

Clifton Hill School

Document	Management of Behaviour Policy
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3	November 2020	Additional information: Acceptable forms of touch and restrictive intervention policy included.
4	June 2022	Additional Information: Exclusions, fixed term and permanent

Setting

Clifton Hill is a Surrey County Council funded community school for students aged 11-19 years who have severe or profound multiple learning difficulties, autistic spectrum disorder, challenging behavior and complex health needs.

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment

Rationale

This policy outlines the underlying philosophy, nature, organisation and management of student behaviour. It is a document designed to enhance the development of positive relationships between students and adults working in the school, parents and other members of the wider school community. At Clifton Hill we believe that by managing behaviour that challenges in a consistent, dignified and positive way this will enhance and reflect our values.

The policy is the result of consultation with staff, students, parents and governors. It reflects current practice within the school. Its fair and consistent implementation is the responsibility of all staff. Students have contributed to the behaviour policy through their involvement in the development of the whole school rules and the individual class rules.

GUIDANCE

How we encourage acceptable behaviour

At Clifton Hill we expect students and staff to behave in a manner that reflects the principles of the policy, in ways that support everyone's right to learn, be safe and be treated with respect in school. Students are expected to understand and keep the school rules, which

have been developed in consultation with them and contribute to the positive ethos of the school. It is the responsibility of everyone in school to adopt and promote a positive approach towards students; the students to be helped to make positive choices about their behaviour, learn to take some responsibility for their own actions, and promote the development of positive self esteem and well being.

Young people with learning difficulties often do not gain an understanding of socially acceptable behaviour as quickly and/or as incidentally as others. Therefore, at Clifton Hill we consider this to be an area of extreme importance. It impacts on the student's school career, their present and future well-being and that of their families, carers, peers and friends. Learning how to behave appropriately is highlighted and encouraged, and, for some, their behaviour is their curriculum.¹

There is an expectation that all members of the school community will endeavour to support and promote these principles and values.

SCHOOL SYSTEMS FOR PROMOTING POSITIVE BEHAVIOUR

Positive behaviour is consistently reinforced and the staff model appropriate behaviour in their interactions with each other and with the students, developing the concept of critical friends. The curriculum supports students to develop their skills in self-awareness, motivation, empathy and social skills. Through the PSHE curriculum the fundamental rights of all those in school are also reinforced.

Rewards are used consistently and we celebrate student achievement by the student sharing his/her work or new skills to peers and staff in class or assembly. More formal recognition of achievement is by the award of stars in the Lower and Upper school or certificates in the Sensory school. Stars can accumulate and lead to a merit. Merits are acknowledged by the Head teacher and they can be spent or saved by the students to purchase prizes displayed on display in the hall. Every student has a Record of Achievement, (R.O.A.), which allows for recording success.

Sanctions are used only in a measured way and as part of an agreed management strategy involving parents /carers and the wider multi professional team where applicable. Our ethos is about teaching and guiding rather than punishment.

At Clifton Hill School we promote positive behaviour by:

- Following the County Behaviour Management Guidelines.
- Managing the physical and social environment effectively.
- Having regular class team meetings to review Proactive Intervention Plans and identify systems to manage the behaviour positively avoiding confrontations and teaching the students to communicate in acceptable ways.
- Ensuring new staff are familiar with our policy and procedures (a copy of which is referenced in the staff handbook).
- Regular training through staff meetings, class discussion and other formal and informal training.
- Having open relationships with parents. Offering termly opportunities for parents to discuss student's Individual Education Plans with a member of the senior leadership team and class teacher, to promote continuity.
- Having general guidelines for staff.
- Having written programmes for behaviour management that also addresses the student's positive behaviours, Proactive Intervention Plans (PIP's).
- Setting achievable goals working with the student's strengths and likes to develop the habit of behaving appropriately and encouraging them to take responsibility for their own behaviour whenever possible.
- Consulting supporting professionals as appropriate.

- By setting up home/school agreements.
- Ensuring staff are appropriately trained to manage behaviour through MAPA Positive Options.

Programmes for managing behaviour that challenges

Sometimes students may engage in behaviour which is inappropriate in a learning situation as it 'challenges' the service which we provide.³ It may range from low-key and non-disruptive self-stimulatory activities, for instance, to more extreme, even violent, outbursts. Reasons for these behaviours are diverse and include communication difficulties, the implications of autistic spectrum disorder, temporal lobe epilepsy and undiagnosed pain.²

Any risk assessment and management plan for challenging behaviours, must be in writing in consultation with parents. It may include an agreed method of recording.

We seek to manage such behaviour as follows:

- ensuring safety is a major priority for all, according to the Health and Safety at Work Act, 1974³;
- using positive and consistent approaches;
- involving parents/guardians/carers in discussions about behaviours causing concern;
- requesting multi-agency collaboration where solutions, such as pharmaceutical possibilities, advice on behavior strategies from MAPA or Occupational Therapy may need to be pursued;
- seeking reasons for the behaviour in question with an emphasis on the function it serves for the individual^{4,5} – often it is a reaction to and an expression of their 'state', a communication which he/she has a right to have understood;^{6,7}
- teaching the student methods of managing his/her behaviour, and where appropriate, providing him/her with an alternative, more acceptable, behaviour;
- helping the student to understand the consequences of his/her actions and ultimately, where possible, to take responsibility for them.⁹

Criteria for Behaviour Programmes

All students will have a Proactive Intervention Plan (App 1) which serves to identify:

- systems which support the students positive behaviours;
- strategies for maintaining the students in this state;
- strategies to adopt to respond to low level disruptive behaviours that impact on the teaching and learning of the student or other students;
- any critical behaviours or behaviours that have raised concerns which need to be addressed through Expression of Concern(App 2) and Risk Assessment and Management Plan (App 3).

The criteria for whether a student is on a written Behaviour Management Programme is as follows:

- The student is exhibiting specific behaviours causing concern, which puts their ability to access full time education at risk.

Exclusions – Permanent and Fixed term

We, at Clifton Hill School, understand the considerable impact and disruption an exclusion can cause our young people and their families so any exclusion is avoided if at all possible

However, in exceptional circumstances, exclusion might be deemed necessary as the result of permanent disruptive or injurious behaviour that affects the learning and/or safety of others

OR

As the result of a one off incident that was unexpected and had therefore not been planned for.

Fixed term exclusion:

Fixed term exclusions:

- Will be used in emergency situations to ensure the safety of all staff and students safe.
- Will be used in order to avoid the need for a Permanent Exclusion.
- The time will be used to meet with parents, review the Behaviour Risk Assessment, identify additional/new resources or provisions and put these in place in order to support the young person's return and meet their need.

Actions to support those at risk of Fixed Term (or Permanent) Exclusion:

- The individual's Proactive Intervention Plan will include strategies to support the individual in times of crisis.
- All students with a 'crisis' intervention on their individual Proactive Intervention Plan will have a Behaviour Risk Assessment that is shared with parents termly.
- Following a fixed term exclusion there will be a meeting every 3-4 weeks initially to monitor progress. During this period we will identify whether an emergency annual review needs to be called.

Permanent Exclusion following persistent disruptive behaviour:

At Risk of Permanent Exclusion: young people would be identified of being at risk if one or more of the following criteria are met, the young person:

- Has had a fixed term exclusion
- Is carrying out repeated, persistent and targeted behaviours towards peers or staff, involving physical, verbal, sexual, cyber, emotional or threatening behaviours
- Is causing repeated destruction and/or disruption to the environment, leading to disrupted education or unsafe premises for others.
- Is causing a repeated need to evacuate classrooms in order to keep others safe and to continue their learning.
- Is requiring a repeated need to use shared spaces so preventing others from accessing them.
- Is at the point of requiring enforced seclusion as a behaviour strategy or has had to use it as a one off incident.
- Is repeatedly causing injury to others.

Actions to support those at risk of Permanent Exclusion:

- An emergency interim annual review with parents will be held to discuss behaviours and review provision, the supporting social care team will be invited to attend.
- Support from outside agencies will be sought, including CAMHS and CPI.
- The Behaviour Risk Assessment will be reviewed with parents every 3 to 4 weeks. Minutes, outcomes and the updated Behaviour Risk Assessment will be logged on the school CPOMS system.
- Additional pastoral support will be considered to further support the young person.

- Temporary adjustments to the individual's curriculum will be considered and planned to support their continued placement.

Thresholds for Permanent Exclusion as a one off incident are as follows:

- An incident that causes significant or long term injury to others
- An incident of major disruptive or destructive behaviour towards the environment.
- Any incident whereby staff have been unable to de-escalate a behaviour safely to prevent risk of harm to others using school approved training in Restrictive Physical Interventions.

Permanent exclusions are a last resort, interventions such as restorative practices have been tried and the behaviours have not ceased. If used, the exclusion should be rescinded if an appropriate alternative provision is found before the Governance board meet.

(Appendix attached: Surrey policy document on the Head teachers' guide to permanent exclusion.)

REWARDS AND SANCTIONS

The following sanctions are prohibited:

- **corporal punishment;**
- **deprivation of food and drink;**
- **withholding medical treatment;**
- **any sanction with intent to humiliate or ridicule.**

Teaching strategies include learning new skills, providing alternative stimulation, encouraging independence, avoidance of 'triggers', and relaxation techniques. The more unusual and extreme the behaviour, the more thoroughly the student requires consideration of his/her needs and provision of highly individualised planning to meet them. Outside agencies, such as members of the Child and Adolescent Mental Health Services, (CAMHS), MAPA, OT services or the County Educational Psychologist may be called upon to give advice.

Behaviour at Clifton Hill is managed primarily by promoting a positive ethos and rewarding appropriate behaviour. The school star, merit and prize system and sharing achievements in assemblies are used to promote a positive ethos and build up both individual and group self esteem throughout the school.

Sanctions

Use of sanctions should be administered in a calm and controlled manner and be part of an agreed Behaviour Management Plan. Staff should give a measured response and not through an emotional reaction. The staff should ensure that sanctions are seen as inevitable and consistent (students should know that when a sanction is mentioned it will be used). The use of sanctions should be immediate in order to aid the comprehension of the students.

The concept of sanctions should be linked to the concept of choice, so that students see the connection between their own behaviour and its impact on themselves and others.

Touch and use of Restrictive Physical Intervention

Definition of restrictive physical intervention

The Law allows for teachers and other persons authorised by the Head Teacher to use Restrictive Physical Intervention to prevent a student from doing or continuing to do any of the following:

- Committing a criminal offence (subject to mental capacity)
- Injuring themselves or others
- Causing damage to property
- Engaging in any behaviour that is prejudicial to maintain the good order and discipline of the school.

Restrictive Physical Intervention is the term used by the DFE to include interventions where bodily contact using force is used. It refers to any instance in which a teacher or other adult authorised by the Head Teacher has to, in specific circumstances, use “reasonable force” to control or restrain students. There is no legal definition of “reasonable force”. However, there are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of an incident warrant it.
- The degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

The definition of physical force also includes the use of mechanical devices (e.g. splints on the student prescribed by medical colleagues to prevent self-injury). It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a Restrictive Physical Intervention.

At Clifton Hill school we believe that students need to be safe, know how to behave, and that the adults around them are able to manage them safely and confidently. For a very small minority of students the use of restrictive physical intervention may be needed, and, on such occasions, acceptable forms of intervention will be used.

Acceptable forms of touch at Clifton Hill School

There are many occasions when staff will have cause to have physical contact with children or young persons for a variety of reasons, for example:

- For communication - from handshakes and high fives to responding to another person's use of physical contact as communication - Intensive Interaction techniques (including age appropriate tickling and interaction which helps develop understanding that communication with others is worthwhile.)
- For education – gentle guiding to a schedule / supporting a child to sit in Attention Autism sessions or helping them to complete an educational or life skill activity either using fine motor at the table or gross motor in PE or Vocational activities. Where staff would be likely to be using MAPA positive touch techniques.
- In play – play naturally includes touch especially when people are in the early levels of social development.
- In Therapy – helping a child appreciate deep pressure, be bounced on a physio ball accessing sensory circuits or requesting a head squeeze, etc.
- For emotional reasons – communicating affection, warmth, reassurance, comfort
- First Aid or care – where children and young people need help with personal care or medical care
- In an emergency to protect the child themselves or others around them. Where staff may be using and applying MAPA Physical Intervention techniques.

In an emergency incident staff may take into account the use of reasonable force and their responsibilities under duty of care.

In all situations where physical contact between staff and children or young person's takes place, staff must consider the following:

- the child or young person's age, and level of understanding
- the child or young person's individual characteristics and history
- the location where the contact takes place (it should not take place in private without others present)

If a child or young person requires physical support on a regular basis this information will be documented on an individual plan such as a moving and handling plan, toileting plan, proactive intervention plan or behaviour risk assessment.

When working with children and young people with severe or profound multiple learning difficulties, autistic spectrum disorder and complex health needs, touch is often vital to promote learning and well-being. Within Clifton Hill School, there are more frequent occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role and in accordance with this policy, Intensive Interaction principles and MAPA advice and techniques.

When touch is used with pupils it should be in response to their needs at that time, and appropriate to their age, stage of development, gender, ethnicity and background. However, we also need to give equal consideration to the emotional and communication needs of the individual concerned.

Staff should be clear and open about why they use touch and explain their practice, and touch should be discussed openly and regularly between staff.

Consideration will need to be given to helping children who are touch sensitive to be de-sensitised – which will involve increasing touch at times when most relaxed to allow them to become more used to it.

Where feasible, staff should seek the child's permission before initiating positive touch. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child for the minimum time necessary (unless during a programme of de-sensitisation).

In case of pupils who initiate inappropriate physical contact, it is the staff's responsibility to correct that approach and model an appropriate response, e.g. if secondary age pupils seek a hug from a member of staff this can become a handshake, high five or professional side on hug.

Some pupils who we support occasionally either inadvertently, (or intentionally but usually for non-sexual reasons) touch / grab intimate parts of a member of staff's body – when there is no sexual understanding or intent. The standard staff member response should be to withdraw without significant negative feedback and the incident recorded. This should be immediately discussed with the class teacher to look at a plan for the individual.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should, therefore, use their professional judgement at all times.

Staff should never touch a child in a way which may be considered indecent, except where this is necessary as part of intimate or medical care. Any child with intimate care needs will

have these detailed in their personal care plan. Always be prepared to explain actions and accept that all physical contact be open to scrutiny.

Extra caution should be exercised where a child is known to have suffered previous abuse or neglect. Such experiences may sometimes make a child exceptionally needy and demanding of physical contact and staff should respond sensitively by deterring the child through helping them to understand the importance of personal boundaries.

Physical contact must never be secretive, for the gratification of the adult or represent a misuse of authority.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported to your line manager, recorded and, if appropriate, recorded under the child's name on Safeguard. Similarly, if any staff are in any doubt about issues concerning appropriate touch or observe any practice which causes them concern, they should speak to the Designated Safeguarding Lead.

Physical contact is never made as a punishment, or to inflict pain. All forms of corporal punishment are prohibited. Physical contact will not be made with the child or young person's neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints. It will not become a habit between a member of staff and a particular child or young person.

Clifton Hill School Restrictive Intervention Policy

There are legal and statutory regulations related to the use of Restrictive Physical Intervention alongside some useful recent guidance. These are identified at the end of the policy.

Restrictive Interventions:

At Clifton Hill the way in which restrictive intervention can be deployed are:

- As planned or reactive acts that restrict an individual's movement, liberty and/or freedom to act independently. They will be used in accordance with the schools values and rules, specifically regarding respect and safety and staff will always reflect calm and consistent adult behaviour.

This policy will cover all forms or restrictive intervention used at Clifton Hill including:

- Physical restraint: a restrictive intervention involving direct physical contact where the interveners intention is to prevent, restrict or subdue movement of the body, or part of the body of another person.
- Mechanical Restraint: the enforced use of mechanical aids. At Clifton Hill this is typically through the use of handling belts to provide additional support when a student is on a community visit helping them stay with the group.
- Imposed Withdrawal: removing a child or young person involuntarily from a situation which causes anxiety or distress to themselves and/or others and taking them to a safer place where they have a better chance of composing themselves.
- Seclusion: Supervised confinement and isolation of a child or young person, away from others, in an area from which they are prevented from leaving, where it is of immediate necessity for the purpose of the containment of a seriously disturbed behaviour which poses a risk of harm to others.

Physical Restraint

Clifton Hill school promotes good working practices to reduce the need for restrictive physical interventions

Staff have experience, knowledge and training in a range of approaches including Positive Behaviour Support, Early Intervention and Early Prevention. Each of these terms is expanded upon in Appendix 1.

These approaches all involve staff using calm consistent adult behaviour and communicating appropriately for the individual concerned and staff will give appropriate processing time.

The school offers parents and families support in the understanding of emotional wellbeing, positive behaviour support, early prevention and the use of positive touch, whilst also seeking advice from parents on what they have found to be effective in the home setting, so that we can work in partnership.

At Clifton Hill all pupils have a Proactive Interventions Plan. This plan replicates the Pivotal Management of Actual and Potential Aggression (MAPA) crisis development model identifying the ways in which a pupil's behaviour may look during each of the four stages (anxiety, defensive, risk behaviour, tension reduction) and what staff can do in each of these situations to support the child to get back to when they are composed.

If there is any expectation that despite early planning and prevention strategies a child or young person's behaviour may escalate to the point at which they present a significant risk to themselves or others, a restrictive physical intervention plan may be required. This plan at Clifton Hill is a Behaviour Risk Assessment. This should be discussed and agreed with the individual (where possible) and their family.

The Behaviour Risk Assessment will set out the circumstances where a Restrictive Physical Intervention may be required, in line with MAPA- Restrictive Physical Interventions at Clifton Hill would be used:

- Only when there is imminent or immediate harm to self or others
- To maximise safety, minimise harm
- In exceptional circumstances to protect the dignity of an individual and safeguard those around them
- In extreme circumstances to prevent serious damage to expensive equipment.

Staff **would not** be able to use any form of RPI for:

- any form of punishment or in any punitive way
- to force compliance with an educational activity (as opposed to compliance for any of the reasons given above)

Again, the Risk Assessment format is linked to the MAPA training model staff access considering the severity and the likelihood of the risks being assessed and should include all forms of restrictive intervention that the staff may plan to use when the child is in distress.

This gives staff a grounding in approaches to avoid physical intervention as well as the disengagement and holding skills that may be needed as a last resort.

All Clifton Hill staff are trained in MAPA Positive Touch and Restrictive intervention techniques, usually within their first term at the school. As class staff have the best relationships with pupils and are usually very much on the scene, all those who are trained

are authorised to use restrictive physical intervention. All staff are refreshed in their training each year.

At all initial training and updates physical skills are practiced and competence assessed in order to pass the training.

The Pivotal MAPA training, received by all classroom staff, is clear that RPI should only be used:

- As a result of the Duty of Care
- In the best interests of the child / other children
- As a last resort
- In the least restrictive hold
- For the least period of time possible.

This school policy adheres to these principles. The use of restrictive physical interventions will be reduced as far as possible through positive behaviour support, promoting school wide wellbeing, effective early planning and early prevention strategies.

Mechanical Restraint

If staff at Clifton Hill feel that any form of mechanical restraint would be beneficial to a pupil at the school this would need to be discussed with parents, a senior leader and usually an Occupational Therapist. Mechanical restraints would again only be used when absolutely necessary and where self-harming behaviours have become extreme and we are aiming to prevent further significant damage. The use of mechanical restraints will be regularly up for review and monitoring of use with SLT.

*Specialist OT chairs or wheelchairs which have straps and are provided to help pupils with good posture are not a form of mechanical restraint and if pupils indicate a desire to be out of these chairs this needs to be facilitated immediately.

Withdrawal

This section refers to withdrawal and isolation as a method of removing a child or young person from a situation causing them anxiety or distress and taking them to a safer place where they have a better chance of composing themselves. It does not refer to actions which are intended as a disciplinary penalty. We need to be aware that if this approach is perceived as being a disciplinary penalty, we may need to take a different approach or consider how we help the pupil understand our intent.

Autonomous Withdrawal (self-withdrawal): Where a child actively chooses to move to a quiet space for a period to self-regulate, the staff should always monitor and support. It is essential that staff can see the pupil in this situation, however the way in which monitoring happens and how it feels for the child should be considered. As long as the child is free to leave the quiet space this would not constitute restraint. This only needs to be recorded if it is preceded by Seclusion. As this is the child learning to self-regulate, whilst we would encourage staff to attempt engaging with the child when they perceive the child to be ready there would be no time limit to the child using the approach. However staff will need to be aware if a child is beginning to use this excessively and will need to construct a plan to work against this.

Imposed Withdrawal: Is against an individual's will carried out under Clifton Hill duty of care to protect the child from risk of harm to themselves or others. Use of force to achieve this must be reasonable and for this to remain withdrawal, staff will remain in the quiet space with the child, whilst they self-regulate.

Seclusion: refers to the supervised containment and isolation of a child or young person away from all others, in a room or area they are prevented from leaving. It is only used to contain severely disturbed distressed behaviour which is likely to cause harm to others if they remained in the space with them and should be for the minimum time necessary. The approach would be used for individuals at Clifton Hill who benefit from the quiet time and space completely alone to compose themselves once more. Staff should plan approaches, based on their knowledge of the child, to attempt to work back in alongside the child as soon as possible, but be aware that their safety is important too, so if it is clear the approach is not going to work- re-plan and re-think. **This approach is not appropriate for pupils who avoid supervision or attempt to self-harm. This approach is used as a very last resort as part of an individual seclusion plan with the permission of the parents.**

Tension Reduction/ Therapeutic Rapport

The final part of the Pivotal MAPA crisis development model focuses on the end of any cycle of distressed behaviour which they term as tension reduction. The approach that we ask staff to take at this point is therapeutic rapport. We recognise that repairing the relationship with the child is the crucial first step following any challenging incident.

Staff are also required to take time out following an incident to compose themselves in a quiet place before they return to normal duties.

Where possible, and when pupil's well-being has been re-established, we use restorative conversations, often through deploying the Comic Strip Conversation approach so that we can avoid the need for eye contact and build in processing time. This is aimed at helping the pupil and staff to learn from the incident and to avoid any recurrence. Learning may often lead to changes to the risk assessment.

More serious incidents should be followed up with debriefs with the staff. The debrief meeting will, as appropriate, question whether actions taken were reasonable and proportionate to the risk.

Medical Emergency

Using any form of restrictive intervention in a crisis situation will pose risk of medical injuries to both pupils and staff. Staff need to be aware of these risks and be watching the physical well-being of all involved and, if necessary, seek and follow the advice from a First Aider. In this case all staff will react immediately to support the person at risk.

Recording

All negative behaviour incidents, including those that require the use of restrictive intervention, are recorded online in the SLEUTH software.

Occasionally where a pupils has become increasingly anxious and behaviours are happening extremely frequently, in order to make recording feasible and manageable we will move to paper-based records for each week. This helps the staff to analyse whether the approaches they are trying are being effective more quickly.

Parents should be informed of all incidents of Behaviour and Physical Intervention. The school aims to build strong relationships with parents and recognises the huge value in these being effective alongside the negative impact of receiving frequent reports of issues. Therefore, each teacher agrees a protocol with parents about how they are best informed about their child's behaviour and any interventions that we have to undertake. Whichever way parents and teachers agree that this information is shared, all reported incidents need to be recorded for the school's records.

Whenever a pupil is in seclusion a staff member is allocated to record at the time the seclusion starts and should record all attempts to engage with the pupil. This recording should continue throughout the seclusion episode.

Recording of Accidents and Injuries

An incident involving injury or accident to a student is recorded on an accident/incident slip and kept in the school Office - see Handbook. This must be signed by the person witnessing the incident (usually the class teacher and a senior member of staff.) Staff who have been involved in an accident or have suffered an injury will record this on the accident form and report this to the Assistant Headteacher or the Headteacher. The information is uploaded to OSHENs on line recording system which is then sent to County.

Monitoring

Senior Staff and the behaviour lead monitor the use of all forms of restrictive intervention.

Staff will be reminded of protocols and best practice as required. Individual class teams can seek advice and support on specific difficulties which will either be provided by the behaviour lead, SLT or through advanced trained external staff.

The data collected and collated by SLEUTH enables us to:

- identify places where incidents are more likely so we can take action
- identify classes where we may need to give additional proactive / physical training
- identify pupils who struggle with specific lessons and adapt timetables
- identify pupils whose anxieties mean they are struggling in class at present, allowing us to make adaptations to their curriculum offer

The data in Sleuth is also used to report the use of RPI and the use of Seclusion to Surrey County Council and Governors. Governors and the community are also given feedback on the analysis of the total numbers of behaviour incidents and use of RPI.

Complaints

It is intended that by adopting this policy and keeping parents and governors informed we could avoid the need for complaints. All disputes that arise about the use of physical intervention by a member of staff will be dealt with according to Surrey's Child Protection and Safeguarding policies.

ROLES AND RESPONSIBILITIES

The Behaviour Management Co-ordinator has responsibility for appraising, agreeing and holding the copies of any programme that is written to deal with behaviour that challenges before it is implemented. The Behaviour Management Co-ordinator has responsibility for monitoring incidents and sanctions and following up any issues that arise. Teachers, Welfares/STA's and teaching assistants, have responsibility to write Proactive Intervention Plans when the need arises, taking into account the individual student. The Proactive

Intervention Plans should have a regular review cycle, usually on a termly basis or when there is a significant change in the students' behaviour.

All staff have a responsibility to be aware of and follow Proactive Intervention Plans as they are written. All staff have the responsibility of recording incidents, accidents and injuries to students and themselves.

It is the responsibility of the governing body

- to assess the risks to staff and students arising from the use of physical interventions;
- to monitor safe systems of work;
- to ensure staff are adequately trained;
- to ensure staff have access to appropriate information about the students with whom they are working;
- to have a current behaviour policy, including reference to physical intervention;
- on a termly basis to examine the (anonymized) Behaviour Report presented to the Full Governing Body meeting;
- to carry out an annual behavior walk;
- to ensure that the climate of the school encourages a peaceful, calm and non-physically threatening atmosphere/ethos;
- to make appropriate resources available for the policy to be fully implemented.

It is the responsibility of all staff

- to be aware of the contents of the behaviour policy and follow the guidance it contains;
- to follow the Proactive Intervention Plan of a particular student and, given adequate training, to carry out physical intervention as required under their duty of care towards that student. (A duty of care requires that reasonable measures are taken to prevent harm to students);
- to record the behaviour(s) of a particular student as required, especially where physical intervention is involved;
- to act as good, positive role models;
- to ensure that they contribute to the creation of a safe working environment for all.

Parent / Carer Involvement

Full and open discussion of their child's education is offered to parents and guardians and their contributions are valued. If parents have any particular concerns regarding behaviour, (or any other matter), they are encouraged to make an appointment to discuss this at the earliest opportunity with any of the senior staff or their child's class teacher. Learning new skills can often be very difficult for our students and learning new ways to behave is no different. The longer a child practises a behaviour, the more entrenched it becomes and the harder it is to replace. At Clifton Hill we endeavour to work as a team together with parents, in order to help the young person to learn.

Parents are kept informed of their child's progress in the following ways which are standard for all students:

- Annual Reviews of their child's Education, Health & Care Plan;
- parents/teacher meetings;
- evaluations of their child's Individual Education Plans (IEP's)

As well as being encouraged to phone school, parents are welcome to use any of the above as a means to voice any concerns regarding their child's behaviour.

It is the responsibility of parents and carers

- to ensure they support the creation of a safe, non-oppressive working environment in school;
- to support the school behaviour policy;
- to act as good, positive role models;

- and, as far as it is possible, to encourage attitudes in their children which avoid the use of physical intervention.

Consultation with the whole school community is sought in formulating the behaviour policy. Generating collective responsibility both within and outside school will promote its effectiveness.⁸

The Governing Body has overall responsibility for the policy.

The Headteacher has overall responsibility for the management of the policy.

The behavior co-ordinator, has responsibility within the school for the management of behaviour in conjunction with and supporting teachers in drawing up and monitoring Risk Assessment/ Management Plans. The Headteacher and Behaviour co-ordinator has responsibility for formulating and reviewing the policy annually.

Line Managers have responsibility for discussing, formulating, monitoring and reviewing behaviour programmes with class teachers in their departments and supporting class teachers in their work on behaviour.

Class teachers have responsibility for initial team discussions on behaviour, formulating behaviour programmes / management plans and sharing these with class staff; also the primary management, assessment and recording of behaviour programmes / management guidelines.

All staff are responsible for encouraging high standards of behaviour and upholding good, fair practice in behaviour management throughout the school and for supporting each other, as well as students, in times of stress.^{9,10}

Success criteria

Clifton Hill School will provide a safe environment for all students to learn.

Links to other policies:

Anti-bullying Policy
 Policy for Managing of Incidents and Accidents
 Policy on Health and Safety
 Child Protection and Safeguarding
 Equal Opportunities

Associated Documents used to support the writing of this document

Previous Clifton Hill School policy
 Surrey County Council Policy on 'Touch and the use of Restrictive Interventions'
 Surrey Physical Intervention Policy – November 2018
https://www.surreycc.gov.uk/_data/assets/pdf_file/0019/101854/Touch-and-the-use-of-restrictive-physical-intervention-when-working-with-children-and-young-people.pdf
 Reducing the need for Restraint and Restrictive Intervention – June 2019
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812435/reducing-the-need-for-restraint-and-restrictive-intervention.pdf

Commented [MOU1]: Insert links to open these directly

Legal Duties and relevant guidance

Human Rights Act 1998

Equality Act 2010
Deprivation of Liberty
Education and Inspections Act 2006 (section 93)
Use of Reasonable force: Advice for headteachers, staff and governing bodies (DoE 2013)
Mental Health and Behaviour in Schools (November 2018)

Appendix 1

Positive Behaviour Support (proactive activities to maintain positive emotional wellbeing) at Clifton Hill will include:

- developing trusting relationships between children and young people and staff
- developing strong relationships and clear communication expectations with parents to ensure that we are informed of key information regarding the home environment
- living the school values and rules including respect for everyone and safety
- creating a well-planned, calm, orderly and supportive school environment
- ensuring that the number of staff deployed and their experience corresponds to the needs of children and young people
- ensuring staff have comprehensive and effective.
- creating opportunities for children and young people to engage in meaningful activities which include opportunities for choice and a sense of achievement
- ensuring staff understand that we consistently aim for calm consistent adult behaviour.

Effective Early Planning (recognition of anxiety escalation and how it can be addressed) at Clifton Hill will include

- developing staff expertise in working with children and young people who present distressed behaviours
- Ensuring staff are refreshed in both the proactive theory and practise of MAPA
- Train staff to recognise the early signs of increasing anxiety and distress and ways to distract or decelerate any escalations to return to a better emotional state
- Help staff consider and understand the levels of behaviour that C&YP can display and the appropriate ways for staff to react at each stage.
- ensuring staff are able to work in a restorative way with young people, enabling the young person to communicate their thoughts and feelings where possible, so they are heard and understood.
- make choices about the way to manage their behaviour e.g. some children and young people prefer withdrawal to a quiet area rather than a physical intervention which involves bodily contact.
- setting up and maintaining person-centred Proactive Intervention Plans, which reflect an understanding of the function of the behaviour for the child, and alternative ways for the child to get their needs met. This may include teaching alternative communication strategies and giving the child acceptable ways to get out of situations they may find too difficult. These plans need to be responsive to individual needs as they change, and include current information on likely triggers and resulting behaviour
- avoiding or adapting known trigger situations and where possible precipitating factors which are likely to provoke distressed behaviour
- carrying out individual behaviour risk assessments where there is a likelihood that distressed behaviour may present a risk to self or others

Proactive Intervention Plans and behaviour risk assessments will be person- centred; including and engaging the children and young people, their families and advocates when writing these documents. This enables children and young people where possible, to express how they could be supported to avoid behaviour incidents, and how they prefer to be managed when they pose a significant risk to themselves or others.

Early Prevention

- Staff should always display calm, consistent adult behaviour.
- It is important to communicate calmly with the child/young person, using non-threatening verbal and body language and ensuring the child can see a way out of the situation.
- Strategies might include, for example, going with the staff member to a calm space, so that the staff member can listen to concerns; being joined by a particular member of staff well known to the child; or any of the other strategies named in the individual's plan
- The solution should seek to be a win-win situation

All prevention strategies should be carefully selected and regularly reviewed to ensure that they are impacting positively on the child or young person.

Appendix 4

Surrey County Council Inclusion Service

Permanent exclusion of pupils

Guidance for Surrey Schools

November 2021

Management of Beh



Headteachers Guide To Exclusion Paperwork For Permanent Exclusion
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Permanent exclusion from school has come under increasing scrutiny through a number of national reviews, and research projects, notably:

'Making The Difference: Breaking the link between school exclusion and social exclusion' Institute of Public Policy Research, October 2017

'Forgotten children: alternative provision and the scandal of ever increasing exclusions' House of Commons Education Committee, July 2018

'The Relationship between Exclusion from School and Mental Health', University of Exeter, February 2019

'Timpson Review of Exclusions' Edward Timpson on behalf of UK Government, May 2020

Undertaken independently, each highlights the challenge for schools when faced with considering a school exclusion of balancing the support for individual vulnerable pupils with the safety and wellbeing of the whole school community. Nonetheless, each report raises concerns about the detrimental and often long term impact of permanent exclusion for children and young people on their future employment, personal relationships, and health, including mental health.

The aim of this guidance is to support headteachers in their decision making around the permanent exclusion of pupils from school and to embed a transparent and consistent, countywide approach in all schools.

It is important to remember that the decision to permanently exclude *always* lies with the school's headteacher and its Governing Body, not with the Local Authority and this guidance should not be used as a substitute for the [Department for Education's 'Exclusion from maintained schools, academies and pupil referral units in England' \(September 2017\)](#) clauses of which are referenced below as 'Guidance' with the relevant clause. The disproportionately high incidence of school exclusion amongst children and young people with some Special Educational Needs and other minority groups such as children from Traveller backgrounds and with Black and Minority Ethnic heritage makes it also important to consider the requirements of the [SEN Code of Practice 2014](#) and the [Equality Act 2014](#).

It is recommended that any school that is concerned about a child at risk of exclusion contacts their Area Inclusion Service at the *earliest* opportunity, to ensure that services can correct procedures are being followed.

Specific information in relation to Looked After Children

Looked after children should be excluded only in the most exceptional circumstances. Before excluding a looked after child, please contact the Virtual School for advice. The role of the Virtual School is to work with school staff and other support teams to reduce exclusions and improve the life chances of some of our most vulnerable children and young people.

Exclusion can be a damaging event for any child or young person, but for the looked after child exclusion can place a great strain on care placements. Exclusion can be a significant contributory factor in the breakdown of a care placement. This will often result in a child moving away from a community which is their home. The suffering for the child is compounded if an exclusion leads to a breakdown in the care placement.

See statutory guidance: [Promoting the Education of Looked After Children](#)

If the child is in the care of another local authority the Virtual school of the home authority should be contacted. Surrey Virtual School will offer advice and support for any looked after child and will help to make the link with the Virtual School in the child's home authority

Schools should proactively cooperate with the child's carers, social worker and local authority that looks after the child. If a school has concerns that a looked after child is at risk of exclusion, they should consider whether the provision of additional support would help or if an alternative educational placement is required. Virtual Schools will provide advice and support around specialist interventions and alternative provision. Pupil Premium Plus might be available to supplement costs

Internal exclusion

If internal exclusion is used with children and young people in care it is advisable to ensure that they are able to engage fully with other people, particularly those for whom they have an attachment, and are provided with meaningful and positive learning experiences that will keep them fully engaged.

Many schools have successfully reduced exclusions by the introduction of an "internal exclusion" provision. Consideration should be given about the suitability of this for some children in care, particularly if there is an "isolation" element to the punishment. A high proportion of children enter care as a consequence of neglect and abuse, often including forced isolation, which may have led them to a sense of overwhelming shame. With such children and young people, forced isolation with limited human interaction may trigger a sense of additional shame that could be experienced as 'toxic' in that it has the potential to cause significant damage and induce high levels of fear and panic.

First suspension

In the case of a first suspension a member of the Virtual School team must be invited to the re-integration meeting and will provide advice and support to the school.

Repeated suspensions

In the case of repeated suspension (perhaps indicating that the young person is at risk of permanent exclusion) an emergency PEP should be called (and if the young person has an Education, Health Care Plan this should be run alongside an emergency review of the plan).

Permanent exclusion

In the case of a proposed permanent exclusion it is essential that the Virtual School is contacted prior to the issue of the exclusion notice/ letter. Where it is necessary to remove a child from the school site immediately head teachers should issue an initial five day fixed term suspension that makes clear that they are considering making the suspension a permanent exclusion.

If a permanent exclusion is issued then a senior leader from the Virtual School must be invited to the exclusion meeting. The Virtual School leader attends with the social worker as a corporate parent not as the representative of the LA. Statutory guidance (paragraph 58) makes clear that parents may bring a friend or representative to the meeting – in the case of a looked after child this representative is the Virtual School, representing the social worker or the birth parent or whoever has legal parental responsibility for the child.

Exclusion - key principles

Only a headteacher can exclude a pupil and this must be on disciplinary grounds. The decision to exclude should be one of 'last resort' and in line with the principles of administrative law that it is: lawful, rational, reasonable; fair and proportionate (Government Guidance 3:6).

Any suspension of 5 days or more **must be** formally recorded, however, we would urge schools to notify us of any suspension duration. Please refer to the standard Surrey paperwork (EXC1) to record this. In the event of a permanent exclusion, please complete the **mandatory** (EXC2)

Please refer to the [Department for Education's Exclusions Guidance \(September 2017\)](#)

Following a single incident

It is important to recognise the potential vulnerabilities of a child who commits a single offence and to explore the possibilities of stressors in their health and home lives including the possibility of their exploitation by others. Schools are expected to access the early help services provided the Children's Single Point of Access (C-SPA) to support the young person and their family.

Unlawful suspensions

'Informal' or 'unofficial' suspensions, such as sending pupils home 'to cool off', are unlawful regardless of whether they occur with the agreement of parents or carers.

If a pupil is sent home in response to a breach of the Behaviour Policy, even for a short period of time, this must be formally recorded as a suspension. Part-time timetables must not be used as a disciplinary sanction (Gov. Guidance 3:13). They can be used as a strategy for successful planned reintegration, but need to be time bonded and regularly reviewed with parents (e.g. weekly). Part-time timetables must not be used as a long term, alternative education.

It is unlawful to exclude or to increase the severity of a suspension for a non-disciplinary reason (Gov. Guidance 3:12). For example,

- because the pupil has additional needs or disability that the school feels unable to meet;
- time needed to arrange a multi-agency, review or planning meeting;
- failure of a pupil/parent to meet specific conditions before the pupil is reinstated.

Notifying the LA in respect of suspensions, Cumulative 15 day Governors Disciplinary Meetings

The DFE Exclusion Guidelines for maintained schools, Academies and Pupil Referral Units highlights the Head Teacher's duty to inform the governing board and the local authority about a suspension.

Surrey County Council wish to support all schools to mitigate the risk of permanent exclusion. To support early intervention and timely discussion we urge all our schools to notify us of **any** suspension. The guidance as per below advises the Head Teacher's duty is to inform the local authority if:

- any suspension which would result in the pupil being suspended for a total of more than five school days (or more than ten lunchtimes) in a term; and

41. The head teacher must also notify the local authority and governing board once per term of any other suspensions not already notified

however, we would kindly ask our schools to notify us of **any suspension using the EXC1 document** so we can monitor and ensure collaboration between our Specialist Teachers for Inclusive Practice and yourselves.

SEND reviews

Head teachers and governing bodies must take account of their statutory duties including the [SEND Code of Practice](#) when administering the suspension/permanent exclusion process (Gov. Guidance 3:11). They should, as far as possible, avoid excluding permanently any pupil with an Education, Health and Care Plan (EHCP) (Gov. Guidance 3:22). Where a school identifies a pupil with an EHCP is at serious risk of permanent exclusion, an Emergency Annual Review should be called by the school. It is essential that child/young person's SEN Case Officer is invited to attend to consider whether further reasonable adjustments need to be made, or if a change of placement may be necessary. Schools should also have regard for the [Equalities Act 2010](#).

For any school that has a student with an EHCP that is risk of permanent exclusion, or that has had a number of suspensions, the SEND Case Officer should be contacted accordingly to ensure an Emergency Annual Review takes place as soon as possible.

Family Resilience

Surrey County Council's ambition is that every child in Surrey should have the opportunity to reach their potential and that the best place for children to be supported to grow and achieve this is within their own families. Whilst many children will experience these things without support, some will need extra help, as a result of their own additional needs, their family circumstances or the adversity they face. SCC want to help these children, and their families, at the earliest opportunity. Children at risk of or excluded from school are particularly vulnerable to poor outcomes and additional support needs should always be considered.

Early intervention to address underlying causes of behaviour should include an assessment of whether appropriate provision is in place to support the young person. The head teacher should refer to the [Family Resilience Levels of need document](#) and consider completing an Early Help Assessment for all children at risk of exclusion. Where necessary and when families consent, a request for support should be made to the [Childrens Single Point of Access](#) (CSPA).

Where children are at risk of exclusion, targeted help can be offered by the Targeted Youth Support (TYS) Teams within each quadrant area. Interventions will be informed by an Early Help Assessment and developed focusing on building family resilience and strengths.

Where there is police involvement as a result of a child's behaviour within school, community resolution and restorative approaches should be considered in the first instance. Should the behaviour amount to an offence that requires further criminal justice sanctions, Surrey Police should work with the school to consider the case being discussed at the joint decision making panel or whether a charging decision is appropriate. This approach does not negate the required early help and safeguarding response, which should be communicated via the Children's Single Point of Access.

Thresholds for Permanent Exclusion

	Threshold for permanent exclusion not met	Threshold for Permanent Exclusion met
Drugs & Alcohol (DA)	<p>First incident of bringing a quantity of prohibited, toxic or harmful substances for personal use.</p> <p>Any situation in which the school cannot evidence that the education and/or the wellbeing of other students in the school has been directly compromised.</p> <p>Arriving to school in an intoxicated state as a first offence.</p> <p>First incident of bringing alcohol onto school site</p> <p>For all matters relating to drugs in school it is suggested that Headteachers refer to: DfE and ACPO Guidance on Drugs in Schools</p>	<p>Evidence of supply (selling, dealing or sharing) or intent to supply a quantity of drugs, money, statements from pupils suggesting they were offered drugs / coerced into partaking.</p> <p>Bringing Class A drugs (Cocaine, Crack Cocaine, Ecstasy/MDMA, Heroin, Lysergic Acid Diethylamide (LSD), Magic Mushrooms, Methadone, Crystal Meth) on to the school site.</p> <p>Second incident of bringing a quantity of prohibited, toxic or harmful substances for personal use.</p> <p>Second incident of arriving to school in an intoxicated state.</p> <p>Second incident of bringing alcohol on to school site.</p> <p>Evidence of supply / coercing other pupils to drink alcohol.</p> <p>For all matters relating to drugs in school it is suggested that Headteachers refer to: DfE and ACPO Guidance on Drugs in Schools</p>
Bullying (BU)	<p>Parental pressure to have the child excluded.</p> <p>Low level unpleasant behaviour to others where evidence exists that it is not targeted towards one specific person or group.</p> <p>Altercations between friendship groups.</p> <p>Falling out between friends.</p> <p>Where there is evidence the child has experienced significant trauma, abuse or neglect and behaviour stems from familial risks/disrupted attachment and targeted or specialist intervention has not been tried – the school need to be curious about what lies</p>	<p>Evidence of repeated and targeted, verbal, physical, emotional or cyber bullying incidents, directed towards one person or a specific group of individuals</p> <p>Where interventions such as restorative practices have been tried and the behaviour has not ceased</p> <p>Evidence for bullying will need to be more in line with the evidence usually needed to support a permanent exclusion for persistent disruptive behaviour.</p> <p>A conversation with the Area Inclusion Manager is advised, as some of these incidents may overlap with verbal abuse/ threatening behaviour.</p>

	behind the behaviour	
Inappropriate use of Social Media (SM)	Using electronic applications to insult, offend and abuse individuals, or groups. Sending of inappropriate images could overlap with sexual misconduct.	Repeated incidents as over and, or a specific targeted attempt to bully, inflict emotional and psychological harm whilst drawing in others to support that intent. Tangible evidence showing the school has been brought into disrepute.
Damage (DM)	Accidental damage to school or personal property of others. Where there is evidence the child has experienced significant trauma, abuse or neglect and behaviour stems from familial risks/disrupted attachment and targeted or specialist intervention has not been tried – the school need to be curious about what lies behind the behaviour	Excessive, purposeful damage to school or personal property that school can evidence directly affects the wellbeing of others or causes disruption to the learning of others. The level of damage could equate to “criminal damage” and be subject to police investigation e.g. arson.
Racial abuse (RA)	First offence of deliberate and malicious direct racial abuse towards staff or pupils where documented evidence is available.	Repeated offences of deliberate and malicious racial abuse towards staff or pupils where documented evidence is available.
Disability specific abuse	First offence of deliberate and malicious abuse specific to the victim’s disability whether that be pupil or member of staff where documented evidence is available.	Repeated offences of deliberate and malicious abuse specific to the victim’s disability whether that be pupil or member of staff where documented evidence is available.
Physical assault pupil/adult (PP or PA)	Any assault that may have been as a result of provocation, resulting in injuries that do not require external medical attention.	Purposeful and unprovoked physical assault against staff or pupils that results in the victim requiring external medical treatment. It has to be significant injury to meet threshold for a serious one –off incident. The wishes and feelings of the victim should be considered and restorative approaches should also be considered first. Headteachers should refer to DfE's Keeping Children Safe in Education Guidance 2019 Repeated and unprovoked less serious attacks on others. Clarity needs to be provided around the events that led to the incident. For children with SEN, there needs to be evidence of all reasonable adjustments made by the school.
Verbal abuse/	One-off incident of threatening	Persistent use of threatening and/or

threatening behaviour against pupil/adult (VP or VA)	or abusive behaviour. Not including threats of violence with weapons.	abusive behaviour against staff or pupils where intervention has been tried to address the behaviour. Use of any weapon to threaten or intimidate. Weapons include any implement that could cause harm or serious injury.
Persistent Disruptive Behaviour (DB)	Not low level behaviour or issues.	There has to be a high number of suspensions/ internal exclusions evidenced Persistent Disruptive Behaviours (disrupting lessons, taking up staff time, comprehensive log of disruption, regular sanctions that affect the education and or/wellbeing of others in the school. Schools will need to log evidence of incidents and comprehensive information around appropriate support that has been put in place to support the child. PEX should be a last resort and therefore evidence of strategies/sanctions leading to permanent exclusion (i.e. suspensions, Managed Move, intervention at a PRU, PSP, reduced time-table) should be recorded.
Sexual Misconduct (SM)	For cases of sexual misconduct, a conversation needs to be had with Area Inclusion Manager to discuss the circumstances around the incident(s) in order to agree an appropriate course of action. For violent and sexually harmful behaviours headteachers should refer to DfE's Keeping Children Safe in Education Guidance 2019 (Part 5) Where there is an internal or external investigation being carried out, it is not necessary for pupils to be excluded from site. We would advise that a robust risk assessment is completed for all pupils involved. Consideration will also need to be made as to whether referrals are made/ advice sought from the Single Point of Access and Assessment Consultation Therapy Team .	
Theft (TH)	Theft is a criminal offence, however each incident will need to be dealt with in its own merit. Schools need to take in to account the following; the age of the child, aptitude of the child, familial circumstances for the child, items that have been stolen, evidence available.	
Wilful and repeated transgression of protective measures in place to protect public health (PH)	Refusing to comply with social distancing measures to protect both pupils and staff as set out by schools having been informed by Public Health England and the DfE. Schools need to ensure they have considered children's SEND, in particular those who may struggle with social distancing specifically.	Repeatedly ignoring social distancing measures, deliberately compromising and endangering pupil, and, or staff safety by exhibiting behaviours such as spitting, coughing directly in someone's face.

The Headteacher's decision-making process

The decision to Permanently Exclude (PeX) a child from a school must be lawful, reasonable and fair. All alternatives to Permanent Exclusion must be exhausted by a Headteacher before any decision to formally exclude can be made.

Good practice indicates that before any decision to Permanently exclude a child is made, a meeting between the Headteacher of the excluding school, the PRU and the LA should be convened to consider the evidence that the school have gathered and crucially to explore what alternatives might be appropriate.

The meeting allows the Headteacher the opportunity to reflect on the decision to exclude and for the PRU and LA to coordinate and gather the possible alternatives that might be available to avoid the permanent exclusion.

If a headteacher is at a point where the only option is to Permanently exclude they may, in the first instance, issue a Permanent exclusion letter to the parents/carers within the first five days, but rescind that exclusion prior to the meeting of the Governors Disciplinary Committee following discussion between the LA, PRU, school and parents to agree next steps.

Letter templates are available within a separate document: *Surrey County Council Exclusion and Managed Move letters Sep 2021*

Supporting evidence for persistent disruptive cases

Documentation completed	Please circle
Front cover with student name, date of birth, year group, student profile (e.g. CLA, CIN, CP, Pupil Premium, ethnicity, SEND including K)	Yes No
Copy of attendance data	Yes No
Copies of all suspension letters and permanent exclusion letter sent to parents	Yes No
Behaviour log and interventions	Yes No
Achievement log	Yes No
Copy of the Personal Education Plan (Pep) if the child is looked after	Yes No
Witness statements from students and staff relating to any serious incident (signed and dated). This can be scribed where necessary.	Yes No
Evidence of the excluded student's view/opinion taken either at the time or on reflection. This can be scribed where necessary.	Yes No
Copy of PSP and minutes from review meetings	Yes No
Evidence of referrals/involvement of outside agencies to support child's behaviour (where relevant).	Yes No
Any action taken to support the child's behaviour prior to the permanent exclusion. The Supportive Interventions checklist (attached) is designed to help headteachers ensure all possible support has been provided.	Yes No
Details of any alternatives to permanent exclusion considered and reasons judged not to be appropriate e.g. Managed Move, suspension, use of alternative provision, reduced time-table, PSP.	Yes No
Copy of Request for Support (e.g. Social Care referral) where appropriate.	Yes No
SEND Support Arrangements document.	Yes No
Emergency Annual Review (student with EHCP). This review should be scheduled before the Governors Hearing.	Yes No
The school Behaviour Policy and any other relevant school policy. Within the pack it should be made clear how the behaviour policy has been breached and school need to be able to demonstrate that pupils are familiar with the content of such policies.	Yes No

Risk assessments – showing amendments if e.g. history of assaults, absconding

Supporting evidence for one off cases

Documentation	Please circle
Front cover with student name, date of birth, year group, student profile (e.g. CLA, CIN, CP, Pupil Premium, ethnicity, SEND including K).	Yes No
Copy of attendance data.	Yes No

Copy of suspension letter(s), permanent exclusion letter sent to parents.	Yes	No
Witness statements from students and staff relating to the serious incident (signed and dated). This can be scribed where necessary.	Yes	No
Evidence of the excluded student's view/opinion taken either at the time or on reflection. This can be scribed where necessary.	Yes	No
Evidence of referrals/involvement of outside agencies to support child's behaviour (where relevant).	Yes	No
Details of alternatives to permanent exclusion considered and reasons as to why they were deemed not to be appropriate e.g. managed Move, use of alternative provision.	Yes	No
Copy of Request for Support (Social care referral) where appropriate.	Yes	No
SEND Support Arrangements document.	Yes	No
Emergency Annual Review (student with EHCP). This review should be scheduled before the Governors Hearing.	Yes	No
The school Behaviour Policy and any other relevant school policy. Within the pack it should be made clear how the Behaviour Policy has been breached and school need to be able to demonstrate that pupils are familiar with the content of such policies.	Yes	No

NB The pack for a serious one-off incident should only include details and statements relating to that one incident. There should not be a behaviour log or any evidence relating to other incidents that have occurred.

Requirements for Witness Statements:

- Signed and dated by the witness (and their representative if used) and the interviewer.
- Completed before the decision to permanently exclude if possible. If written statements are completed after the date of the permanent exclusion, the headteacher should include notes of verbal statements obtained as part of the evidence collection
- Generally provide the evidence that led to the decision to exclude. The headteacher should address any inconsistencies as part of the statement to governors at the Governors' Disciplinary Meeting.
- If an adult is writing down the statement of a young person, or asking a student to write their own statement, they must avoid using leading questions
- Statements should be factual and in the words of the witness: 'I did this...', and 'I saw...'. Statements could also include photos, maps, sketches or diagrams.

Requirements for Governors Hearings:

- Governor's hearings cannot go ahead without a trained clerk.
- Current hearings should comply with the DFE recommendations in respect of COVID-19 safety by convening wherever possible, a virtual meeting
- There should be no time limit for the hearing.
- All Governor's on the panel must have completed Exclusions Training.
- Any Governor who sits on the panel will be required to attend the Independent Review Panel should the parents* appeal the decision.
- The hearing pack should be sent to all parties 5 working days prior to the hearing.

(* The corporate parent in the case of a LAC)

Interventions that could be considered for students at risk of suspension/permanent exclusion:

- ✓ Social Care referral via [Request for Support Form](#)
- ✓ School Pastoral Support
- ✓ Additional group and /or 1:1 support
- ✓ Differentiated approaches for teaching and learning (Wave 1, 2 and 3 interventions as outlined in the school's Local Offer)
- ✓ Implementation of SEND Support Arrangements in line with SEN processes/reasonable adjustments (the [Surrey Local Offer](#) may be of use here)
- ✓ Consideration of application for an Education, Health and Care Plan
- ✓ Pastoral Support Plan (with details of support for success and comprehensive reviews)
- ✓ Designated safe space
- ✓ Reintegration plan
- ✓ Internal exclusions/suspensions
- ✓ [Restorative Approaches](#)
- ✓ [Educational Psychology referral](#)
- ✓ Behaviour Support: Specialist Teacher for Inclusive Practice referral
- ✓ Learning and Language Support: [Specialist Teacher for Inclusive Practice referral](#) (where there are apparent or potential learning or language difficulties)
- ✓ [CAMHS referral](#)
- ✓ Referral to [Physical and Sensory Support Team](#)
- ✓ Medical referral for possible diagnosis of behaviour disorders or medical needs
- ✓ School counsellor referral
- ✓ Referral to Pupil Referral Unit for an intervention placement or outreach support
- ✓ Wellbeing assessment
- ✓ Managed Move to another school (refer to Managed Moves Protocol document)
- ✓ Alternative provision
- ✓ Online information resource: [Schools Exclusion Hub](#)

Advice on how a school's evidence complies with the standard of proof

1) The investigation should be carefully planned.

The headteacher should, where possible, delegate the investigation into an incident(s) and then make a decision about suspension/permanent exclusion from an arm's length position and not in the heat of the moment.

- a) The investigation should be even handed, gathering all the available evidence, regardless of which side it supports.
- b) The investigator should be carefully chosen – a teacher who was involved in an incident should not be the investigator.
- c) As many independent witness statements as possible should be gathered, as soon after the incident as possible.
- d) The witnesses should be asked to write down what they saw in their own words, and to sign and date the account.
- e) If, on reading the statement, further questions need to be asked (for example, to resolve inconsistencies) then the questions and the replies should be noted down and also signed by the witness.
- f) If it is not appropriate for the witness to write their own statement, careful notes should be taken of what they have to say and the witness should again sign the notes, after they have been read back to them if necessary.

b) They should be asked if there are any witnesses who can confirm their account, and those witnesses should be asked to give a statement.

c) Headteachers do not have to comply with PACE, but it is strongly recommended that a parent or appropriate adult (not a member of staff) should be present during any questioning.

d) They should be told the reason for the questioning and a note should be taken of the interview, which they should be asked to sign.

3) What NOT to do.

a) Question a child for an unreasonably long time.

b) Overwhelm a child with more than two adult interviewers.

c) Tell a child that they cannot leave the room, see a parent or go home until they have 'told the truth'.

4) Evaluate what you have collated.

a) Are there any gaps? These may be gaps in the story - for example, a period of time may be unaccounted for, or there may be statements missing from people who clearly might have witnessed part of the incident.

b) Can they be filled? If students or members of staff are named in a statement as having been present, they should be asked to give a

<p>g) Statements should not be anonymised unless there is a very good reason for it.</p> <p>h) It goes without saying that no one should be pressured into giving a statement, but they might be asked why they are not prepared to do so.</p> <p>i) Physical evidence may need to be dealt with. If it is to be used at a hearing, it will need to be kept safe.</p> <p>j) Photographs (e.g. of injuries sustained) may be helpful. If so, a careful record should be made of who took them, and when.</p> <p>k) A plan of the school site showing where a particular incident took place, and where any witnesses were at the time, can also be helpful.</p> <p>l) Witnesses - take as wide a range as possible from different friendship groups if the incident was a bullying type situation so as not to appear to be one sided. If a statement identifies that another person was present they should be approached for a statement too.</p> <p>2) Special care should be taken in interviewing those suspected of being responsible for the incident.</p> <p>a) It is best that they are also asked to write their own version of events, at least in the first instance.</p>	<p>statement of their own. An appeal could be made for further witnesses. If gaps remain, a note should be made of any reasons for them.</p> <p>c) What weight do you give to each statement? For example, did the witness have a clear view of the incident? Is he/she reliable? Is he/she independent or part of the victim's/suspect's friendship group? Is the evidence direct or hearsay?</p> <p>d) Hearsay evidence is still admissible but its weight is limited.</p> <p>e) What, having read all the statements and looked at all the evidence, do you think happened?</p> <p>f) Are you sure that the student did what s/he is accused of doing?</p> <p>It is only after you are satisfied about what the student actually did that you may go on to consider whether permanent exclusion is appropriate in all the circumstances.</p>
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Glossary of terms

Abbreviation	In full
SUS	Suspension
GDM	Governors Disciplinary Meeting
IRP	Independent Review Panel
LAC	Looked After Child
PEX	Permanent Exclusion
PRU	Pupil Referral Unit
SEN	Special Educational Needs