

**Submission from the National Educational
Welfare Board to the Task Force on Student
Behaviour in Second Level Schools**

April 2005

Summary

The work of the Task Force creates an important opportunity for the partners in education to contribute to the development of evidence-based policy for promoting positive learning behaviour among students.

NEWB has wide-ranging responsibilities in relation to children's school attendance and behaviour. The Board's focus is a welfare focus, aimed at ensuring that every child has access to and benefits from education. Behaviour policy must have as its 'driver' this welfare focus. The objective is to ensure that every child receives an appropriate education, and that school attendance is maximised.

The balance of the rights of each child to access quality teacher time, and the right of the teacher to a safe working environment, must each be protected. No one of these rights can be dispensed with in order to achieve another.

Policy and strategy to address behaviour must address the complex causes of behavioural problems. In particular, responses to behavioural problems should not deepen or embed the difficulties faced by those young people already facing multiple layers of social and educational disadvantage.

At national level, a policy and strategy to promote learning behaviour must address all the factors that impact on teaching and learning, including curriculum policy, teacher education, resources for assessment, and provision for access by teachers, families and students to essential support services. Strategies and policies must be supported by investment in research, and by robust evaluation.

Teacher time for reflective practice, and an array of interdisciplinary supports are essential to enable teachers to offer an equitable education in the complex social climate of the moment. Support for families is necessary as well as support for schools.

At school level, policies to promote good learning behaviour will include curriculum planning and assessment, pastoral support, arrangements for student and parental involvement in school life, support for transition from primary schools. School based behaviour strategies should be co-ordinated with these wider policies.

Teachers must be empowered and resourced to use preventive strategies that minimise incidences of problem behaviour, particularly at group level, as the first resort. The National Educational Psychological Service has a key role to play in helping to devise school and classroom strategies. In situations, where problems persist, timely needs assessment and strong interdisciplinary work will be essential.

It is the Board's view that the appeals system has been positive for schools, and for students. It has led to the strengthening of school policies, and enabled schools to ensure fair and transparent procedures. Given the serious consequences for any student of expulsion from school, the right of appeal is essential. The Board would not favour any weakening of the legal access to appeals under Section 29 of the Education Act (1998). A serious question arises as to the how the ongoing educational needs of students who are excluded from schools are to be met.

The role of the Education Welfare Officer has strong potential to support both students and schools, where behaviour issues are at risk of compromising attendance and effective learning. This role needs to be strengthened through protocols for school and interagency working with Education Welfare Officers, as well as through the strengthening of the presence of Education Welfare Officers in the education system as a whole.

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NEWB perspective

The primary task of NEWB is to ensure that children attend school and benefit from education. Strategies to promote school attendance must take account of all the factors that impact on a child's readiness to engage with school and with learning. The challenge of supporting student behaviour that is conducive to learning, and that maximises children's chances of benefiting from school and staying in school is of fundamental interest to the Board in delivering on its statutory remit.

1. The remit of NEWB in relation to student behaviour

Significant statutory duties are placed on NEWB by the Education (Welfare) Act 2000 in areas that relate to student behaviour. The Board has been assigned system-wide strategic responsibilities, school and community-focused responsibilities, as well as student and family-focused duties.

NEWB has a general duty to promote and foster in schools an environment that encourages children to attend school and participate fully in the life of the school. In addition, the Board has the following duties:

To advise schools on matters relating to the prevention of non-attendance and the good conduct of students generally [S10 (d)]

To advise and assist children and parents of children who exhibit problems relating to attendance at, and behaviour in, schools [S10 (f)]

To carry out reviews of training and guidance given to teachers relating to matters of school attendance and the conduct of students, and to advise the Minister in relation thereto [S10 (i)]

The Board is mandated to issue guidelines for school attendance strategies (which incorporate promotion of good behaviour), and to provide guidelines for the development of school Codes of Behaviour.

Schools have legal responsibilities to notify the Board in relation to suspensions of 6 days or more, and to notify the Board of the intention to expel a student.

One of the key roles of the Education Welfare Officer concerns proposed expulsion of a child from schools - an area that is discussed further below.

Providing an equitable education

The challenge of providing an equitable education for every child is a significant one for teachers and schools. The balance of the rights of each child to access quality teacher time, and the right of the teacher to a safe working environment, must all be protected. No one of these rights can be dispensed with in order to achieve another. It follows that the task of balancing these (sometimes competing) rights is a complex one, that will require a mix of policies and strategies.

2. Values and principles

Policies and strategies aimed at maximising children's learning behaviour and reducing incidences of behaviour that undermine learning and teaching must be rooted in the principle of equality. This principle is enshrined in the Education Act (1998), as well as in several national and international legislative and human rights provisions.

Other core values underpinning actions to promote positive behaviour would, in the view of the Board, include:

Fostering a democratic culture in schools, classrooms, families, and in wider policy making, that engages children and young people as partners
Interactions based on mutual respect between children and adults, students and teachers
Enabling/empowering young people to take responsibility for their behaviour and learning, and for the well-being of their classmates and peers
Focus on positive ethos of co-operation, and avoidance of an ethos of control
Focus on educational and personal welfare of every student
Parents and families actively engaged as part of the school community
Recognising the central role of relationships in successful school policies– between students and teachers, among students and among the teaching team.

3. Describing and defining problem behaviour

National and local policy or strategy aimed at addressing problem behaviour must be based on clarity and consensus as to what constitutes problem behaviour.

This consistency of definition is essential at school level. There is evidence to suggest that the lack of clarity surrounding the defining of problem behaviour tends to perpetuate inconsistency of response at school level, and that such inconsistency can exacerbate the risk of problem behaviours.

4. Acknowledging complexity and matching strategy to individual need

Strategies to address behaviour issues must acknowledge the complexity of the influences on behaviour. A diversity of response will be needed, to match the diversity of those influences.

There is evidence of a link between behavioural problems and levels of educational disadvantage. Educational professionals and agencies must ensure that their responses to behavioural problems do not deepen and embed the difficulties faced by young people who may already be facing multiple layers of social and educational disadvantage.

Children and young people are facing new challenges, including the pervasive influence of drugs and alcohol, and several new forms of unhelpful social and cultural changes. Some children are experiencing significant mental health difficulties, including depression. Professionals, at school and agency level, have the responsibility of supporting young people to cope with these difficulties.

A broad, research based, understanding of the roots of both positive and negative learning behaviour is an essential basis for policy development.

5. Evidence-based policy and practice

National policy towards positive learning behaviour in schools must be supported by a broadly based research strategy. That strategy should take account of all the influences on the behaviour of children and the work of schools – in schools, families, communities, and in wider societal change. Research is needed to identify the nature of the services that would support young people at risk of educational underachievement or early school leaving arising from behavioural difficulties.

Evaluation is essential

What constitutes best practice in promoting learning behaviour? The concept of best practice is problematic, because robust evaluations of the outcomes of interventions are scarce.

Where resources are to be invested in programmes to address behaviour, it is essential that those programmes are based on evaluated practice. Funding of initiatives in this area should be linked to the evaluation requirement.

6. Educational system factors impacting indirectly on student and classroom behaviour

Several shifts in educational policy and strategy are bringing with them new and challenging classroom and school environments. These changes are invariably positive in themselves. However, they may lead to new pressures on teachers, students and schools.

Inclusion of children with special needs

The inclusion of children with special needs in mainstream classrooms is part of national and international educational policy and practice development. This has led to new and complex challenges for teachers where children's disabilities may have a dimension of challenging behaviour. Teachers and all students in classrooms must be supported in order to ensure that all the parties gain from inclusive education.

Curriculum development

New developments in the primary curriculum place a premium on self-directed learning, self-expression, questioning, and movement in the classroom. In some second-level environments, these learning behaviours may be discouraged or even regarded as 'problem' behaviour. Where this happens, children making the transition to the post-primary classroom may be confused and upset by the change in culture.

Coherence between primary and post-primary curriculum is essential. Second level curriculum must build on the foundation of the revised primary curriculum.

A range of educational settings

Some students do not flourish within the traditional second-level school settings. There is a need for the value and success of other kinds of educational settings to be formally recognised for the purpose of providing an appropriate education within the terms of the Education (Welfare) Act. NEWB is currently preparing proposals for the Minister in this regard.

Teacher education

Teacher confidence and a teacher's ability to respond to students with deep professional insight and respect are critical factors in minimising/eliminating disruptive behaviour and in positive classroom management.

Teachers need access to accelerated training to help them to address and manage behaviour, to use new methodologies in democratic classroom management, to adapt teaching style to learning styles, and for early identification of children who may be unhappy in school and not learning well.

7. School-level responses and strategies

The Board will confine itself to highlighting a number of broad strategic points concerning school responses, and to comment on some specific issues relating to expulsion and suspension, since these bear directly on the Board's legal remit.

Promoting learning behaviour

Behavioural problems can be minimised where schools have co-ordinated policies based on an ethos of student welfare. These policies go well beyond behaviour policy. They include student centred curriculum planning and assessment, arrangements to ease the transition from primary school, pastoral support, student council and parental involvement in the life of the school, and an ethos based on mutual respect among all the parties in the school community. School-based behaviour strategies should evaluate and ensure the strength and coherence of these positive policies.

Helping teachers to devise systems and strategies for learning

One of the key roles of the National Educational Psychological Service is early intervention and prevention. The role of the service in helping teachers to devise good systems to help all students is an essential one, which should get a high priority. Schools need timely access to these resources. Delays can allow behaviour to become embedded.

Individual plans

Assessment will enable staff to respond to individual need. Where behavioural difficulties arise from or are integral to a particular disability or behavioural disorder, teachers may need the support and expertise of specialists in particular fields of disability.

Where it is evident that therapeutic interventions may be required for an individual child, then this input must be available. Strong linkages with health and disability services are essential for this to happen in a timely fashion.

Individual Educational Plans (IEPs) for students whose behaviour is a barrier to their own and others' learning may be a route to developing longer-term structured responses to support a child and their classmates.

A joined-up approach: Strengthening teamwork and interagency responses

To an ever-increasing extent, teachers and schools must be seen and see themselves as part of an educational team that involves personnel within and outside the school setting. Strong protocols for teamwork, which provide for early intervention and support for teachers, students and families, will be an essential feature of a preventive approach.

In situations where the Education Welfare Officer has a duty to intervene (for example, where an expulsion is being proposed), they must be able to engage in a timely fashion with all key personnel who can help in the development of solutions.

Local linkages between the formal education sector and the informal sector are also essential, so that students and schools can get full benefit from programmes being developed under the Youth Work Act, such as youth advocacy and mentoring programmes.

Use of suspensions and expulsions as part of the response to problem behaviour

Welfare focus

Exclusionary strategies (office referrals, detention, in-house suspension, standing outside classrooms or the Principal's office, suspensions or expulsions) present a major challenge in terms of school attendance.

It is the view of NEWB that any strategy used to address problem behaviour must be guided by a welfare focus. Removal from the formal learning setting does not take away the duty of a school to make sure that such removal can bring a benefit or positive change for the child who is removed. Where suspension may result in a child falling further behind in class, increasing the risk of poor behaviour, or where family circumstances may mean that the child could be at risk of being involved in anti-social behaviour while outside school, then the welfare criterion would not be met. The duty of the school to be concerned for the educational welfare of a pupil extends to the child who is a pupil in all circumstances.

Planning to avoid exclusion

The period following notification of the intention to expel a student has the potential to provide an opportunity for mediation, programme planning, and redoubling of efforts to avoid the step of expulsion. It is the view of the Board that the practice of using this time constructively should be strongly developed, and the focus shifted from legal remedies to welfare –based action.

Provision for the education of excluded students

The right of schools (albeit subject to appeal) to expel a student who is legally bound to attend school raises a fundamental issue. How does the system make provision to meet the educational entitlements of the child who is expelled, and how are parents to discharge their legal obligations to ensure their child attends school? As long as the right to expel a child remains in place, it must be matched by legal and educational provision for an expelled child to have access to education. NEWB regards this as a matter requiring urgent attention in terms of both legal and educational provision.

Appeals

It is the view of the Board that the advent of the appeals system has been positive for schools. It has led to the development of robust policies. It has prompted schools to re-examine and review their policies, and to ensure, as far as possible, that policies and procedures are balanced, fair, and transparent. Schools can be accountable for their practice, and this must be welcome to them. Any decision to remove a child from school can have far reaching consequences for that child. It is right and appropriate that a student and their family should have the right to appeal any such proposal. Consequently, as the body with legal responsibility for promoting school attendance, the Board would not favour any weakening of the legal access to redress, under Section 29 of the Education Act (1998).

Codes of Behaviour

In developing guidelines for school Codes of Behaviour, in line with the Education (Welfare) Act 2000, NEWB will emphasise ways of enhancing the climate for positive learning behaviour among students in all schools, in line with the values, principles and approaches outlined in this submission.

The active engagement of families and students in the development of the Code of Behaviour could help to ensure that it has the support of the whole school community.

Provision for staged interventions, which place a premium on good assessment, and the skills of the teacher and the relationships with students, are likely to strengthen the impact of any Code of Behaviour.

Role of Educational Welfare Officer

Where individual problem behaviour persists, after staged interventions have been tried and shown not to have worked, the onus will rest on a wide range of agencies to engage with school, student and family to plan the best options with the well being of the student and other students in mind. NEWB envisages that, through its Education Welfare Officers, working in consort with other support agencies, it will assist in developing options for the minority of children who find themselves in this situation. This role needs to be strengthened through protocols for school and interagency working with Education Welfare Officers, as well as through the strengthening of the presence of Education Welfare Officer in the education system as a whole.

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