



Five Rivers Multi Academy Trust

PUPIL EXCLUSION AND RESTRAINT POLICY



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Introduction

At Five Rivers Multi Academy Trust and its academies, we believe that all children have an equal right to access full education and to achieve the very best they can, within their school.

Therefore, the exclusion of a child is regarded as a serious sanction, to be utilised only when other strategies have failed, or in the event of a severe violation of the rules. It is the school's policy to support children to stay in school wherever possible, thus avoiding an external exclusion.

Within our set of rules, we have stated not only the rewards available to children if they behave well, but also the sanctions, or consequences which will arise if they break the rules. These rules make it clear to staff, supply staff, pupils and parents, that every effort is made to encourage children to behave appropriately. However, we accept that, for some children, school presents a challenge and, as such, there may be rare occasions when a formal exclusion from school is unavoidable.

This policy is written in line with statutory DfE guidance, specifically, the most recent update *Exclusion from maintained schools, academies and pupil referral units in England: Statutory guidance for those with legal responsibilities in relation to exclusion, August 2017:*

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

Basic Principles

- The Academy's Behaviour Policy should be adhered to at all times. This outlines the strategies to be used for rewarding and sanctioning children in the classroom and around school.
- This Pupil Exclusion and Restraint Policy comes into effect in the event of serious unacceptable behaviour and / or when a child is in crisis.
- This policy outlines an escalation plan which gives staff several options for managing behaviour in school.
- Exclusions of any type (fixed term or permanent) should be used as an **absolute last resort** and can be approved only by the Principal/Head of School in agreement with the Trust CEO .
- Given the vulnerability of some of our children, staff may, at times, need to use physical restraint or reasonable force when dealing with a child in crisis to ensure the child's safety or the safety of others. This policy also sets out some clear guidelines for the use of restraint.

Use of restraint or physical removal of a child

The physical restraint of a child is to be used in extreme cases only and **as a very last resort**.

Only members of staff, who have received approved training in restraint techniques (currently 'Team Teach'), are normally expected to implement such an action. However all members of staff have the power to use reasonable force to prevent pupils from committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

No member of staff should use restraint unless they have read, and understood, the DfE non-statutory guidance on *Use of reasonable force: Advice for headteachers, staff and governing*

bodies, on the use of restraint (this supersedes Circular 10/98). This gives clear guidance on when, and how, to restrain:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

If a child refuses to leave the classroom when requested to do so, then the following system should be observed:

- send for the Learning Mentor or a member of SLT to attempt to diffuse the situation or remove the child without the need for physical strategies. (This can be done by sending another child with a blue sub card to the appropriate member of staff);
- consider removing the class to another area, whilst ensuring the safety of the child refusing to move;
- do not remove a child physically unless at least one other adult is in attendance – the person physically removing the child should be appropriately trained to do so;
- use the minimum force necessary;
- once the child has been removed from class, the Learning Mentor, SENCO, Den supervisor or a member of SLT, as appropriate, should decide on the appropriate support and / or sanction relevant to the incident. Teachers are asked to be mindful that it is not always appropriate to apply the same sanctions to vulnerable children as we would with other children. For vulnerable children, inappropriate behaviour is often a result of psychological, social or emotional disturbance. The appropriate staff member should put in measures to diffuse the child's anger, which may, at first, appear as though the child is being rewarded. However in these circumstances, it is recognised that sanctions are better put in place once the child is out of crisis.
- Record the incident on the school restraint log and/or CPOMs as soon as possible afterwards. The Pupil Support Officer is responsible for keeping the restraint log up to date.

Escalation Plan

If the school behaviour policy has been exhausted in class (the use of verbal warnings and warning cards) or the child's behaviour is more serious, teachers have a number of options to consider in order to resolve the situation.

Children can exhibit three different categories of behaviour which are unacceptable within their classroom:

Annoying behaviour e.g. humming, whispering, wandering around the room, flicking things, singing, refusing to work, etc.

This should be managed in the classroom in line with the behaviour policy. Persistent sanctions may result in the removal of the child to the Principal/Head of School / Business Manager's Office. Check first to ensure that the Principal/Head of School / Business Manager is in and able to supervise the child.

Disruptive behaviour – stopping other children from working e.g. by taking their property, destroying their work, shouting out, verbal abuse, swearing, teasing, standing on or going under furniture, minor damage to school property, etc.

This type of behaviour should be managed in the classroom in line with the behaviour policy where possible. If the behaviour persists or exacerbates, the class teacher should send the child to the isolation unit. Here, the child will be required to reflect on their behaviour under the supervision of either the Learning Mentor and/or Pupil Support Officer or a member of SLT (as appropriate). This is

classed as an **internal** exclusion. The length of the internal exclusion should not normally exceed half a day and in the event of this decision being taken, the learning support team / Learning Mentor or a member of SLT should notify the parent by telephone.

Internal exclusion is a sanction which should be applied when other strategies have failed and, not as a first resort. It will work as a deterrent only if used sparingly. Some children may actually welcome being excluded from their classroom to avoid doing the work set. Teachers should monitor patterns of adverse behaviour where it might be linked to timetabled activities, and take appropriate action or seek advice from SLT.

Special Needs children with Statements may have an arrangement whereby their Support Assistant takes them out of the classroom briefly, or when they think it is necessary. They should, wherever possible, be subject to the same criteria as other children and, as with other children, annoying or attention seeking behaviour, should be ignored, if at all possible. They should not be made an example of, nor excluded just because a member of staff is available.

Dangerous behaviour – intentional violence of any kind - children using their body or objects to hurt a member of staff or another child, throwing objects with the intention of hurting someone or , damaging something, using classroom equipment in a dangerous manner, e.g. scissors, tools etc., trying to harm themselves, serious damage towards the fabric of the school, or school property, etc.

This type of dangerous behaviour usually occurs only where children have known emotional and or behavioural needs. Most of the time, these children are cared for and nurtured in the Den by trained staff. Transition back to mainstream classes is encouraged for these children once they have acquired the necessary social and emotional support to enable them to access mainstream education. It is in the period immediately after transition when this type of behaviour is most commonly exhibited by children. This is often a demonstration of their frustration or fear of a new routine.

If this happens in class, the teacher should send a blue sub card to the Office. The Office Team will then seek immediate support from the Learning Support Team, a trained member of staff (Team Teach) or a member of the SLT. The child will be supported until they are out of crisis and sanctions agreed, if appropriate.

Issues to consider

- Is the child's behaviour annoying, disruptive or dangerous?
- What else could be tried before excluding the child from class?
- What would internal exclusion achieve?
- Is advice needed on other strategies?
- Is advice needed about this child, in particular?
- Are expectations for this child, and his/her behaviour, realistic and appropriate?

Primary Inclusion Panel

Where a child has been identified as vulnerable and at risk of being excluded, a referral could be made to the Primary Inclusion Panel for further support.

Referrals should be made only when at least 3 of the following 6 factors have occurred, with at least one factor in each group:

Group 1

- the pupil is demonstrating on-going disruptive behaviour, which, if it continues, will almost certainly result in permanent exclusion;
- the pupil's attendance is currently less than 80%, despite having exhausted all the usual school and multi-agency strategies;
- the pupil has had two or more fixed term exclusions.

Group 2

- the pupil is underachieving;
- other positive intervention strategies have been tried and had little effect e.g. In-school support to prevent fixed term exclusion, IEP, behaviour plan support from MAST;
- adaptations to the mainstream curricula and teaching and learning approaches, have had little effect.

Documentary evidence MUST be provided for all above. (The SENCO, Inclusion Lead and Learning Mentor should be used to help with this).

All referrals must be submitted 5 school days in advance of the PIP meeting in order to be circulated to panel members. Documentary evidence and completed checklists must be included.

Please send to: <https://anycommssheffield.avcosystems.com/Login.aspx>

All cases must be presented by the Principal/Head of School or Deputy Head Teacher of the referring school at the panel meeting. In exceptional circumstances, another representative from school may attend with the appropriate level of seniority and awareness of the pupil and family. Further details can be found in the Primary Inclusion Panel Remit papers.

Formal Exclusion from School Procedure

In extreme circumstances, formal exclusion from school may be considered, or implemented. Clearly, this is an absolute last resort.

Where a child's behaviour is consistently giving cause for concern, parents will be involved and, subsequently, a Family Common Assessment Form (FCAF) may be created. Such a plan will include input from all internal and external parties involved with the child and his / her family.

The purpose of the FCAF is to reduce the likelihood of exclusion and it will include clear, measurable targets for the child, with identified review dates. The FCAF is designed to identify actions, in association with other external bodies with whom the family may have, or may require, an involvement

If this strategy is exhausted, then exclusion may be the only option.

It may also be the case that an incident is so severe that instant exclusion is the only reasonable alternative. In such cases, the decision lies with the CEO or the Principal/Head of School, in their absence.

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). The DfE regulations allow the Principal/Head of School to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

Following exclusion, parents are contacted immediately where possible. A letter will be sent by post, giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations as directed in the letter.

A Return to School meeting will be held following the expiry of the fixed term exclusion and this will involve a member of the Senior Management Team and other staff where appropriate.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians.

Records relating to exclusions will be stored confidentially.

The school will follow the Local Authority's practice and principles, and the guidelines of the DfE, in cases of 'fixed- term' or 'permanent' exclusions, details of which can be found in Section 3 of the *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England* document.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences which follows the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour, including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies, and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
 - serious actual or threatened violence against another pupil or a member of staff;
 - sexual abuse or assault;
 - supplying an illegal drug;
 - carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him");
 - arson;
 - behaviour which poses a significant risk to the child's own safety.

The school will involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

Training

It is the responsibility of the Principal/Head of School to ensure that, wherever possible, members of the teaching and support teams are appropriately trained to current standards.

As a minimum, training should be updated every three years.

Complaints & Allegations

In the event that a complaint is made against any member of the school staff in relation to any area covered by this policy, the school's policy on Complaints or Allegations of Abuse from Staff will be followed.

Links with other policies

This policy is to be used in association with all other policies relating to Child Protection, Positive Behaviour, Equal Opportunities and SEND.

Review

This policy is to be reviewed alongside other linked policies, and/or to reflect future directives from the DfE, at least every two years.

Updated: January 2018