



Annexure G : Our School's Disciplinary Policy

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Disciplinary action taken by the School must be based on the principle of *fair and restorative discipline* (as defined in Our School's Code of Conduct section 1.4) and corrective engagement (see section 1 below). The severity of the action taken by the School will depend on the circumstances, the seriousness of the infringement and any relevant mitigating or aggravating factors.

In applying the disciplinary measures, a key aim is for boys to learn through the disciplinary measures why their behaviour was wrong and who or what was disrespected. Corrective engagement should follow as soon as reasonably possible to redress the undesirable behaviour.

1. Principles of corrective engagement

- 1.1. The corrective engagement approach to discipline at our School focuses on helping boys learn from their mistakes and develop intrinsic self-discipline that is focused on core values and principles, as per the Ideal Attributes document.
- 1.2. Various forms of informal (section 2) and formal disciplinary measures (section 3) may be initiated by the School.
- 1.3. Disciplinary measures are guided by sound educational principles and must be proportional to the nature and severity of the offence. In applying its discretion, the School will seek to ensure that the consequence is logical or natural based on the offence. The School reserves the right to apply any other measure that is considered appropriate.
- 1.4. Discipline must, wherever feasible and effective, be applied progressively.

2. Informal action / disciplinary measures

Examples of informal action/disciplinary measures include:

- Guidance by a teacher or a member of the Pastoral Care team,
- Conversation with the headmaster or a senior member of Staff,
- Conversation with the parents, if necessary, and,
- A reflection task.

Boys will be encouraged to think seriously about and answer the following important questions when they find they have breached this policy:

- What did I do?
- Why did I do it?
- What was I thinking at the time?
- What have I thought about since?
- Who or what did I disrespect and how?
- What can I do to rectify the situation now?
- What should I do to ensure it does not happen again?

3. Formal action/disciplinary measures

Examples of formal action/disciplinary measures include:

- Following an investigation, parental contact will be considered,
- Suspension for a period from class or from attending School, pending the convening of a formal disciplinary hearing, as a form of corrective action after due process,
- Suspension from after School activities or tours representing the School, pending the convening of a formal disciplinary hearing, as a form of corrective action after due process, and,
- Expulsion (as a last resort in case of serious misconduct).

4. The formal action/disciplinary measures process

- 4.1. This procedure summarises the disciplinary process that will be followed by the School when more formal disciplinary action is considered appropriate.
- 4.2. Infringements that are not considered serious by the boy's responsible teacher or do not require formal disciplinary action and can be dealt with directly by the teacher.
- 4.3. These may be recorded as reflection time, a letter of apology, re-write or resubmission of a task.
- 4.4. The responsible Pastoral Care team member (and management, if required) must investigate the Level 1 complaint and alleged infringement to gather information and decide on the necessary corrective measures. This assessment generally takes the form of an *Informal Investigation*, which includes an opportunity for the boy to "state his case" in response to the complaint.
- 4.5. When an alleged infringement occurs that requires a formal disciplinary action, the teacher concerned (or any third party affected by the alleged infringement) will initiate the disciplinary process by completing section I of the *Complaint Form* (attached to this policy as "Annexure 1"). This document may be supplemented by any additional information or statements to clarify or adequately detail the facts surrounding the alleged infringement.
- 4.6. When a serious infringement (Level 3 infringement) occurs, or in the case of repeated lesser infringements and where formal disciplinary action has not had its expected effect, a *Notification of a Disciplinary Hearing* is given to the parents of the boy concerned. This notification must provide sufficient information to ensure that the boy and parents are properly informed of the alleged complaint, the seriousness of the allegation, and the School's intention to convene a formal hearing to investigate.

Please note the following points:

- The boy's parents should wherever possible be notified of the hearing 48 hours before the scheduled hearing.
 - The boy may be suspended pending the hearing if it is considered appropriate, bearing in mind the circumstances, the right to education and the seriousness of the alleged misconduct. The period of suspension should preferably not exceed 5 school days.
 - The boy and his parents must be advised that they are expected to attend the hearing as their non-attendance may prejudice their case, resulting in the hearing being held in their absence, with a decision being made without their involvement.
 - The boy and parents must be advised of the serious nature of the allegations and the *possibility* of formal and severe disciplinary action being taken should the boy be found guilty of the allegations against him.
- 4.7. Legal representation at disciplinary hearings is *NOT* permitted unless the School and parents agree that it would be appropriate for *BOTH* parties to be professionally represented.
- 4.8. A *formal disciplinary hearing* is considered to be a serious measure and must be chaired by an objective member of the School's management or a suitably qualified or experienced third party. The School reserves the right to call in an independent external chairperson. The hearing chairperson will be responsible for leading and managing the hearing process and making critical decisions as to:
- The validity of the complaint against the boy,
 - Due consideration of mitigating and aggravating factors, and,
 - Appropriate penalty / action to be taken.
- 4.9. Actions may include further suspension, final written warning (resulting in expulsion for further similar transgressions), expulsion and/or criminal charges.
- 4.10. All disciplinary hearings should be conducted in such a way as to ensure that the boys and parents:
- Properly understand the allegations being made,
 - Are presented with all the relevant facts and information relating to the allegations,
 - Are given the opportunity to question information provided and evidence led,
 - Are able to present their own perspective and explain/defend the boy's actions and, if appropriate, lead evidence in support of the boy,
 - Are treated with dignity and respect throughout the hearing,
 - Are assured of confidentiality,
 - Are advised of the outcome of the hearing in writing, the decision made regarding the penalty and the reasons for such decisions, and,
 - Must be offered the right to reconsideration of any decision made by the chairperson to suspend or expel a boy.

5. Reconsideration process

- 5.1. After the completion of the Disciplinary Hearing, any decision made (whether to impose disciplinary action or not) should be formally communicated to parents and supported in writing by the hearing chairperson.
- 5.2. This notification must include a reminder that the boy has the right to a reconsideration of any decision made by the chairperson to suspend or expel a boy.
- 5.3. The boy's parents have the *right to request a reconsideration* of any decision to suspend or expel a boy following a formal disciplinary hearing of the School and must exercise that right within 5 days of the hearing's outcome being communicated.
- 5.4. Typical grounds for such reconsideration may include concerns that:
 - The disciplinary procedure was not properly followed,
 - The decision in regard to the validity of the complaint was incorrect or unfair,
 - The disciplinary action imposed was inappropriate,
 - Mitigating factors were not properly considered,
 - The chairperson of the hearing was biased, did not apply his/her mind, or made a subjective decision,
 - Irrelevant considerations were taken into account and ought to have been rejected,
 - The boy was not in a position to properly present his case, and,
 - New and relevant evidence can now be presented which might have affected the original decision.
- 5.5. The parents requesting reconsideration must motivate their request in writing, detailing their grounds for reconsideration in full. The request for reconsideration must be submitted to the School within 5 days of the decision being communicated to parents.
- 5.6. If a boy has been suspended pending the completion of the hearing process, the submission of a request for reconsideration will not affect the suspension, which will remain in effect until the reconsideration process has also been concluded. In the case of any other formal disciplinary action being imposed by the hearing chairperson, the imposition of such action will also be held in abeyance pending the reconsideration process.
 - 5.6.1. The boy's right to a reconsideration of disciplinary action does not ordinarily mean that all the matters raised at the disciplinary hearing will be "re-heard". The procedure is generally limited only to a reconsideration of the decision made on grounds and motivations lodged in the request for reconsideration.
 - 5.6.2. The School will elect an appropriate person or panel to conduct the reconsideration, which should, wherever possible, be conducted within 5 days of the receipt of the request for reconsideration.

- 5.6.3. When, after consideration of the matters raised in the request for reconsideration, a decision has been made by the reconsideration person/panel, a written finding must be provided to the parents within a further 5 days and a copy of the finding placed on the boy's files for safekeeping. The finding should indicate the reconsideration person/panel's response to the specific matters raised in the request for reconsideration.
- 5.6.4. The reconsideration person/panel, after considering the request and understanding the record of the disciplinary hearing, as well as hearing any representations from the School and the parents, must either:
- Refer the matter back for a new hearing to be chaired by a new chairperson. This is *only* necessary when the reconsideration person/panel finds the original disciplinary hearing process to have been materially defective or finds that substantial new evidence has come to light after the original disciplinary hearing which may materially affect the decision or,
 - Exonerate the boy or,
 - Impose an alternative disciplinary action or,
 - Uphold the original decision.

6. Collective misconduct

- 6.1. In the case of collective misconduct, being misconduct alleged in respect of a group of boys, the Headmaster has a discretion as to the process to be used. This may be dealt with more effectively on a collective basis, but the provisions of this policy will still apply.
- 6.2. A single disciplinary hearing can then be conducted with the boys concerned, with their parents present. However, each boy must be afforded the opportunity to demonstrate that their own circumstances may be different to that of the other boys or the group involved, and of showing why they should be treated differently.
- 6.3. After considering the circumstances of each case, the School will decide whether to conduct individual or collective procedures.

7. Infringement classification levels

7.1. Level 1 Infringements

Infringements include but are not limited to:

- Homework not completed/ work left at home,
- Misconduct during an extramural activity / during class,
- Poor sportsmanship,
- Late arrival for class,
- Swearing / inappropriate language or gestures,
- Uncooperative/ discourteous behaviour,
- Littering,

- Possession of a cell phone or other electronic device not used for school purposes,
- Our School's Hair and Appearance Policy infringements.

7.2. Level 2 Infringements

Infringements include but are not limited to:

- Plagiarism of any work,
- Cheating/ attempting to cheat in a test /assignment,
- Possession of/ distribution of a test / exam material prior to the test/ exam being written,
- Verbal abuse of a teacher / fellow boy,
- Insolence and insubordination,
- Accumulation of level 1 infringements,
- Malicious damage to the School or other people's property,
- Bunking (lesson, part of the day or day).

7.3. Level 3 Infringements

Infringements include but are not limited to:

- Racism,
- Bullying / victimisation,
- Assault,
- Vandalism,
- Stealing or other criminal behaviour related, but not limited to, alcohol, drugs, weapons and other illicit goods or materials,
- Violation of ICT policy causing reputational damage to others and self.



8. Annexure 1 : Complaint form

SECTION I (to be completed by the boy / parent / complainant)

To be submitted to the class teacher or member of the pastoral care team, and copied to the head of grade, the head of pastoral care and deputy head: social justice, wellness and community building.

Name of Alleged Perpetrator	<input type="text"/>
Grade	<input type="text"/>

Name of Alleged Victim (if applicable)	<input type="text"/>
Grade	<input type="text"/>

Date of Incident	<input type="text"/>
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Please give further details of the incident:

Nature of Incident (please check the appropriate incident)

<input type="checkbox"/>	Bullying
<input type="checkbox"/>	Vandalism
<input type="checkbox"/>	Criminal behaviour
<input type="checkbox"/>	Other (please describe)

<input type="checkbox"/>	Assault
<input type="checkbox"/>	Racism / discrimination
<input type="checkbox"/>	Violation of ICT policy

Please submit a completed copy of the Complaint Form to either your son's teacher or directly to the Head of the Pastoral Care team.

SECTION II (to be completed by the Head of Pastoral Care)

Brief description of the incident:

Action taken:

Signature Head of Pastoral Care

Date
