or their families. Incidents of violence and aggression by or between employees are dealt with under the Comhairle's Disciplinary Procedure which is also available on the Comhairle's Intranet site.

### Additional education authority procedures

- J.8.2. Scottish Executive Education Department (SEED) guidelines require further information to be collected to ensure that incidents of anti-social behaviour and violence against staff are

reported, properly recorded and addressed. SEED Circular 6/03 defines anti-social behaviour and violence as:

"Any incident in which an employee of a school is verbally or physically abused, threatened, attacked or harassed by a pupil, parent, member of the public or any other person in circumstances arising out of the course of his/her employment. This includes any statement or action that causes the member of staff to fear for their safety, the safety of another, the school or for personal property."

- J.8.3 This includes physical violence, sexual, homophobic or racial harassment or abuse, harassment relating to religious beliefs or disability, assault (with or without a weapon), verbal threats or threatening gestures, verbal taunting, vandalism or arson, and any other intentional damage to personal property.

#### **Reporting incidents**

- J.8.4. Every school should maintain a register of incidents of anti-social behaviour or violence. As soon as practicable after an incident:
- (i) the incident should be recorded in the school register;
  - (ii) the member(s) of staff involved in the incident should complete a report as in the form at Appendix J 10. Head Teachers should copy the form to the Principal Officer (Secondary Education and Human Resources) immediately following completion. The Department will, where necessary, contact schools to discuss necessary action and will in any case review and analyse incidents twice yearly, in conjunction with Quality Improvement Officers, Head Teachers, school staff and other key stakeholders as appropriate.

#### **Other action to be taken**

- J.8.5. Schools should refer to the Comhairle's Violence and Aggression at Work Policy for other action which may require to be taken including:
- (i) **completing a Comhairle Incident Report Form (IR1) where physical injury has resulted and/or where the employee is subsequently absent for more than three days; and making an entry in the Accident Book whenever an injury has been sustained;**
  - (ii) providing debriefing and support to the employee;
  - (iii) consideration of reporting the incident to the police;
  - (iv) consideration of issues relating to the employee's return to duty; and
  - (v) consideration of training needs identified as a result of the incident.
- J.8.6 Queries on the procedures to be adopted should be directed to Business Support Officers or to the Principal Officer (Human Resources and Secondary Education.) Schools should note that where the employee has completed the Education Department Incident Report Form, it will not be necessary to complete the Comhairle Violence and Aggression report form.

**DISCIPLINE ON SCHOOL TRANSPORT: CODE OF CONDUCT RELATIVE TO PUPILS' BEHAVIOUR**

The driver will be responsible for maintaining the good conduct of pupils.

- (a) In the event of misbehaviour by any pupil(s) the following action should be taken:
  - (i) drivers should stop the vehicle;
  - (ii) give a warning to those concerned;
  - (iii) drive on.
  
- (b) If this warning has no effect:
  - (i) the driver should stop again;
  - (ii) take the names of the offender(s);
  - (iii) report the nature of the misbehaviour to the Head Teacher, as soon as possible and not later than 24 hours after the occurrence of any misbehaviour.
  
- (c) A driver shall not put a pupil off a bus for misbehaviour. In the event of severe misbehaviour by a pupil, which affects the safety of the other pupils, the driver should seek assistance from the company staff, school staff, the police or by any reasonable means.

It should be noted that when a driver is required to warn and/or take the name of a pupil because of misbehaviour the pupil can not be set down at a location other than that indicated by the Comhairle on that particular journey. If the child concerned has to be excluded from the vehicle, the driver will be informed by the Director of Education and any decision to exclude a pupil from the vehicle will be confirmed in writing.

No smoking is permitted on the vehicle. Drivers should endeavour to ensure that this is enforced.

**SCHOOLS DISCIPLINARY PROCEDURE: FORM OF LETTER INFORMING PARENTS OF A DECISION TO EXCLUDE A PUPIL FROM SCHOOL**

**RECORDED DELIVERY**

.....(Name(s) of Parent(s))  
.....(Address of parent(s))  
.....

Dear.....(Title(s) of Parent(s))

**SCHOOLS DISCIPLINARY PROCEDURE**

PUPIL'S NAME.....DATE OF BIRTH.....

I am writing to confirm my (**telephone\***) discussion with you this (**afternoon /morning\***) about my decision to exclude your (**son/daughter\***).....from School as from today for a period of [ ] days until .....(enter period of exclusion, if appropriate).

In terms of the procedure for the exclusion of pupils from schools I would be grateful if you could call in at the School to discuss the matter with me (**specify date and time of appointment which must be within seven days immediately following the date of the letter**).

If this appointment is not convenient for you, please let me know as soon as possible so that an alternative appointment can be made within the next seven days.

My reasons for excluding.....(**Name of pupil**) from School are as follows:

Insert here specific details of the reasons for exclusion (which must fall into (a) or (b) of J.4.7) with full details of the facts on which the decision has been made.

.....(**Name of Pupil**) will be re-admitted to School as from .....(**date following exclusion**). (**Insert here any conditions which you may have decided for the re-admission of the pupil to the school.**)

**(Insert any other information which may be considered appropriate in the particular case.)**

If you are not satisfied with this decision, you have a right of appeal against the decision to exclude.....(**Name of child**) from School to the Appeals Committee (School Placings) and if you wish to exercise your right of appeal you should inform the Clerk to the Appeals Committee (School Placings), Comhairle nan Eilean Siar, Sandwick Road, Stornoway, Isle of Lewis, HS1 2BW, in writing within 28 days of the date of receiving this letter.

In the meantime, I hope that you will be able to call in to discuss the matter with me.

Yours sincerely

Head Teacher

**DISCIPLINARY PROCEDURE: EXCLUSION - CONDITIONS FOR RE-ADMISSION**

**PARENT(S)' UNDERTAKING AS TO A CHILD'S FUTURE BEHAVIOUR**

**SCHOOL**.....

(I/We).....(Name(s) of Parent(s),  
of.....(Address) have been informed that  
(my/our) child.....(Name of Pupil) will be re-admitted to  
.....(Name of School) on .....(Date of re-admission  
- if agreed) on the following conditions:

(Conditions set by Head Teacher: these should be set within the parameters of normally expected pupil behaviour)

(I/We) will endeavour to ensure that .....(Name of pupil) meets and continues to meet these conditions for re-admission. (I/We) will also endeavour to ensure that (he/she) will comply in future with all the (other) rules, regulations and disciplinary requirements of the school.

**SIGNED** .....( Parent )

DATE .....

**SIGNED** .....( Parent )

DATE .....

**RECEIVED BY** .....(Head Teacher)

DATE .....

**SCHOOLS DISCIPLINARY PROCEDURE: FORM OF LETTER INFORMING PARENT(S) OF REFERENCES IN PUPIL'S PROGRESS RECORD**

.....(Name of parent(s))  
.....(Address of parent(s))

Dear .....(Title(s) of parent(s))

**SCHOOLS DISCIPLINARY PROCEDURE**

PUPIL'S NAME: .....DATE OF BIRTH.....

I refer to my letter dated.....in connection with my decision to exclude..... from School for a period of .....days until .....

In accordance with the Disciplinary Procedure for the exclusion of pupils from School, I am now writing to confirm that the following reference has been included in ..... 's progress record.

**(Insert details of the entry on the pupil's progress record on the circumstances and the decision to exclude.)**

Yours sincerely

Head Teacher

**SCHOOLS DISCIPLINARY PROCEDURE: FORM OF LETTER INFORMING PARENTS OF ENTRY IN A PUPIL'S PROGRESS RECORD (APPEAL CASES)**

.....(Name of parent(s))  
.....(Address of parent(s))

Dear .....(Title(s) of parent(s))

**SCHOOLS DISCIPLINARY PROCEDURE**

PUPIL'S NAME: .....DATE OF BIRTH.....

I am writing to inform you that following the decision of the (**Appeal Committee/Sheriff\***) on your appeal against my decision to exclude ..... from School, the following reference has been included in ..... 's progress record:

**(Insert details of the entry on the pupil's progress record on the circumstances and decision to exclude and the reference to the outcome of the appeal)**

Yours sincerely

Head Teacher

## **GUIDELINES FOR THE HANDLING OF DRUG MISUSE AND INCIDENTS**

### **SAMPLE POLICY OF SUBSTANCE USE AND MISUSE**

#### **SCHOOL POLICIES ON HEALTH AND SAFETY**

The school is committed to the health and safety of its pupils and will take action to safeguard their well-being.

The school acknowledges the importance of its pastoral role in the welfare of young people, and through the general ethos of the school, and will seek to persuade pupils in need of support to come forward.

#### **SCHOOL POLICY ON DRUGS**

The misuse and/or supply of drugs including (alcohol) is not acceptable within the school community.

#### **PARENTAL ROLE**

Fundamental to our school's values and practice is the principle of sharing the responsibility for education of young people with parents, by keeping them informed and involved at all times. Effective communication and co-operation is essential to the successful implementation of this policy.

#### **HEALTH EDUCATION**

In response to our shared concerns at a local and national level, we wish to state that as part of our care for the welfare of our pupils, the school believes it has a duty to inform and educate young people on the consequences of drug use and misuse. The school takes a pro-active stance on this matter, believing that health education is a vital part of the Personal and Social education of every pupil.

These aims are fulfilled through aspects of the pupils' experiences in the taught curriculum, the informal curriculum and through opportunities for extra-curricular activities. We deliver in the taught curriculum mainly through PSHE, Science and language areas, but other opportunities to reinforce learning will occur in other parts of the teaching programme. The school actively co-operates with other agencies such as Community Police, Social Services, local authority and Health and Drug Agencies to deliver its commitment to Drugs Education and to deal with incidents of substance use and misuse. Outside agencies which support the school Health Education Programme will be informed of the values held within this policy.

#### **THE ROLE OF THE HEAD TEACHER**

The Head Teacher has overall responsibility for the policy and its implementation, for liaison with parents, local authority and appropriate outside agencies.

In instances involving substance misuse or supply on the premises, and following discussion between staff members who know the pupil well, parents will be informed at the earliest opportunity by the Head Teacher. The school and the parents can then work together to support the young person involved.

The school will consider each substance incident individually and recognises that a variety of responses will be necessary to deal with incidents. The school will consider very carefully the implications of any action it may take. It seeks to balance the interests of the pupil involved, the other school pupils and the local community. Exclusion is seen as a last resort as it may only transfer the problem.

A school cannot knowingly allow its premises to be used for the production or supply of any controlled drug, alcohol, or the preparation or usage of cannabis or opium. Where it is suspected that such substances are being supplied on the premises, details regarding those involved and as much information as possible, will be passed to the Police.

If a pupil admits to using or supplying substances **off the premises** the teacher may decide that the matter need to no further. In this instance there is no legal obligation to inform the police though they may be able to offer advice and support. If the head teacher is informed it is important that the school should inform the parents.

The Head Teacher will take responsibility for liaison with the media where necessary. As the issue of substance misuse is an emotive one, and is likely to generate interest from the local and national media, the school will take appropriate advice and guidance from the Education Department or the Legal Services Section of the Administration Department.

## **MANAGEMENT OF DRUG INCIDENTS**

Within the Guidance system of the school an ethos will be encouraged that enables students to feel confident enough to discuss any problems or concerns with staff. Pupils will be made aware that staff have access to helping agencies and will deal with such matters in a professional and caring way.

The Head Teacher will take overall responsibility for co-ordinating the school's approach to drug incidents.

Lines of action when managing drug incidents will be as follows:

### **POSSESSION**

Staff who become aware of pupils being in possession of drugs on school premises will notify the Head Teacher.

#### **Action and Process**

The Head Teacher will look into the matter outlining the investigation process informing staff and pupils of the next steps.

The process may involve the following:

- search of lockers etc.
- explanation and identification of suspicious substances
- corroboration of the evidence from other sources.

IF the allegations are substantiated or in need of further investigation, the Director of Education will be informed and parent/guardian contacted by the Head Teacher.

Appropriate courses of action may include:

- A *The calling of a case conference involving the pupil, parent/guardian, Head Teacher and other parties as appropriate eg. Guidance Teacher, Social Worker, Drugs Agency (each incident would dictate the makeup of such a group).*
- B *Counselling and support for the pupil from an appropriate agency.*
- C *Temporary exclusion from school.*
- D *Contacting Police.*
- E *Any combination of the above.*

Any approaches from the media will be dealt with by the Head Teacher.

If drugs are confiscated by a teacher he/she must inform the Head Teacher who will inform the police. The destruction of such drugs will be the responsibility of the police.

## **SUPPLY**

Pupils who are found to be selling or supplying drugs on the school site will be dealt with by the Head Teacher in the first instance.

### **Action and Process**

The procedure would be the same as above (**Possession**) but it should be noted that in this instance the Police **must** be informed.

## **DISCLOSURE OF ILLICIT DRUG USE OUTWITH SCHOOL**

If pupils disclose that they are using drugs off the school site staff will exercise their professional judgement about informing parents. Staff will take account of the age and maturity of the pupil and the possible risks involved. They will also encourage the student to talk to their parents and seek help where necessary.

## **FIRST AID**

If a pupil collapses or is in danger of doing so normal first aid procedures will be followed.

## **MEDICINES IN SCHOOL**

Parents/guardians of any student on prescribed medication must supply the school with written information on usage and dosage as under current Health and Safety guidelines.

## **WHOLE SCHOOL INVOLVEMENT**

All members of the school community will be encouraged to work together to put this policy into practice. Staff will be supported, have access to up to date resources and be given training opportunities. Pupils will be actively consulted and encouraged to take responsibility for their own actions. Parents and School Boards will be involved through consultation and the running of awareness workshops. Outside agencies will also be asked to support and work co-operatively with the school.

## **SCHOOL TRIPS**

Any school trip, expedition or event that takes place outwith the school premises is subject to the procedures outlined for school premises.

## **REVIEW**

This policy will be reviewed on a regular basis.

# COMHAIRLE NAN EILEAN SIAR

## EDUCATION DEPARTMENT

### SCHOOL UNIFORM POLICY AND GUIDELINES

#### COMHAIRLE NAN EILEAN SIAR POLICY

1. The Comhairle nan Eilean Siar policy is that pupils attending schools within the Western Isles shall wear school uniform. Schools are required to have in place a school uniform policy which reflects the Comhairle policy and to ensure that the wearing of school uniform by pupils is promoted.

#### GENERAL

2. The wearing of school uniform has many positive aspects which relate to the ethos of identity and community which are important considerations in the developmental growth of children. The requirement to address the welfare and protection of children within a changing society has given positive impetus towards the more widespread use of school uniform and both the price and type of clothing regarded as suitable for wearing within a school are now more reasonable from the perception of both parents and pupils.
3. The wearing of school uniform is to be promoted by schools for a number of reasons:
  - (a) uniform gives pupils a pride in belonging to a particular school and promotes a sense of corporate identity;
  - (b) uniform encourages positive school discipline and a work ethic amongst pupils;
  - (c) uniform gives pupils a similarity of appearance, thereby discouraging competition in dress;
  - (d) uniform contributes to enhancing the reputation of the school in the community;
  - (e) uniform identifies pupils as belonging to a particular school, thereby helping to diminish truancy;
  - (f) uniform improves school security by making it easier to identify non-pupils and school intruders.

#### SCHOOL UNIFORM - CONSIDERATIONS OF A DRESS CODE

4. The colour scheme and the items of dress which relate to the school uniform are matters for schools, in consultation with the School Board, the parents and the pupils. The views of school staff should also be taken into consideration.
5. A range of options for uniform may be considered, including summer/winter clothing, and regard should be paid to the requirement to allow for alternative forms of dress according to cultural background.

6. Some forms of dress are unacceptable in school on the grounds of Health and Safety, or on moral or other grounds eg:
  - (a) items of dress which can raise Health and Safety concerns such as loose-fitting clothes, dangling earrings, shell suits and jackets made of flammable materials;
  - (b) items of dress which raise moral grounds of concern such as those which carry advertising, particularly relating to alcohol or tobacco, or questionable designs carrying offensive or dubious slogans or messages;
  - (c) items of dress which raise other concerns such as those which could encourage factional identification, including football and other team colours.

### **SCHOOL UNIFORM-POSITIVE STRATEGIES**

7. The wearing of school uniform by pupils requires collaboration between School and parents, in that there is an agreement that the same message, that school uniform is to be worn, is conveyed. Essential elements in this process are:
  - (a) the encouragement of parental commitment to a school uniform policy through communication and consultation;
  - (b) the encouragement of staff commitment to a school uniform policy through communication and consultation;
  - (c) the encouragement of pupil commitment to school uniform through pupil involvement in the detail of a dress code.
8. In practical terms a school can do much to encourage pupils to wear school uniform including:
  - (a) publication of school policy on school uniform in the school handbook;
  - (b) regular reminders in class or assembly on the importance of school uniform;
  - (c) promotion of the wearing of uniform through newsletters and school displays;
  - (d) opportunities for parents to view samples and purchase items of school wear in school.

### **SCHOOL UNIFORM - DEALING WITH NON-CO-OPERATION**

9. It is important to recognise that while the wearing of school uniform can be instituted as a feature of the rules and regulations of the school, **the non-wearing of school uniform cannot be used by schools to restrict the education of pupils.**
10. Given that the wearing of school uniform is intended to contribute to the positive ethos of the school as well as to the protection of young people, the practice of wearing school uniform should be based on positive encouragement rather than on sanctions.

11. In the event of non-wearing of school uniform, it is open to schools to:
  - (a) interview pupils and issue reminders of the school policy;
  - (b) write to parents, seeking support for the school policy;
  - (c) interview parents, seeking support for the school policy;
12. In considering action in relation to pupils not wearing school uniform, schools are required to distinguish between deliberate disregard of the uniform code by pupils and pupils for whom the provision of school uniform is a temporary difficulty arising from a range of valid reasons.

**COMHAIRLE NAN EILEAN SIAR**  
**EDUCATION AND LEISURE SERVICES DEPARTMENT**

**DEALING WITH BULLYING IN SCHOOLS**

**POLICY GUIDELINES**

**February 1998**

## FOREWORD

'Bullying is the wilful, conscious desire to hurt or threaten or frighten someone else.'

'Any behaviour which is the illegitimate use of power in order to hurt others is bullying behaviour.'

**Action Against Bullying - Scottish Council for Research in Education, 1991**

The Education Department issues these policy guidelines to:

- define its position on how bullying in schools should be addressed;
- enable schools to write their own procedures for dealing with bullying, using this framework as a guide;
- encourage the community of the schools, and especially parents and guardians, to recognise their role in ensuring that bullying behaviour is removed from our schools.

Comhairle nan Eilean Siar Education Department:

- acknowledges the **Inter-Agency Procedures & Guidelines** issued by the Western Isles Child Protection Committee, June 1997, and recommends that the **Policy Guidelines on Bullying** be seen as an integral part of the overall strategy for childcare and welfare in the Western Isles
- supports the recommendations made in the Scottish Education Department's Circular No 10: **Protection of Children from Abuse, The Role of Education Authorities, Schools and Teachers**, sections 14 and 15.

## A POLICY FOR DEALING WITH BULLYING

### SECTION 1: THE ROLE OF THE EDUCATION AUTHORITY

- 1.1 The Education Authority has a duty to provide education for children from age 5 to age 16 and to provide nursery education for pre-school children.
- 1.2 The Education Authority states that its aim is to ensure that the school environment of this education is safe and non-threatening for all pupils by:
- 1.2.1 **requiring all schools, including nursery schools, to produce a policy for dealing with bullying, which is known and accepted by staff, pupils and the school community**  
'The single most important thing that a school can do to combat bullying is to have an active policy to which all are committed.' School Action Against Bullying, SCORE
- 1.2.2 **overseeing and supporting the schools' policies for dealing with bullying, and providing legal advice, if required**  
The Authority is prepared to help schools to formulate their own school policies by providing advisory help, resource materials, and an overview of the policy document.

**1.2.3 facilitating the necessary inservice training to enable teachers to carry out recommended practice**

Inservice for teachers is planned by schools within their devolved budgets and according to the priorities identified within their development plans. The Authority expects schools to ensure that staff have a working knowledge of their policy and practice for dealing with bullying.

**1.2.4 supporting the disciplinary measures, including temporary exclusion, imposed by the schools on pupils who have been bullying**

It is acknowledged that pupils who bully may require professional help to correct their behaviour, and liaison with the Psychological Service and other agencies should ensure that this help is provided.

**1.2.5 promoting the curricular development that is required to introduce action against bullying into the curriculum**

'The very process of being educated develops in young people ways of understanding and behaving which help to structure the inner self and to promote the recognition that personal motives and actions must be mediated by the need for social responsibility.'

'The Heart of the Matter.' - A Discussion Paper, SCCC

**1.2.6 promoting an ethos within schools that encourages the personal and social development of all pupils, through the curriculum, through extra-curricular activities, through the pastoral guidance structure and through the involvement of other agencies, including parents, in the life of the school.**

'How Good Is Your School' - Performance Indicator 5.1 - SOEID

**SECTION 2: THE ROLE OF SCHOOL MANAGEMENT**

**2.1 All schools have a responsibility for the personal and social welfare of their pupils and that includes making sure that they are not bullied.**

'Bullying and How to Fight It.' Andrew Mellor, SCRE

**2.2 To promote positive behaviour and to discourage bullying, all primary and secondary schools should:**

**2.2.1 have a specific programme of Personal and Social Education within the curriculum, which follows national guidelines, and which includes the development of personal and inter-personal skills:**

- respect and caring for self;**
- respect and caring for others;**
- a sense of social responsibility;**
- a commitment to learning;**
- a sense of belonging.**

The Heart of the Matter, SCCC

Personal and Social Development 5-14, 1993 SOED

Curriculum Design for the Secondary Stages, SCCC para 4.4 - para 4.9

Personal and Social Education, Higher Still Development Programme

**2.2.2 develop personal and inter-personal skills across the curriculum**

Personal and Social Development 5-14, 1993 SOED

Curriculum Design for the Secondary Stages, SCCC para 3.6-para 3.7

Core Skills -Higher Still Development Programme

**2.2.3 have a policy for the delivery of guidance which reflects national guidelines**

Effective Learning and Teaching - Guidance

How Good Is Our School, SOEID Performance Indicators 4.1 - 4.4

**2.2.4 allocate the responsibility for the management of Guidance and pupil welfare to a member of the Senior Management Team**

Effective Learning and Teaching - Guidance, SOEID, para 10.2

**2.2.5 expect guidance teachers and any first-level guidance teachers, in secondary schools, to have regular contact with individual pupils, and to keep a record of these contacts**

Effective Learning and Teaching - Guidance, SOEID, para 4.2

**2.2.6 provide staff who have guidance responsibilities with an appropriate amount of dedicated time to carry out personal guidance with individual pupils**

Effective Learning and Teaching - Guidance, SOED, para 3.5 - para 3.8

**2.2.7 construct a policy for dealing with bullying which follows national guidelines and which reflects consultation among the staff. The policy should contain:**

a statement about the kinds of behaviour which can be defined as bullying,

information about what staff, pupils, parents/guardians should do if they are aware of bullying or suspect bullying,

encouragement to speak up, and procedures for enabling this to be effective,

procedures for monitoring behaviour over a period, to identify problems,

procedures for involving parents/guardians of pupils who are bullying or being bullied,

the counselling and disciplinary measures that will be used for dealing with bullying,

a procedure for reviewing the effectiveness of the policy.

Action Against Bullying 1 and 2 SCORE

Protection of Children from Abuse - The Role of Education Authorities, Schools and Teachers, SOED, 1990

[See Appendix 1 for expansion of these statements.]

**2.2.8 ensure that all staff are given an opportunity to contribute to the content of this policy**

This can be done through working parties and through discussions at staff meetings.

Action against Bullying - Paper A1 and Paper A2 SCORE

**2.2.9 organise inservice for staff so that they know how to implement the policy**

Action against Bullying, Drawing from Experience - Scenarios 1-6

**2.2.10 publicise the school's policy for dealing with bullying, using posters, letters**

**2.2.11 ensure that all parents/guardians are aware of the school's policy and practice for dealing with bullying**

'the active co-operation of parents is a valuable way of reinforcing messages about acceptable behaviour.'

Action against Bullying - Involving Parents and Non-teaching Staff, chapter 4

**2.2.12 listen to pupils and teachers who have a complaint about bullying, and be seen to take appropriate action**

Once the issue of bullying is opened up in a school, management should be prepared to have to deal with different forms of this kind of behaviour - pupil to pupil, pupil to staff, staff to pupil, staff to staff. Conciliation of such problems will require skilful management.

**2.2.13 engage the support of the School Board in the drawing up of a policy for dealing with bullying and in publicising how the school is promoting positive behaviour**

School Boards Focus No 4 - Bullying, SOED, 1994

**2.2.14 liaise closely with support agencies outwith the school who can offer advice and who might also be working with young people who are experiencing difficulties.**

Effective Learning and Teaching - Guidance, SOEID para 9.8 to para 9.12

**SECTION 3: THE ROLE OF THE SCHOOL STAFF - TEACHING and NON-TEACHING**

**3.1 The Education Authority expects school staff, both teaching and non-teaching to have a clearly defined role in ensuring that bullying is prevented, or if it does occur, in dealing with it by:**

**3.1.1 maintaining a learning environment within classrooms which encourages pupils to perform well**

How Good Is Our School - Performance Indicator 3.2 SOEID

**3.1.2 emphasising the importance of inter-personal skills, group activities and personal and social development in their teaching/learning methodology**

How Good Is Our School - Performance Indicator 3.1; Performance Indicator 3.2 SOEID

**3.1.3 keeping a close watch on attendance**

**3.1.4 being accessible to pupils if they wish to discuss problems**

**3.1.5 referring difficult issues to Senior Management**

**3.1.6 ensuring that they carry out the procedures defined in the school policy for dealing with bullying if and when they come across it**

**3.1.7 keeping in regular contact with individual pupils, if they have a guidance or tutor responsibility in secondary schools or if they are class teachers in primary schools**

How Good Is Our School - Performance Indicator 4.1.

Effective Learning and Teaching - Guidance para 4.2 SOEID.

**3.1.8 being especially aware of the difficult times for pupils, e.g. starting school, moving to a new school or to secondary school**

Effective Learning and Teaching - Guidance para 4.7 to para 4.20.

**3.1.9 using their contact with pupils outside the classroom to listen to them if they wish to discuss a problem**

How Good Is Our School SOEID - Performance Indicator 4.2.

**3.1.10 being aware of the procedure for referral of bullying problems and the need for confidentiality when necessary.**

Teaching and non-teaching staff should be encouraged to refer all known instances of bullying to the school management. The Education Authority is prepared to make legal advice available to schools with regard to procedures for dealing with difficult cases.

SOED Circular 10 - Protection of Children from Abuse-The Role of Education Authorities, Schools and Teachers.

**SECTION 4: THE ROLE OF THE PUPILS**

4.1 The policy should state that, in accordance with the Education [Scotland] Act 1980, children have the right to educational provision which includes opportunities to progress, to gain qualifications, to personal and social development, and to guidance in relation to curricular, vocational and personal needs.

4.2 To safeguard these rights, the policy should state that:

**4.2.1 pupils have a right to protection from bullying while they are attending school**

**4.2.2 pupils will have the opportunity to contribute to the school policy for dealing with bullying**

**4.2.3 pupils who bully or threaten to bully other pupils within the school or while going to or leaving school should expect to experience the disciplinary measures detailed in the policy for dealing with bullying**

**4.2.4 pupils will be informed that confidentiality will be kept if they wish to discuss a bullying problem with a member of staff**

**4.2.5 pupils will be encouraged to speak out if they are being bullied or if they know of someone who is being bullied**

**4.2.6 pupils have responsibilities within school to observe the rules and discipline procedures of the school. They are expected to co-operate with their peers and with staff and so to enhance the quality of life within the school.**

Action Against Bullying - Drawing From Experience SCORE

School Action Against Bullying - Involving Parents and Non-Teaching Staff SCORE

How Good Is Our School - Performance Indicator 4.2; Performance Indicator 5.1

**SECTION 5: THE ROLE OF THE COMMUNITY - PARENTS/GUARDIANS, SCHOOL BOARDS**

5.1 The policy should welcome the involvement of the community in ensuring that bullying does not take place in schools by:

**5.1.1 requesting parents/guardians to inform the school immediately if they suspect that their child is being bullied**

**5.1.2 encouraging parents/guardians to become involved in the drawing up of the school's policy for dealing with bullying either through the School Board or by responding to consultation from the school**

**5.1.3 emphasising that parents/guardians are ultimately responsible for their child's behaviour within the school and that they must try and ensure that he/she co-operates with the school's rules on behaviour**

**5.1.4 informing parents/guardians that they can seek further advice and help from the Education Authority if they are not satisfied with how the school is handling their problem of bullying**

Bullying and How To Fight It - A Guide for Families, Andrew Mellor, SCRE

School Action Against Bullying - Involving Parents and Non-Teaching Staff, Pamela Munn, SCRE

**5.1.5 inviting School Boards to support the school management in dealing with bullying by:**

**having bullying on the agenda at meetings**

**inviting 'experts' and school staff to run workshops for parents**

**highlighting in newsletters positive action taken by the school**

**acting as a channel for parental suggestions about how the school can act**

**involving other agencies, e.g. police, bus companies, shopkeepers, community groups**

**finding out what other Boards are doing.**

School Boards, Focus No 4 - Bullying, SOED, 1994

## A POLICY FOR DEALING WITH BULLYING IN SCHOOLS

### APPENDIX 1

The following ideas are provided to enable schools to design their own policies for dealing with bullying, as outlined in Section 2.2.7.

It must be emphasised that a school policy for dealing with bullying should be the result of consultation and agreement among all concerned - staff, pupils, parents.

**The school's policy should contain:**

**1. a statement about the kinds of behaviour which can be defined as bullying, e.g.**

- |                                  |   |  |
|----------------------------------|---|--|
| <b>physical bullying</b>         | - | pushing, kicking, hitting, pinching, and other forms of violence;  |
| <b>verbal bullying</b>           | - | name calling, sarcasm, spreading rumours, persistent teasing, threats - 'if you don't give me money, you'll be sorry.' |
| <b>emotional bullying</b>        | - | excluding [not speaking to], tormenting [hiding books, unpleasant gestures], ridicule, humiliation                     |
| <b>racist, cultural bullying</b> | - | gestures, comments, graffiti   |
| <b>sexual bullying</b>           | - | unwanted physical contact, suggestive written or verbal comments.  |

**and possible signs to look out for -**

- fear of travelling to and from school, either on foot or by bus
- fear of being around the school at breaks and lunch time
- poor attendance, truancy
- loss of books, jotters, school bags
- underachievement
- unexplained bruises, scratches, torn clothes
- becoming withdrawn, anxious

It is important to realise that these signs may be indicative of problems other than bullying.

**2. detail of what staff, pupils, parents/guardians should do if they are aware of bullying or suspected bullying. ref Sections 3, 4, 5, e.g.**

**class teachers**

- listen to pupils who confide in them about bullying;
- make careful written notes of the information given and if they wish to deal with it in the first instance, they should exercise their professional judgement in the action taken;
- always refer the matter to the relevant Guidance teacher, in a secondary school, or to a member of the Senior Management Team, as an official record of all that pertains to a pupil's school life has to be maintained by the school.

It is always important, however, not to promise confidentiality and then to relay information after it has been given in confidence.

### **non-teaching staff**

They should not attempt to deal with bullying problems but they should take a note of information received and then refer the matter to Guidance or to the Senior Management Team.

If any member of staff observes bullying behaviour, for example physical violence, they should follow school procedures for dealing with indiscipline. Further action will be taken as appropriate.

### **parents**

They should contact the school immediately if they think or know that their child is being bullied. In primary schools they should contact the Head Teacher. In secondary schools they should make contact with the register teacher or the Guidance teacher in the first instance. They can see the Head Teacher, if appropriate.

They should have as much information as possible to relay to the school about their concerns, as that can enable the school to take action more quickly. It is important to realise that it will take some time to address a bullying problem and parents are requested to work with the school in what might be a fairly lengthy process. However, it is also important that the safety and well-being of every pupil is being cared for while this investigation is going on.

Reference - Bullyproofing our School, Advice for Parents, Strathclyde Education  
Bullying and How to Fight It, A Guide for Families, Andrew Mellor, SCORE  
Preventing Bullying! A Parents' Guide, Kidscape

### **3. encouragement to speak up and procedures for enabling this to be effective, e.g.**

Posters designed by pupils should be displayed announcing that bullying is not acceptable in the school - with advice to speak up about it - to class teachers, form teachers, Guidance teachers - to parents, brothers, sisters, friends.

Effective action for dealing with bullying should be agreed by all staff. All pupils should know the consequences of bullying behaviour e.g. loss of privileges, parental involvement, exclusion from school.

Protection for those who speak up for their friends should be guaranteed - no names released.

### **4. procedures for monitoring behaviour over a period of time, e.g.**

Pupils who have been bullying or who are suspected of bullying can be given a behaviour timetable to be completed daily where their teacher/s record their behaviour and which can be signed by a parent each evening. This procedure can enable schools to keep an eye on behaviour in class, and it can also enable parents to keep in touch and to make a comment too. It should be used as a means of encouragement to good behaviour and rewards can be built into the process.

Other agencies involved with the child should be brought into the monitoring process by frequent exchange of information, e.g. social worker, educational psychologist.

### **5. procedures for involving parents/guardians of pupils who bully or are being bullied, e.g.**

A copy of the school prospectus which includes the school's policy for dealing with bullying should be issued to all parents each session.

There should be clear guidelines for parents on how they can make contact with the school on any matter of concern, including bullying - who do they ask for, how do they arrange an appointment, relevant telephone numbers.

The issue of a behaviour timetable as described above could be considered.

School contracts where parents and pupils sign a contract of acceptable behaviour with the school could be drawn up.

## **6. counselling and disciplinary measures that will be used for dealing with bullying, e.g.**

Pupils can have time with their class teacher/Guidance teacher to discuss worries about bullying. Class cover might have to be provided, especially in primary schools.

Additional help can be requested, e.g. from school medical services, psychological services.

Contact with Child Line can be arranged.

Contact with support in the community - the police, social worker - can be arranged.

Details of what staff can do to exercise discipline in the case of pupils who bully e.g. loss of privileges, behaviour monitoring.

Guidance on how the school would aim to correct bullying behaviour by working with the bully or bullies. This can be done through group work where pupils consider various situations and decide what should happen.

Teachers and pupils can use the PSE programme to consider all aspects of bullying, including the establishment of ground rules for dealing with bullies.

## **7. a procedure for reviewing the effectiveness of the Policy, e.g.**

A questionnaire to pupils can be used to gain their views as to whether they could easily refer their concerns about bullying, whether they thought appropriate action had been taken in dealing with bullying, and if they had any ideas for improving the policy.

The PSE programme might be able to include this exercise.

A questionnaire for parents can be compiled to gain their views. The School Board should also be given an opportunity to respond.

Information should be given to staff on the responses - and an opportunity for them to reconsider the policy.

For reference:

'How Well Is Your Policy Working?' F3, Action Against Bullying, SCORE. This is a self-evaluation checklist which can be adapted for your school.

## **A POLICY FOR DEALING WITH BULLYING**

### **APPENDIX 2**

#### **RESOURCES**

The following resources should be available to all schools and should provide information, exemplars and inservice materials:

ACTION AGAINST BULLYING - A Support Pack for Schools.

Margaret Johnstone, Pamela Munn, Lynne Edwards      SCRE, SOED, 1992.

SUPPORTING SCHOOLS AGAINST BULLYING - The Second SCRE Anti-Bullying Pack.

School Action Against Bullying, Involving Parents and Non-teaching Staff - Pamela Munn.

Bullying and How to Fight It - A Guide for Families - Andrew Mellor.

PREVENTING BULLYING! - A Parent's Guide - Kidscape

STOP BULLYING - Kidscape

Let's Stop BULLYING - Advice for Parents and Families - The Scottish Office

Bullyproofing our School - Advice for Parents - Strathclyde Education

Resources which might be useful in PSE classes for helping pupils to consider the subject of bullying are:

In secondary schools:

SKILLS FOR LIFE - TACADE

ISSUES - John Foster, Collins Publications

In primary schools:

SKILLS FOR THE PRIMARY CHILD - TACADE

COMHAIRLE NAN EILEAN SIAR

EDUCATION DEPARTMENT

CARE AND WELFARE OF PUPILS: POLICY ON EXCLUSION OF PUPILS FROM SCHOOL

**PREAMBLE**

In the light of SOEID Circular 2/98 "Guidance on Issues Concerning Exclusion from School" the Education Department of Comhairle nan Eilean Siar has redrafted its policy on exclusion as undernoted.

GENERAL

1. The authority accepts that exclusion is the most severe sanction available to schools and as such should be used only as a last resort in response to serious breaches of discipline or criminal behaviour. We aim to minimise our need to use exclusion procedures through an inclusive approach under which all pupils are treated equally and offered an educational experience which they value. When problems occur, and children are excluded, we aim to resolve behavioural issues with a view to the early reintegration of pupils into mainstream education.

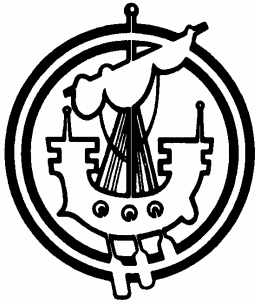
RESPONSIBILITIES

2. The authority considers that a systematic approach to ensuring good practice is essential not only to ensure that all aspects of the educational experience are positive for young people, teaching staff, parents and the community but also to avoid complacency .
3. The authority recognises the need for pupils' own involvement and responsibility in matters of behaviour and positive participation while in school and the community.
4. The authority recognises parents' responsibilities with regard to behaviour but is committed to informing and consulting parents, and to working in partnership with them with regard to all aspects of the educational process.
5. The authority acknowledges the importance for schools of working not only with pupils and parents but with School Boards and other members of the community.

EDUCATION AUTHORITY COMMITMENTS

6. With these principles in mind the authority will:
  - (i) continue to work with schools to promote positive behaviour, looking critically and constructively at past experience, current successes and achieving consensus with all interested parties on the appropriate way forward;
  - (ii) encourage the dissemination of good practice with the support of its Curriculum Support Service and actively encourage collaboration and good practice between different schools and different areas;
  - (iii) work with schools and others to ensure that all schools develop, consult on and agree school behaviour policies which are then communicated to all interested parties;
  - (iv) encourage schools to confirm that their current arrangements for student consultation and involvement are systematic and effective;

- (v) continue to support the principle of early intervention and emphasise the importance of positive, constructive relationships between schools and parents to all aspects of a pupil's education;
- (vi) take full responsibility for decisions to exclude and remove pupils from the school register but clearly define responsibility for the **management** of exclusion at school and authority level;
- (vii) ensure that the individual circumstances of each pupil are taken fully into account in all issues relating to behaviour, including exclusion. The authority will specifically aim to ensure equality of treatment and of educational opportunity to all pupils, including vulnerable pupils or pupils with special needs and will ensure that arrangements for alternative education are appropriate in the light of individual pupils' circumstances;
- (viii) ensure through the use of agreed documents and detailed published procedures that all procedures relating to exclusion are communicated fully to all parties in plain language, that the process is constructive not confrontational, and that all parties are made aware of their rights and responsibilities;
- (ix) continue to take a multi-disciplinary approach, both generally and in relation to pupils in special circumstances or with special needs, through continued close cooperation with all appropriate colleagues and other agencies;
- (x) monitor and analyse the use of exclusion by the regular collection and analysis of local data and consideration of national information;
- (xi) continue to support self -evaluation and audit through school Guidance systems, staff development and consultation and local school management arrangements. The authority will also seek to strengthen existing good practice with the support of the Curriculum Support Service and senior departmental management and will encourage the dissemination of good practice between schools both in terms of management and guidance issues;
- (xii) continue to emphasise that all aspects of self -evaluation and audit are a positive development experience and should be set, where appropriate, in the context of established school and departmental arrangements, and in the context of the Comhairle's Teaching Staff Development and Career Review Scheme.
- (xiii) continue to work closely with the Department of Social Work and other agencies to promote inter-agency policies appropriate to the authority's circumstances;
- (xiv) continue to keep all aspects of policy and procedures with regard to behaviour under review to ensure the continuing assimilation of experience and best practice



Department of Education

## Anti-Social Behaviour and Violence Against Staff INCIDENT REPORT FORM

**Definition of anti-social behaviour and violence:**

*Any incident in which an employee of a school is seriously verbally or physically abused, threatened, attacked or harassed by a pupil, parent, member of the public or any other person in circumstances arising out of the course of his/her employment. This includes any statement or action that causes the member of staff to fear for their safety, the safety of another, the school or for personal property.*

This includes physical violence, sexual, homophobic or racial harassment or abuse, harassment relating to religious beliefs or disability, assault (with or without a weapon), verbal threats or threatening gestures, verbal taunting, vandalism or arson, and any other intentional damage to personal property.

Managers of staff who have been the victim of violence or anti-social behaviour should **fully** complete this form. It will help us to understand the problems staff face in their work, and consider ways in which the risk of future incidents can be reduced. Please use a continuation sheet if necessary.

<b>School</b>	
---------------	--

<b>Date of incident</b>		<b>Day of the week</b>		<b>Time</b>	
-------------------------	--	------------------------	--	-------------	--

### 1. Employee — details of person assaulted

<b>Name</b>		<b>Gender</b>	
<b>Job/Position</b>		<b>Ethnicity *</b>	
<b>Dept/Section</b>			
<b>What work was being done when incident started?</b>			

### 2. Details of alleged assailants (if known)

a) Alleged assailant was (please tick one of the following)							
<b>Pupil</b>		<b>Past Pupil</b>		<b>Parent</b>		<b>Other</b>	
<b>Ethnicity *</b>							
<b>Age (s) approx</b>							
<b>Gender</b>							
<b>Details of any Special Educational Needs</b>							

\* (see end for list of categories of ethnicity)

<b>(b) Is the alleged assailant known to be involved in any previous incidents</b>	<b>Yes</b>	<input type="checkbox"/>
	<b>No</b>	<input type="checkbox"/>
<b>If yes to (b), give date and brief details of incident(s)</b>		

### 3. Witness(es) if any

<b>Name(s)</b>

### 4. Details of Incident

<b>a) Type of alleged assault (Select number(s) from below.)</b>	<input type="text"/>
--	----------------------

1. Verbal abuse
2. Physical assault (no weapon or improvised object)
3. Physical assault using an improvised object
4. Assault using a weapon — an implement brought in with the premeditated intent of causing harm or injury
5. Damage to personal property
6. Threatening or Menacing Behaviour
7. Anti-Social/Disruptive Behaviour
8. Malicious Calls/Letters/E-mail
10. Verbal Abuse
11. Vandalism
12. Breach of security
13. Other (Please Specify)

<b>b) Please indicate if the above action was connected to any of the following: (Select number(s) from below.)</b>	<input type="text"/>
---	----------------------

1. Sexual harassment
2. Religious beliefs
3. Homophobia / Sexual orientation
4. Racial harassment
5. Disability

<b>c) Location of alleged incident (Select number(s) from below.)</b>	<input type="text"/>
---	----------------------

1. Pre-school centres of education
2. Classroom
3. Other areas of school buildings
4. School grounds
5. Outwith the school grounds

**d) Time of alleged incident. (Select number(s) from below.)**

1. During school hours
2. Outwith school hours
3. Outwith school hours but during school sponsored activities (e.g. trips)

**e) Consequences of action for alleged victim (Select number(s) from below.)**

1. No time off taken
2. Time off (treatment for emotional effects)
3. Time off (treatment for physical injury)
4. Time off - reportable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences, 1995) (i.e. more than three days or 'major injury', such as broken arm or leg etc.) reportable to Health and Safety Executive
5. Unknown

**f) If alleged incident has resulted in time off please indicate number of working days lost as direct result.**

## 5. Outcome

**a) E.g. what happened after the event, details of any Line Manager, Health & Safety, Police involvement, legal action taken and any action taken by the school.**

**b) Any other relevant information.**

## 6. Further Action Required (Please include who is responsible for action and an indication of time scale)

**a) E.g. what happened after the event, details of any police involvement, legal action taken and any action taken by the school.**

<b>Signature of Employee</b>	
<b>Date</b>	

<b>Signature of Line Manager</b>	
<b>Position</b>	
<b>Date</b>	

**Please return this form as soon as possible to:**

**Cathie Anne Macleod  
 Department of Education  
 Comhairle nan Eilean Siar  
 Sandwich Road  
 Stornoway  
 Isle of Lewis  
 HS1 2BW**

***Categories of ethnicity:***

1 White — UK	6 Asian - Bangladeshi	11 Black - Other
2 White - Other	7 Asian - Chinese	12 Other
3 Mixed	8 Asian - Other	13 Not Disclosed
4 Asian - Indian	9 Black - Caribbean	14 Not known
5 Asian – Pakistani	10 Black – African	