



Grange Community College

Suspension and Expulsion Policy

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SECTION 1: INTRODUCTION

MISSION STATEMENT

“Enabling Students to develop their talents to the full by providing a balanced, challenging curriculum which fosters intellectual, spiritual, emotional and physical growth.

Fostering an atmosphere which promotes self-esteem, honesty, justice, and respect for others.

Creating a safe, healthy learning environment that nurtures self-discipline and encourages our pupils to take responsibility for their own learning.

Promoting Cooperation, teamwork and commitment within the school and community so that all are unified as partners in learning for life”.

INTRODUCTORY STATEMENT AND RELATIONSHIP TO MISSION STATEMENT.

Students at Grange Community College have the right to an education which offers them every opportunity to attain their full potential: social, emotional, spiritual, and intellectual. The Principal, teaching staff and support staff strive to foster an atmosphere of ‘*self-esteem, honesty, justice and respect for others*’ and to create a ‘*safe learning environment that nurtures self-discipline and encourage pupils to take responsibility for their own learning*’.

Grange Community College have designed a Code of Positive Behaviour, in collaboration with the whole school community, to ensure the goals of our mission statement are realised. The expectations laid out in our code are built around our three pillars of Respect, Responsibility and Cooperation.

The Code of Positive Behaviour, and all of our accompanying student support structures, aim to ensure that students are supported and that interventions are made in an appropriate and effective manner. Our work and decisions are underpinned by care, support and respect, coupled with personal accountability, responsibility, natural justice and collaboration. Dublin Dun Laoghaire Education and Training Board (DDLETB), the Board of Management, parents and the wider community also assist in this process.

This policy on suspension and expulsion should be viewed in conjunction with the above principals and practices.

RATIONALE AND GENERAL PRINCIPALS

- Students have a statutory obligation to attend school until age 16.
- All students have a right to learn in an orderly and caring environment.
- All schools need to establish and maintain high expectations of student behaviour.
- All members of the school community have a right to be treated fairly and with dignity in an environment free from disruption, intimidation, harassment and discrimination.

The suspension and expulsion of some students are necessary at times to ensure a safe and healthy learning environment for all and to ensure effective teaching and learning can occur. By enrolling in this college, each student and their parent(s) agree to uphold the Code of Positive Behaviour in detail and in spirit. When serious breaches of the Code of Positive Behaviour occur where it will be in the best interests of the school community that student(s) involved are excluded from the college for a period of time or permanently, the Grange Community College Suspension and Expulsion Policy may be followed.

RELEVANT LEGISLATION

The following legislation was considered in the creation of our Suspension and Expulsion Code

- Article 42 of the Irish Constitution
- United Nations Convention on the Rights of the Child
- Education and Training Board Act 2013
- Education (Welfare) Act 2000 - Section 23
- Children First Act 2015
- Children First National Guidance for the Protection and Welfare of Children (2017)
- Equal Status Act 2000
- EPSEN ACT 2004
- Any other relevant legislation or Department of Education or DDLETB Guidelines.

CONSULTATION AND REVIEW PROCESS

The current review of this code began in the academic year 2021/2022, following completion of the Code of Positive Behaviour review in May 2021. This policy required updating to reflect changes made during this recent review of the Code of Positive Behaviour.

SCOPE

The Policy applies to students, teachers, parents/guardians, adult students, and users of the school building. It applies to students of Grange Community College when they are in school uniform, in the school building and/or on a school trip.

LINKS TO OTHER POLICIES:

- Code of Positive Behaviour
- Anti-Bullying Policy
- Child Safeguarding policy
- Homework and Study Policy
- Home School Community Liaison Policy
- Information and Communication Technology Acceptable Usage Policy
- International School Tour Policy
- Internet Safety and Usage Policy
- Special Educational Needs Policy
- Substance Use Policy

AIMS OF THIS POLICY:

- To maintain a safe, secure and effective learning environment to all members of our school community.
- To outline strategies employed when a student is in serious breach of the Code of Positive Behaviour.
- To assist the whole school community: students, parents and school staff in understanding the systems and procedures related to the upholding of the Code of Positive Behaviour.
- To ensure that implementation of expectations, sanctions, supports and interventions are implemented in a fair and consistent manner.

SECTION 2 - SUSPENSIONS

SUSPENSIONS DEFINED:

Suspension is defined as “**requiring the student to absent himself/herself from the school for a specified, limited period of school days**”.

In line with the Code of Positive Behaviour, suspensions may be considered, and this policy invoked, if a student reaches Level 2 of the Ladder of Referral (See Below Image).

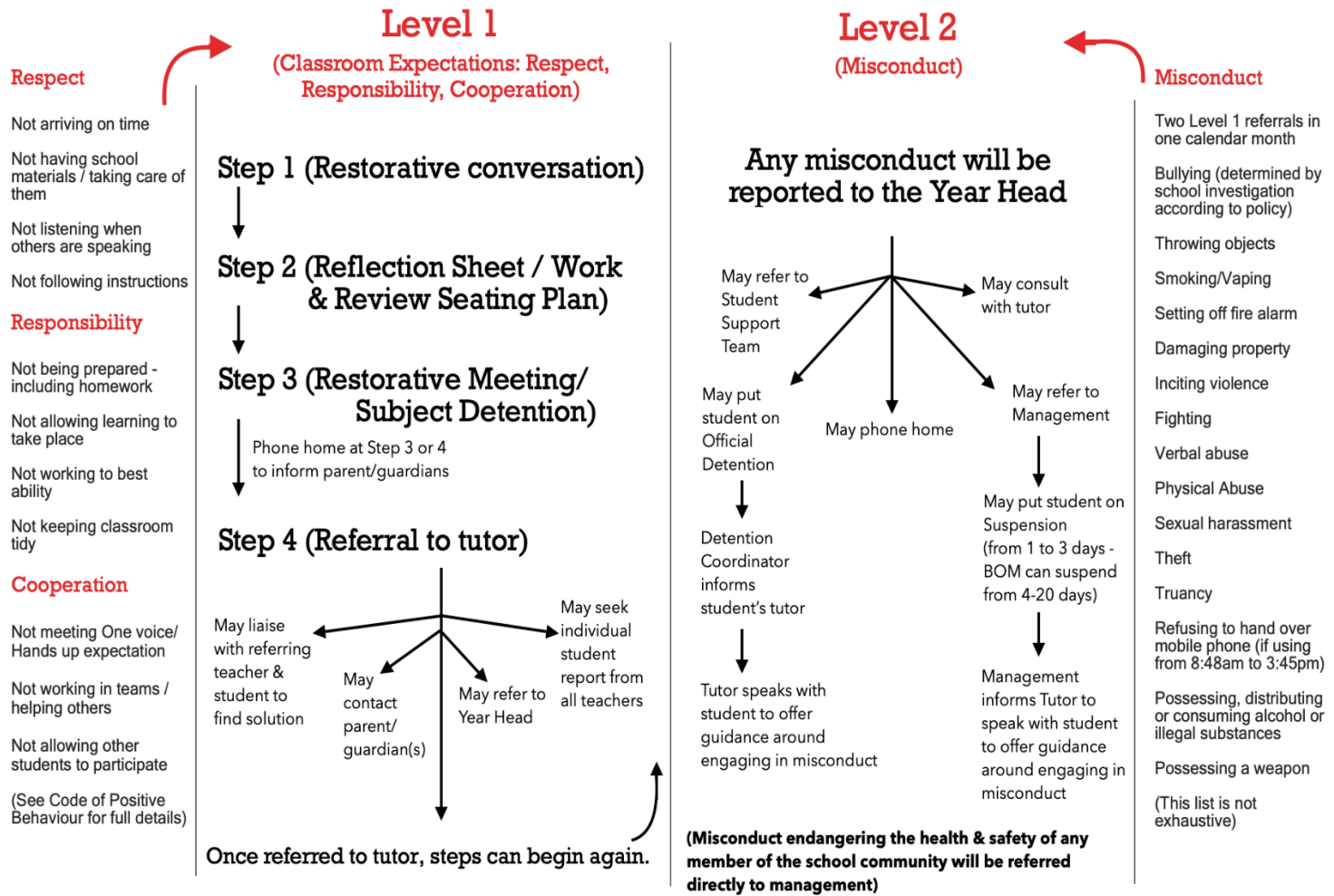
UNDERSTANDING LEVEL 2 MISCONDUCT:

- Definition:
 - Multiple Level 1 referrals (2 or more in one calendar month)
 - Incidents of expectations not being met outside of class-time are managed and reviewed at level 2, e.g., on the corridor, at lunch, in the canteen, on trips etc.
 - Incidents of serious misconduct. Examples of which are outlined in the following list:
 - bullying behaviour, throwing objects, smoking/vaping, setting off an alarm, damaging property, inciting violence, fighting, verbal abuse, physical abuse, sexual harassment, theft, truancy, refusing to hand over mobile phone used during schooltime, possessing, consuming, or distributing, alcohol or illegal substances, possessing a weapon. This list is not exhaustive.
- Consideration of level 2.
 - The tutor will refer a student to the year head as level 2 if two or more level 1 referrals are received in one calendar month.
 - Incident of misconduct will be referred straight to the year-head as a level 2 referral.
 - **Incidents of serious misconduct which pose a threat to the health, safety and wellbeing of any member of the school community will be referred directly to school management.**

LADDER OF REFERRAL

Our Ladder of Referral

GRANGE COMMUNITY COLLEGE



PURPOSE OF SUSPENSIONS:

- As previously stated, suspension is defined as “requiring the student to absent himself/herself from the school for a specified, limited period of school days.”
- Where the purpose of a proposed suspension is clearly identified, and that purpose cannot be achieved in any other way, suspension can have value.

- Suspensions can provide respite for the whole school community, give the student time to reflect on the link between their action and its consequences and give staff time to plan ways of helping the student to change unacceptable behaviour and impress upon the student and their parents the seriousness of the situation.
- The decision to suspend a student requires serious grounds such that:
 - The student's behaviour has had a seriously detrimental effect on the education of other students.
 - The student's continued presence in the school at this time constitutes a threat to safety.
 - The student is responsible for serious damage to property.

FORMS OF SUSPENSION:

- **Immediate Suspension:** In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the student in the school at the time would represent a serious threat to the safety of students or staff of the school, or any other person. Fair procedures must still be applied.
- **Suspension during a state examination:** This sanction should normally be approved by the Board of State examination Management and should only be used where there is:
 - a threat to good order in the conduct of the examination
 - a threat to the safety of other students and personnel
 - a threat to the right of other students to do their examination in a calm atmosphere.

The sanction should be a proportionate response to the behaviour and would only occur if there is a threat to the good order of the conduct of the examination. This sanction would be treated like any other suspension, and the principles and fair procedures governing suspensions would apply.

- **Automatic Suspension:**

The following misconduct will result in suspension being automatically being considered. Due process and fair procedures will still apply.

- Failing to hand over mobile phone upon request, if using between school hours (8.48 until the end of classes, including lunchtime)
- Vaping/smoking on school premises
- Suspension, sometimes immediate, will always be considered in serious misconduct; matters that involve bullying, fighting, substance abuse, possession of illegal substances, verbal abuse, physical abuse, sexual harassment, serious

disrespect for all managerial, teaching and ancillary school staff, school property and repeated breaches of the Code of Positive Behaviour.

- This list is not exhaustive.

AUTHORITY TO SUSPEND:

- DDLETB hold the authority to suspend. This authority is devolved under section 44 of the Education and Training Boards Act 2013 by the ETB to the Board of Management of the school, bearing in mind all the relevant legislation.
- The Board of Management delegates that authority to the Principal formally and in writing on an annual basis.
- The Principal has the authority to suspend a students for up to 3 days. If a suspension longer than three days is being proposed by the Principal, the matter will be referred to the Board of Management for consideration and approval, giving the circumstances and the expected outcomes.
- The Principal after having been delegated that responsibility may decide to invoke the Suspension and Expulsion Policy and suspend a student because of a referral from the year head or because of an incident of serious misconduct.
- The Board formally reviews any proposal to suspend a student, where the suspension would bring the number of days for which the student has been suspended in the current school year to twenty days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998 (see 11.7 Appeals).

THE DECISION-MAKING PROCESS:

The school will follow fair procedures when proposing to suspend or expel a student. These are

- The right to be heard
- The right to impartiality

The right to be heard means:

- the right to know that the alleged misbehaviour is being investigated
- the right to know the details of the allegations being made and any other information that will be taken into account
- the right to know how the issue will be decided
- the right to respond to the allegations
- where the possible sanction is of a serious nature, the right to be heard by the decision-making body

- The right to ask questions where the facts are in dispute.

The right to impartiality means:

- The right to an absence of bias in the decision-maker
- The right to impartiality in the investigation and the decision-making.

Fair principles will apply to the investigation and decision-making regarding suspension and expulsion. The degree of formality of the application of these principles will depend on the severity of the incident and sanction under consideration. (NEWB Guidelines).

FACTORS TO CONSIDER:

The school will consider the following before suspending a student.

- The nature and seriousness of the behaviour
 - What is the precise description of the behaviour
 - How persistent is the behaviour
 - Has the problem behaviour escalated, despite interventions.
- The context of the behaviour (particular class, time, group, age, stage of development, cognitive ability, SEN, home circumstances.)
- The impact of the behaviour
 - How are other students, staff, affected
 - Impact on teaching and learning
 - Does the student understand the impact of the behaviour on others.
- The interventions tried to date: examples:
 - What interventions and over what period
 - How are they recorded and monitored
 - How successful were they
 - Have parents been involved in finding solutions
 - Assistance/consultation with outside agencies
 - Restorative practice, pastoral supports etc, check and connect mentoring
- Whether suspension is an appropriate response:
 - Does the behaviour warrant suspension
 - Is the standard being applied consistent with other students.

- The possible impact of suspensions:
 - Will suspension allow additional interventions to be made
 - Will suspension help the student to change the behaviour
 - How will suspension help other students/teachers affected by the behaviour
 - Will suspension exacerbate any educational vulnerability of the child.

Suspensions as part of behaviour and management plan:

- Suspension will form part of an agreed overall plan to support the students behaviour and will
 - Enable the school to set behavioural goals with the student and parents
 - Provide an opportunity to plan other interventions
 - Impress the seriousness of the behaviour

PROCEDURES FOR SUSPENSION:

As required under the Education Welfare Act 2000, Section 23 (2) the following procedures will apply in the case of suspension.

- The Principal *and/or the Deputy Principal* can issue suspend students from school for incidents of serious misconduct or in circumstances of continuous failure to meet school expectations.
- Parents/Guardians will be notified in writing of this decision.
- Suspension, sometimes immediate, will always be considered in matters that involve bullying, fighting, substance abuse, possession of illegal instruments, possession of illegal substances, fighting, verbal abuse, physical abuse, sexual serious disrespect for all managerial, teaching and ancillary school staff, school property and repeated breaches of the Code of Behaviour. (This is a
 - non-exhaustive list)
 - Incidents where a student refuses to hand over a mobile phone to a teacher upon request are referred directly to the Deputy Principal and may result in suspension.

Administering the suspension:

- The Year Head, when practicable, or the Deputy Principal/Principal will administer the suspension, phone home

and inform staff.

- Parents will be notified, in writing, of a decision to suspend and the duration of the suspension.
- During the suspension, the year-head may liaise with teachers, tutor, management, and relevant support personnel to devise a support plan for the student upon their return to school.
- Parents may wish to appeal the decision to suspend by writing to the Board of Management..

Records and Reports

Formal written records should be retained, in line with GDPR, of:

- the investigation
- the decision-making process
- the decision and the rationale for the decision
- the duration of the suspension and any conditions attached to the suspension

Reporting:

- The Principal will report all suspensions to the Board of Management, along with the reasons and duration
- The Principal will report all suspensions to TUSLA (NEWB). Education Welfare Act 2000 section 21(4)(a)

Recording via VShare:

- Level 2 incidents are recorded on VShare and are available to parents to view. This informs parents that an incident has been referred to the year head and is under investigation.
- Incidents of level 1 breaches of expectations are recorded on VShare and accessible to parents to track.
- VShare is used to record supports, phone calls, meetings, actions and interventions that have occurred.

REINTEGRATION POST-SUSPENSION

Upon the student's return:

- The Year Head, the year head will meet with the student to reflect why the suspension occurred. This meeting is restorative in nature and student voice is actively encouraged. A reflection form is completed (appendix 1) and behavioural targets and supports are agreed collaboratively.
- A clean slate is provided with the opportunity to restore relationships, repair harm and start afresh.
- The year head communicates to staff the outcome of the meeting and the targets agreed.
- The year head will communicate the support plan and monitor the students progress going forward.
- Once the sanction has been completed the same behaviour is expected of the student as of all others.
- The year head may refer the student to the Student Support Team in cases where there are ongoing behavioural difficulties and/or the student is at ongoing risk of exclusion by suspension.

STUDENTS 18 YEARS AND OLDER

The provisions of the Guidelines relating to parents apply to the student, where the student has reached eighteen years (Age of Majority Act 1985). Occasions may therefore arise when an adult student requests the school to restrict or limit communication with their parents or to limit parental involvement in matters relating to their education. In such circumstances, the school will, particularly in relation to suspension and expulsion matters, to inform the parents of the student about the change in practice and the reasons

GARDA INVOLVEMENT

Schools may involve the Gardaí where allegations of criminal behaviour is made about a student.

SECTION 3: EXPULSION

DEFINITION: A student is expelled from a school when a Board of Management decides to permanently exclude him or her from the school, having complied with the provisions of section 24 of the Education (Welfare) Act 2000.

AUTHORITY TO EXPEL

The ETB devolves the authority to expel to the Board of Management under Section 44 of the Education and Training Boards Act 2013 bearing in mind the NEWB Guideline

GROUNDS FOR EXPULSION:

Expulsion of a student is a very serious step, which will usually only be taken by the Board of Management in extreme cases of unacceptable behaviour. The school will usually have taken significant steps to address the misbehaviour and to avoid expulsion of a student including, as appropriate:

- provide interventions to modify the student's behavior (e.g. NBSS)
- meeting with parents and the student to try to find ways of helping the student to change his/her behaviour
- Making sure that the student understands the possible consequences of his/ her behaviour, if it should persist.
- Ensuring that all other possible options have been attempted.
- Seeking the assistance of support agencies (e.g. DDLETB PSS, Health Service Executive, Community services, the National Behavioural Support Service, Child and Adolescent Mental Health Services, National Council for Special Education.

A proposal to expel a student requires serious grounds such as that:

- the student's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process.

- the student's continued presence in the school constitutes a real and significant threat to safety.
- the student is responsible for serious damage to property.

The grounds for expulsion may be similar to the grounds for suspension. In addition to factors, such as the degree of seriousness and the persistence of the behaviour, school authorities will have tried a series of other interventions, and believe they have exhausted all possibilities for changing the student's behaviour.

FORMS OF EXPULSION:

Automatic Expulsion:

The Board of Management may decide to expel a student on the basis of a single serious breach of the Code of Behaviour, such as:

Expulsion for a First Offence:

There may be exceptional circumstances where the Board of Management forms the opinion that a student should be expelled for a first offence. The kinds of behaviour that might result in a proposal to expel on the basis of a single breach of the code could include:

- serious violence or threat of violence
- physical assault against another student or member of staff
- supplying illegal drugs to other students in the school
- a sexual assault
- Arson or serious damage to property.

DETERMINING THE APPROPRIATENESS OF EXPULSION

Factors to consider before proposing to expel a student:

- The nature and seriousness of the behaviour
 - Description of behaviour
 - How persistent has the behaviour been and over how long.
 - Has the behaviour escalated, despite interventions?
- The context of the behaviour
 - Circumstances of the incidents (Class, teacher, yard, group etc)
 - Factors potentially affecting behaviour (family, provoked, cultural etc)
 - Factors associated with behaviour (SEN, family circumstances)
- The impact of the behaviour
 - How are other students and staff affected by the student's behaviour?
 - What is the impact of the behaviour on the teaching and learning of the class?
- The interventions tried to date:
 - What interventions have been tried? Over what period?
 - • How have the interventions been recorded and monitored?
 - What has been the result of these interventions?
 - Have the parents been involved in finding a solution to the problem behaviour?
 - Has the intervention of NEPS or other psychological assessment or counselling been sought, where appropriate?
 - Is the student or parent involved with any support service and has this agency or support service been asked for help in solving this problem?
 - Has any other agency been asked for assistance (e.g. Child Guidance Clinic, Child and Adolescent Mental Health services)?
 - Is the Board satisfied that no other intervention can be tried or is likely to help the student to change their behaviour?
- Whether expulsion is an appropriate response:
 - Is the student's behaviour sufficiently serious to warrant expulsion?
 - Is the standard being applied to judging the behaviour the same as the standard applied to the

behaviour of any other student?

- The possible impact of expulsion:
 - To what extent may expulsion exacerbate any social or educational vulnerability of the student?
 - Will the student be able to take part in, and benefit from, education with their peers?
 - In the case of a student who is in care, what might be the implications of expulsion for the care arrangements?

PROCEDURES FOR EXPULSION:

Where a preliminary assessment of the facts confirms serious behaviour that could warrant expulsion, the procedural steps will include:

1. A detailed investigation carried out under the direction of the Principal.
2. A recommendation to the Board of Management by the Principal.
3. Consideration by the Board of Management of the Principal's recommendation and the holding of a hearing.
4. Board of Management deliberations and actions following the hearing.
5. Consultations arranged by the Education Welfare Officer.
6. Confirmation of the decision to expel.

Some of these meetings could be held together as long as due notice of meetings and a fair and reasonable time to prepare for a Board hearing are given to parents.

Step 1: A detailed investigation carried out under the direction of the Principal

In investigating an allegation, in line with fair procedures, the Principal should:

- inform the student and his/her parents about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- give parents and the student opportunity to respond to the complaint of serious misbehaviour before a decision is made and a sanction is imposed.

Parents should be informed in writing of the alleged misbehaviour and the proposed investigation.

Where expulsion may result from an investigation, a meeting with the student and his/her parents is essential. They can give their side of the story, ask questions about the evidence, and perhaps make their case and the school can explore with parents how best to address the student's behaviour.

If a student and his/her parents fail to attend a meeting, the Principal should write advising of the gravity of the matter, the importance of attending a re-scheduled meeting and, failing that, the duty of the school authorities to make a decision to respond to the inappropriate behaviour. The school should record the invitation issued to parents and their response.

Step 2: A Recommendation to the Board of Management by the Principal

Where the Principal forms a view, based on the investigation of the alleged misbehaviour, that expulsion may be warranted, the Principal makes a recommendation to the Board of Management to consider expulsion. The Principal should:

- inform the parents and the student that the Board of Management is being asked to consider expulsion
- ensure that parents have records of : the allegations against the student; the investigation and written notice of the grounds on which the Board of Management is being asked to consider expulsion
- provide the Board of Management with the same comprehensive records as are given to parents
- notify the parents of the date of the hearing by the Board of Management and invite them to that hearing
- Advise the parents that they can make a written and oral submission to the Board of Management
- ensure that parents have enough notice to allow them to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendation; and the holding of a hearing

The Board should review the initial investigation to check that it was properly conducted in line with fair procedures. The Board should review all documentation and circumstances of the case. It should ensure that no party who has had an involvement with the circumstances of the case is part of the Board's deliberations (for example, a member of the Board who may have made an allegation about the student).

Where a Board of Management decides to consider expulsion, it must hold a hearing called in accordance with Board procedures. At the hearing, the Principal and the parents, or a student aged eighteen years or over, put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly. The meeting may also be an opportunity for parents to make their case. In the conduct of the hearing, the Board must take care to ensure that they are, and are seen to be, impartial as between the Principal and the student. Parents may wish to be accompanied at hearings and the Board should facilitate this, in line with good practice and Board procedures.

After both sides have been heard, the Board should ensure that the Principal and the parents are not present for the Board's deliberations.

Step 4: Board of Management deliberations and actions following the hearing

Having heard from all the parties, the Board will decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.

Where the Board of Management is of the opinion that the student should be expelled, the Board must notify the Educational Welfare Officer in writing of its opinion, and the reasons for this opinion. (Education (Welfare) Act 2000, s24(1)). The Board of Management should refer to National Educational Welfare Board reporting procedures for proposed expulsions. The student cannot be expelled before the passage of twenty school days from the date on which the EWO receives this written notification.

The Board should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board of Management will now inform the Educational Welfare Officer.

Step 5: Consultations arranged by the Educational Welfare Officer

Within twenty days of receipt of a notification from a Board of Management of its opinion that a student should be expelled, the Educational Welfare Officer must:

- make all reasonable efforts to hold individual consultations with the Principal, the parents and the student, and anyone else who may be of assistance
- convene a meeting of those parties who agree to attend

The purpose of the consultations and the meeting is to ensure that arrangements are made for the student to continue in education. These consultations may result in an agreement that would avoid expulsion.

Pending these consultations, a Board of Management may take steps to ensure that good order is maintained and that the safety of students is secured (Education (Welfare) Act 2000, s24(5)). A

Board may consider it appropriate to suspend a student during this time. Suspension should only be considered where there is a likelihood that the presence of the student during this time will seriously disrupt the learning of others or will represent a threat to the safety of other students or staff.

Step 6: Confirmation of the decision to expel

Where the twenty day period following the notification to the EWO has elapsed, and where the Board of Management remains of the view that the student should be expelled, the Board of Management should confirm the decision to expel (this task might be delegated to the Chairperson and the Principal). Parents should be notified immediately that the expulsion will now proceed. Parents and the student should be told about the right to appeal and supplied with the standard form on which to lodge an appeal. A formal record should be made of the decision to expel the student.

APPEALS:

A parent or a student, over eighteen years, may appeal a decision to expel to the ETB. Where an appeal to the ETB has been concluded, parents, or a student over eighteen years, may go on to appeal to the Secretary General of the Department of Education and Skills.

ROLES AND RESPONSIBILITIES:

The BOM, in conjunction with the Principal, Deputy Principal, Year Heads and school support personnel will be responsible for the implementation of the policy.

MONITORING, REVIEW AND EVALUATION:

Review

Under the direction of the Principal the policy will be monitored by the committee which drafted it. This policy will be reviewed after two years or sooner if necessitated by legislation or requested by Staff Council or the Board of Management.

Ratification and Communication:

This policy will be ratified by the Board of Management of Grange Community College. It will be made available to parents. It will be made available to current staff prior for consultation prior to ratification and will be published and made available to all current staff. A copy will be made available to all new staff joining the school. It will be published on the school's website.