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| <b>Title</b>                  | Behavioural Support Suspension and Expulsion Policy  |
| <b>Description of policy</b>  | This policy sets out the expectations and procedures for Catholic Education Archdiocese of Canberra and Goulburn (CECG) schools to support and respond to students exhibiting challenging behaviours. It outlines the range of possible responses from behavioural support within schools to restorative and behaviour management options outside of school, in line with ACT and NSW laws.  |
| <b>Required because</b>       | CECG schools need consistent behavioural support and discipline procedures to respond to challenging behaviours. These include suspension, expulsion, and exclusion procedures in line with ACT and NSW law (ACT is more prescriptive).  |
| <b>Description of changes</b> | <ul style="list-style-type: none"> <li>• Introduced clear explanation of behavioural management and discipline processes.</li> <li>• Clarified suspension processes including two new Suspension Notice forms, in line with recent amendments to the ACT <a href="#">Education Act 2004</a>. These processes ensure procedural fairness and are appropriate for all schools.</li> <li>• Clarified processes for gathering information, including processes for dealing with prohibited items and the prohibition on physically searching students.</li> <li>• Retitles and replaces the Behavioural Support Policy.</li> </ul> |
| <b>Applies to</b>             | <input type="checkbox"/> Organisation-wide<br><input checked="" type="checkbox"/> Specific (location, schools/ELCs & SACs, Service Area)<br><input type="checkbox"/> Staff only <input type="checkbox"/> Students only <input checked="" type="checkbox"/> Staff and students  |
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| <b>Related documents</b>     | <a href="#">Suspension Process Fact Sheet</a><br><a href="#">Suspension Process Flow Chart</a><br><a href="#">Suspension Notice Form 1</a><br><a href="#">Suspension Notice Form 2</a><br><a href="#">Restrictive Practices Policy</a><br><a href="#">Complaints Policy</a><br><a href="#">Bullying and Harassment Policy</a><br><a href="#">Smoking Free Environment Policy</a><br><a href="#">Student Acceptable Use of ICT Policy</a><br><a href="#">Guidelines for Professional Conduct When Working With Children and Young People</a> |
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## 1. Summary

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- 1.1 This policy sets out the expectations and procedures for Catholic Education Archdiocese of Canberra and Goulburn (CECG) schools to support and respond to students exhibiting challenging behaviours.
- 1.2 It outlines the range of possible responses, from behavioural support within schools to restorative and disciplinary options, in line with ACT and NSW laws.
- 1.3 It applies to all CECG Schools in ACT and NSW.

## 2. Behavioural Support and Suspension Policy

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- 2.1 CECG schools foster teaching and learning environments where there is good order and purposeful learning.
- 2.2 Enrolment in a school involves mutual rights and responsibilities of the Principal and staff, the parents/carers and the student, and all members are entitled to a safe and effective learning environment.
- 2.3 To support these mutual rights and responsibilities, this policy provides behavioural support approaches that reflect Gospel values and respect for the dignity of students. It is supported by the CEG Bullying and Harassment Policy.
- 2.4 Schools must develop additional school-based procedures to support the school's approach to behaviour management specific to its context.
- 2.5 If a student displays behaviour that reduces the safety or effectiveness of the learning environment, a school's duty of care authorises and requires them to respond.
- 2.6 The response must attempt to identify and understand the reasons for behaviour and consider appropriate behavioural support interventions.
- 2.7 Suspension processes are only appropriate where alternatives have been exhausted and the behaviour is persistently or disruptively non-compliant or poses an unacceptable risk to safety or wellbeing of staff or students. This may include:
  - Behaviour disruptive to the student's own learning and/or to other students' learning
  - Aggressive, dangerous or violent behaviour
  - Possession of a weapon at school
  - Drug-related behaviour including use, supply, or possession of alcohol, tobacco, or a suspected illegal or restricted substance
  - Sexualised behaviour or sexual harassment of other students or staff
  - Acute or extreme anti-social behaviour such as harassment, offensive language, or acts of extremism.

### **Behaviour out of school grounds and hours**

- 2.8 A school's duty of care authorises them to respond to challenging behaviour outside of school hours and off school premises if that behaviour reduces the safety and effectiveness of the learning environment.

- 2.9 For example, use by a student of social networking sites, mobile phones and/or other technology to threaten, bully or harass another student or a staff member warrants response by the school the student attends.

### Procedural fairness

- 2.10 Responses to challenging behaviour must ensure procedural fairness, including ensuring:
- the decision-maker and process are free from bias
  - decisions are based on evidence that supports the facts, and
  - the student (and anyone who may be adversely affected by the school's response) has an opportunity to be heard and have their input considered before a decision is made.
- 2.11 Giving students (and parents if suspension is being considered) an opportunity to be heard includes giving them sufficient information to allow real participation. For example:
- giving them information about the behaviour and grounds for a decision before it is made.
  - telling them how they can respond and have their views heard.
  - providing policies and procedures that are relevant to the alleged misconduct.
  - considering the student's and parent's/carer's response when making a decision, and
  - advising any rights to review a decision.

## 3. Response to challenging behaviour

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- 3.1 When a student engages in behaviour that may reduce the safety and effectiveness of the learning environment, the Principal (or delegate) must:
- gather information from the student, witnesses, or other people with relevant information.
  - consider the reasons for the behaviour, and
  - consider appropriate behavior management processes to respond to the inappropriate behaviour.
- 3.2 Suspension is one of the most serious responses possible. Suspension decisions can only be made by a Principal and must follow required [Suspension Processes](#).

## 4. Safety and Physical Contact

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- 4.1 The safety of students and staff is paramount. Violence against students and staff, or threats of violence, may be grounds for immediate suspension.
- 4.2 In both NSW and ACT schools, restrictive practices must only be used when they are required to prevent a student from injuring him or herself, injuring others or damaging property. They should only be used when essential, and where other means of managing the risk of harm have failed or are not appropriate given the risk.
- 4.3 The restrictive practice must be the least restrictive possible in the circumstances, considering the options available, how it is applied and how long it is applied. If possible, the use of the restrictive practice should be authorised by the school Principal, the ELC or school-aged care Director. CECG acknowledges this will not always be possible in situations of imminent harm.

- 4.4 If a restrictive practice is used, it must be reported in line with the [Restrictive Practices Policy](#).
- 4.5 Workers must never use corporal punishment or inappropriate physical contact, even when responding to a safety risk.

## 5. Gathering information

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- 5.1 The Principal or delegate should appropriately investigate or gather information to support a decision to suspend. This may include talking to the student(s) involved, other relevant people. Security cameras may be referred to if there is an allegation of theft or damage to property, safety risks, or violent and harmful incidents against students or workers (see Security Camera Policy).
- 5.2 If staff believe or identify that a student has brought prohibited items to school they can:
- Ask the student to surrender prohibited items.
  - Ask the student to empty pockets, locker, or bag for inspection.
  - Temporarily confiscate prohibited items that are surrendered.
    - This does not extend to reaching into a bag or locker to remove a prohibited item.
  - Examine confiscated items as part of investigating facts for any disciplinary action (e.g. examine unlocked mobile devices).
  - Supervise a student separately from their bag or device, until a search can be conducted by parents or law enforcement.
  - Contact parents and request parents search a student or a student's bag/locker, if the parent consents to do so.
  - Contact law enforcement in the case of suspected illegal activity.
  - Respond to prohibited items or behaviour with disciplinary action in line with CECG policies.

### Prohibited actions

- 5.3 CECG workers must not:
- Physically search a student, with or without their consent (e.g. frisk or pat down).
  - Search a student's bag or locker and remove items from it.
    - This is distinct from asking a student to empty a bag/locker or move items around to permit inspection or asking the student to surrender prohibited items.
- 5.4 Searches can place staff at risk of injury (e.g. sharps in bags) or lead to allegations of improper force or tainted evidence and should be conducted by law enforcement or parents.

### Confiscated items

- 5.5 Confiscated items remain the property of the student. Illegal items or substances must be surrendered to law enforcement. Other items should be returned to parents or destroyed with parent's written permission.

## 6. Behavioural Support

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- 6.1 CECG schools should respond with behavioural support that focuses on the personal development of the students in the first instance, unless there are safety or other reasons the response should be escalated.
- 6.2 For students who require ongoing behavioural support or have identified complex needs, a formal Positive Behaviour Support Plan and Risk Assessment may be appropriate or required.

## 7. Escalating the Response

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- 7.1 If reasonable behavioural support is unable to resolve a student's challenging behaviour, it may be appropriate to escalate the response to include restorative and/or suspension measures.
- 7.2 Appropriate disciplinary responses may include:
- Restorative Practices
  - Detention/Time Out
  - Internal school suspension
  - Community service activities
  - Other measures in line with school-based procedures

## 8. Suspension and Expulsion

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- 8.1 Suspension and expulsion are the most serious behaviour management options available to schools. They are not to be used lightly and may only be used if:
- a student's behaviour is persistently or disruptively noncompliant or poses an unacceptable risk to safety or wellbeing of staff or students, and
  - all reasonable alternatives have been implemented and exhausted.

Note: immediate suspension, without exhausting alternatives, may be appropriate if there is immediate or imminent or imminent risk of harm to a person (e.g. violence against student or violence/threat to a teacher).

- 8.2 Behaviours that are persistently or disruptively noncompliant, or pose an unacceptable risk to safety or wellbeing of staff or students, may include:
- Behaviour which is continuously disruptive to the student's own learning and/or to other students' learning
  - Aggressive, dangerous or violent behaviour
  - Possession of a weapon at school
  - Drug-related behaviour including use, supply, or possession of alcohol, tobacco, or a suspected illegal or restricted substance
  - Sexualised behaviour or sexual harassment of other students or staff
  - Acute or extreme anti-social behaviour such as harassment, offensive language, or acts of extremism.

- 8.3 Schools must comply with the [Suspension Processes](#) when considering a decision to suspend a student (illustrated in the [Suspension Process Flow Chart](#)). Some of the key requirements of these processes include that a decision to suspend:
- can only be made by a Principal or the CECG Director
  - must let the student and parents be heard including a [first written notice](#) before a decision is made (unless immediate suspension), and a [final written notice](#) taking account of student and parent's views, and
  - must give suspended students appropriate supports to continue their education while away from school.
- 8.4 Expulsion from CECG schools in response to student behaviour is an exceptionally rare event. Expulsion processes include similar requirements to suspension. Schools considering whether expulsion is required should contact the CECG School and Family Services Team for guidance and support.

## 9. Definitions

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- 9.1 **Suspension:** A student is required to leave a school for a specified period of time in response to behaviour that is persistently or disruptively noncompliant or poses an unacceptable risk to safety or wellbeing of staff or students.
- 9.2 **Exclusion:** Preventing a student's admission to a number of schools. In extreme circumstances, this can involve all the schools in a single system or from other schools.
- 9.3 **Expulsion:** Permanent removal of a student from one particular school.

## 10. Related Documents and Legislation

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### 10.1 Related CECG Documents:

- [Suspension Process Fact Sheet](#)
- [Suspension Process Flow Chart](#)
- [Suspension Notice Form 1](#)
- [Suspension Notice Form 2](#)
- [Restrictive Practices Policy](#)
- [Complaints Policy](#)
- [Bullying and Harassment Policy](#)
- [Smoking Free Environment Policy](#)
- [Student Acceptable Use of ICT Policy](#)

### 10.2 Related legislation or Standards

- [Education Act 2004](#) (ACT)
- [Education Act 1990](#) (NSW)
- [NSW Education Standards Authority, Registered and Accredited Individual Non-government Schools \(NSW\) Manual, Section 3.7](#)



## 11. Contact

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- 11.1 For support or further questions relating to this policy, contact the CECG School and Family Services Area.