###### Education Access Team:

###### **Managing exclusions from school from September 2020**

* As schools prepare for reopening in September 2020 there are increasing concerns of the negative impact the closure of schools to many pupils due to Covid-19 could have on the ability of children and young people to manage their return to the classroom. For many young people a return to school will be a positive; a chance to reconnect with their friends and to re-engage with their learning. There will also be children and young people who will feel apprehensive about their return to school and who may act out their anxieties through their behaviour. It is possible that this behaviour could result in a risk of exclusion.
* The Education Access Team are committed to engaging in the value of Trauma Perceptive Practice (TPP) and working in partnership with schools to ensure that children and young people make a successful return to school in the autumn term and that the need for a young person to be excluded is avoided.
* This document has been produced to help schools faced with a situation where a child or young person may be at risk of exclusion. It is designed to help ensure schools can quickly access help and support.

**Key Points:**

* Only the head teacher of a school can exclude a pupil and this must be only on disciplinary grounds. Exclusion must be a last resort and schools must explore all alternative avenues before considering an exclusion.
* A decision to permanently exclude a pupil should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
* It is good practice for schools to review their behaviour policy and to include in this document details of their response to incidents that may be Covid related such as failing to adhere to social distancing or hygiene instructions. It should also reflect an understanding that some behaviours may be triggered as a result of trauma, such as bereavements, that the child or young person may have been exposed to during the pandemic.
* Where possible schools should avoid statements in their behaviour policy that will restrict their ability to be flexible with sanctions they wish to impose. For example, use the phrase this behaviour may result in …. rather than this behaviour will result in ….
* Head teachers, when considering whether a permanent exclusion is an appropriate sanction, should take into account any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.
* **Appendix A** of this document has been produced in collaboration with schools, other professionals across ECC and wider settings to give schools a staged approach to follow when working with a child or young person displaying behaviour that may place them at risk of exclusion.
* When considering an appropriate sanction schools should be aware that the law does not allow for extending a fixed-period exclusion or ‘converting’ a fixed-period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period. The head teacher may also withdraw an exclusion that has not been reviewed by the governing board. The Education Access Team will be able to discuss this with a head teacher as appropriate.
* **Before any decision is made to exclude schools are asked to contact the Education Access team through their duty line on 03330 322534  or by email at** [**exclusions@essex.gov.uk**](mailto:exclusions@essex.gov.uk) **One of the Education Access team specialists will make contact with you within 24 hours.**
* Where a pupil is 'looked after', schools should contact the Head teacher for the Virtual School, Natalie Stephenson, to discuss concerns and update their support plan as required.
* If the pupil has an Education, Health and Care Plan (EHCP) the school should contact the SEND Operations Team for an urgent review of the EHCP.

### Appendix A

*A Staged Approach to* **Reducing Exclusion for Persistent Disruptive, Difficult or Harmful Behaviour**

This staged approached has been developed with schools to reflect on children and young people (CYP) presenting with disruptive,difficult and/or harmful behaviours. The purpose of this tool is to support the early identification of need and to plan the most effective support to improve pupil outcomes and reduce the risk of exclusion from school.

This document should be used as a helpful guide and highlight that there should be effective collaborative practice throughout with CYP / parents and partner agencies.

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| Monitor the behaviour, use of reports cards and liaison with parent/carer  Does the CYP have a one-page profile/pupil passport/one plan?  Have you completed a STAR Analysis?  Has the CYP been identified as SEN?  Has there been effective One Planning?  Assess Plan Do Review  If so, is the CYP on SEN Support? How are you utilizing the SEN/AEN notional budget specifically to support the CYP’s needs? | **Consider external factors that could be contributing such as difficulties at home, peer relationships, safeguarding risks or poor health.**  **Work with parents to ensure home school partnership towards improved engagement with school and learning, engagement on a positive level – ‘what works for your child’.**  <http://www.essexlocaloffer.org.uk/listing/one-planning/>  <http://www.essexlocaloffer.org.uk/sites/default/files/Worried%20about%20behaviour%20...%20where%20to%20start.pdf>  Work with the SENCO to ensure repeated behaviours that are resulting in sanctions are not a result of an unmet SEND need.  Ensure CYP is being planned for at the right/ appropriate level of challenge to their learning ability  Use the school’s behaviour policy and monitor behaviour, attendance and attainment regularly |
| Inclusion Support Plan ISP is a helpful alternative to an individual behaviour plan or pastoral support plan (PSP)  Try to establish what the CYP is trying to communicate through their behaviour by reflecting on triggers for disengagement and developing strategies to reengage the learner.  It will be important for adults to adopt approach based on curiosity/ enquiry? rather than judgement – wondering what has happened and focusing on causes rather than just behaviour | This should be introduced following internal/ fixed term exclusions or a serious incident.  Review weekly with key adults in school  Record key outcomes.  Work towards agreed outcomes (rather than setting of targets) to ensure the CYP make progress and with the pupil where possible.  Consider further training for staff to support them to understand and reframe the CYPs behaviour such as TPP    Review the wellbeing of staff working with CYP. Any additional support required? Are they the right person/people to support the CYP? The relationship between staff and CYP is key. CYP need adults who can co-regulate empathetically in a planned calm and supportive manner    Review environment for CYP in relation to analysis of the stressors. Are changes required to reduce the stressors and to increase success?    Continually review the plan, if incidents are occurring consider what is required to reduce risk and increase success. This could include intentional teaching, smaller group activities, involving outside agencies, change of key adult/environment. |
| Pastoral Support Plan PSP  The PSP continues to run as the main framework for supporting school settings to reduce permanent exclusions  **Have you considered holding a Team around the Family meeting?**  **If you would like support with this email** [**TAFSO@essex.gov.uk**](mailto:TAFSO@essex.gov.uk) | Introduce if the CYP is at risk of PEX.  Outline the support offered. Frequently meet with parents/carers to review progress. Set achievable goals towards an acceptable outcome over an agreed time period. *Ensure that this support is included in the one planning this could be as an append​ix.*  Record key outcomes and actions/review. |
| **When thinking about the next steps consider the following** | |
| Check the data (attendance, exclusions, behaviour points) are there any themes and/ or patterns– what are they? |  |
| Can you identify any triggers/stressors through patterns? (lessons, staff, time of the day, social times) |  |
| Listening to and consulting with the CYP; Is there a timeline of incidents that supports the CYP to begin to understand and manage their behaviours?  How has the CYP been supported to reflect upon their behaviours and their consequences?  Have they been offered support from a mentor (trusted key adult)?  Have they been able to communicate concerns? If not, why not? (Thinking about the high level of exclusion for CYPs with SEND,poor communication and language skills area barrier and there is strong research evidence in this field) |  |
| Does the CYP’s file highlight a history of need? (specifically, social, emotional issues) potentially identified from nursery/change in key stage or multiple setting transfers? |  |
| Have events occurred in the CYP’s life that may help the adults to understand the behaviour (this links to pupil interview/ consultation). Within TPP it is recommended that adults should always ask ‘Why? / Why now?’ in response to behaviours. |  |
| Has the Essex Provision Guidance been used as a reference for identifying barriers to engagement in learning?    <http://www.essexlocaloffer.org.uk/wp-content/uploads/2016/11/Provision-Guidance-v3.pdf> |  |
| Have you used the guidance for Understanding and Supporting Behaviour - Safe Practice for Schools?  [https://schools.essex.gov.uk/pupils/Safeguarding/Documents/Understanding%20and%20Supporting%20Behaviour%20-%20Safe%20Practice%20for%20Schools%20-%20Summer%202020.pdf](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fschools.essex.gov.uk%2Fpupils%2FSafeguarding%2FDocuments%2FUnderstanding%2520and%2520Supporting%2520Behaviour%2520-%2520Safe%2520Practice%2520for%2520Schools%2520-%2520Summer%25202020.pdf&data=02|01||e70f7f5c35be4d97226d08d7f65fdb82|a8b4324f155c4215a0f17ed8cc9a992f|0|0|637248765180606998&sdata=1yBB9JK3EdrFisoZ17iFvHNCCaxDxbJThTIV8scX6qU%3D&reserved=0) |  |
| Have any diagnostic assessments been used to identify any needs or areas of development?  Using assessments including Boxall or Strengths and Difficulties Questionnaire (SDQ)? Anxiety mapping or Thrive? Spence Anxiety Scale? | Put together a comprehensive behaviour plan that can be applied consistently by anyone who has contact with the CYP including LSAs MDAs and sports coaches. (Remember your IP or EP can support you with this) |
| Is the CYP in a group vulnerable to underachievement i.e. LAC, PPG, SEN, EAL, CIN or Child Protection.  What strategies have been put in to overcome any barriers? Does the child have a sense of belonging in school? |  |
| Have you considered an Early Help Assessment for this CYP?  <https://www.essexeffectivesupport.org.uk/early-help/>  What was the outcome? |  |
| Is the school’s behaviour policy or policy to support Emotional Wellbeing being used consistently to support the CYP (to include reasonable adjustments)  Does the behaviour policy or policy to support Emotional Wellbeing match a CYP with this level of need and offer them the support that is helpful?    Are the policies allowing for restoration and reflection following incidents? |  |
| What external issues may be affecting the learning at this time (e.g. significant family events, bereavement, parental separation – have they been exposed to Adverse Childhood Experiences (ACE’s) – remember that adverse external experiences can be overcome in school if the school is able to ensure that the feelings of the child are supported in school rather than affirmed.  Are there any historic issues that may now be affecting the CYP?  Is there a need to involve additional agencies or increase therapeutic support? |  |
| Have you contacted EWMHS Single Point of Access (SPA) – 0300 300 1600 – highlighting areas of concern (mental health, poor low esteem, negative thoughts, anxiety, fight or flight responses rather than for behaviour) |  |
| **Helpful approaches** | |
| Use Trauma Perceptive Practice co-regulation (or Essex Steps de-escalation strategies). |  |
| Using a risk assessment to support for the CYP, staff and other learners? How often is this reviewed? |  |
| Have you tried a personalised timetable to reduce the number of incidents? What does this look like? |  |
| Have you worked with the CYP to RAG rate their timetable and provided support to address the areas of concern? |  |
| Have you looked at incentives that are meaningful and relevant to the CYP? |  |
| Has a reduced timetable been explored with the parents? If agreed, has the Local Authority been informed?  Exception reporting –  <https://schools.essex.gov.uk/pupils/Education_Access/Pages/Provision.aspx>  **Schools must ensure guidelines are followed and safeguarding arrangements are in place** |  |
| Have you discussed the CYP’s with your Inclusion Partner/Educational Psychologist? Concerns with these professionals should be raised as soon as possible so solutions can be sought. |  |
| Have you discussed the CYP’s current provision with your Inclusion Partner, Educational Psychologist or referred for an assessment? |  |
| What attachment based interventions are available to support the CYP? |  |
| Would the CYP benefit from therapeutic invention?  Has the CYP been referred for counselling?  Have you used the Emotional Wellbeing Portal for Schools?  <https://schools.essex.gov.uk/pupils/Emotional_Wellbeing_and_Mental_Health_Information_Portal_for_Schools/Pages/default.aspx> |  |
| Is there a key adult in place for the CYP to offer daily contact and support?  How is progress discussed and rewarded?  How are successes communicated with parent/carers and other school staff effectively?  Where is this information recorded?  *How are key staff working with the CYP being supported? Do the adults have the training and support they need?* |  |
| Is there a need for restorative justice to move a relationship forward?  <https://schools.essex.gov.uk/pupils/Anti-bullying/Pages/Responding-to-bullying.aspx> |  |
| How is the CYP developing their independence to manage their emotions?  What support is in place for developing emotional literacy and self-regulation strategies? |  |
| **For Young people aged between 8-13** Have you considered a referral into Power?  <https://schools.essex.gov.uk/pupils/Emotional_Wellbeing_and_Mental_Health_Information_Portal_for_Schools/Pages/Promoting-Emotional-Wellbeing-in-School-Settings.aspx> |  |
| **For Primary Aged Children** Have you considered a referral into an SEMH enhanced provision such as GROW? **Has this been discussed with your IP/EP?**  **North-East and Mid**  <http://www.growessex.uk/index.php/referral/referral>  **South**   * The Re-Start Unit (KS2) at Canvey Junior School   [GemmaBurton1@canvey-jun.essex.sch.uk](mailto:GemmaBurton1@canvey-jun.essex.sch.uk)   * The Arc (EYFS and KS1) at Ghyllgrove Community Primary School   [lisapatmore@ghyllgrove.essex.sch.uk](mailto:lisapatmore@ghyllgrove.essex.sch.uk)   * The Atrium (KS2) at Briscoe Primary Academy   [a.cansdale@heartsacademy.uk](mailto:a.cansdale@heartsacademy.uk)   * The Children’s Support Service (CSS).   [Steve.phillips@css-essex.co.uk](mailto:Steve.phillips@css-essex.co.uk)  **West**  [http://www.magnacartaacademy.org/697/phoenix](https://eur02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.magnacartaacademy.org%2F697%2Fphoenix&data=02|01||cb99f9ebf59a4fcfc25e08d7f1bb0579|a8b4324f155c4215a0f17ed8cc9a992f|0|0|637243657854818904&sdata=Lp3fbZwam5nj7XAgciJ7Cm4JFE%2FyrHlBkDztUz1JQ64%3D&reserved=0)  <http://www.growessex.uk/index.php/referral/referral> |  |
| **At each meeting and review point** | |
| Outline what is the data is telling us? |  |
| What are the views of the CYP? Have these been captured via a one-page profile/pupil passport/one plan and updated regularly?  <http://www.essexlocaloffer.org.uk/listing/one-planning/> |  |
| What are the views of the parents/ school staff/ support team/ SENCO/ external agencies (if applicable)– i.e. Family Solutions, DBit, Social Care, EWMHS, SEND Ops, IP, EP, EF, Attendance Specialists, School Nurse, POWER? |  |
| How will the school ensure review meetings enable all parties to have their views heard whilst ensuring the process remains positive and progressive? |  |
| Has an action plan been developed in partnership with the CYP and their wider team? Does the action plan give clear expectations and responsibilities to maximise engagement? |  |
| **Seeking additional support** | |
| Essex SEN local offer  <http://www.essexlocaloffer.org.uk/category/education/> |  |
| Essex Early Help  <https://www.essexeffectivesupport.org.uk> |  |
| Inclusion Partner and Educational Psychologist linked to your school  Trauma Informed Practice – discuss with your link EP/IP |  |
| SEND Operations (SEND Ops)  <http://www.essexlocaloffer.org.uk/listing/send-operations-service/> |  |
| Alternative Provision  Essex Alternative Provision Directory  <https://schools.essex.gov.uk/pupils/Education_Access/Pages/Alternative-Provision-Directory-.aspx> |  |
| **For Secondary Aged Pupils –** Referral into your Pupil referral unit – Positive referral 1,2,3,4  **(Students with an EHC or going through the assessment process should be discussed with Inclusion Partner, Educational Psychologist and SEND Operations and not presented at panel)** |  |
| **For Essex Looked After Children (LAC)**  Please contact Essex Virtual School |  |
| **After each significant incident** | |
| Ensure that all paperwork is complete and added to the CYP’s file. Ensure incidents are recorded factually, emotional/ judgemental language should be avoided. Bullet pointed comment can support brevity and factual accuracy  If identifiable, record potential triggers, behaviours demonstrated and school’s response (in line with school’s behaviour policy) |  |
| Ensure that all involved parties record the incident accurately and impartially and that this information is shared in line with the school’s policy. |  |
| Ensure the young person is provided with opportunities to provide their view on the incident, ensure the young person has time to reflect and learn from what happened using appropriate tools when they are calm, ready and able to do so |  |
| Ensure the young person has opportunities to mend relationships and ‘put right’ the situation when they are calm, ready and able to do so – this may require high level of support from key adults |  |
| Ensure staff who were involved with the incident have time to follow up with the young person to move on from the incident when the time is appropriate |  |

**This checklist should be used as guidance when working with children and young people presenting with persistent disruptive, difficult or harmful challenging behaviour.**

**Helpful Legislation**

**Exclusion from maintained, schools, academies, and pupil referral units in England**

[Exclusion statutory guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

*18. Whilst an exclusion may still be an appropriate sanction, the head teacher should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying.*

*19. Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. The head teacher should also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified SEN but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems7.*

*20. Where a pupil has received multiple exclusions or is approaching the legal limit of 45 school days of fixed-period exclusion in an academic year, the head teacher should consider whether exclusion is providing an effective sanction*

**SEN Code of Practice**

[*SEND code of practice*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

*6.21*

*Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN. Where there are concerns, there should be an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues. If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, may be appropriate. In all cases, early identification and intervention can significantly reduce the use of more costly intervention at a later stage*

***Social, emotional and mental health difficulties***

*6.32 Children and young people may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained. Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.*

*6.33 Schools and colleges should have clear processes to support children and young people, including how they will manage the effect of any disruptive behaviour so it does not adversely affect other pupils. The Department for Education publishes guidance on managing pupils’ mental health and behaviour difficulties in schools*

**Mental Health in Schools**

[*Mental health and behaviour in schools*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools__.pdf)

**Timpson Review of Exclusions**

[*https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/807862/Timpson\_review.pdf*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807862/Timpson_review.pdf)