



## Children, Young People, Education and Skills (CYPES)

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**Policy:** Positive Behaviour & Exclusions Policy & Practice

**Date:** November 2019 (Updated October 2023)

NB: Please refer to a separate policy for information on Part-Time Timetables for pupils of compulsory school age.

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## Introduction

The education system in Jersey has a central, front line role in supporting pupils' mental health and well-being. Research tells us that pupils with higher levels of emotional well-being have higher levels of academic achievement. The most impactful element in ensuring success is through embedding these aspects in a school culture underpinned by appropriate values.

Conversely, children who present with behavioural difficulties in school are more likely to have experienced emotional, social or academic adversity, and therefore are at greater risk of being excluded from mainstream opportunities.

This overarching policy will support schools in understanding their roles and responsibilities in responding to the full continuum of behaviour and attendance in schools.

The Jersey's Children's Commissioner states:

*'The United Nations Convention on the Rights of the Child (UNCRC) is a legally-binding international agreement which sets out the civil, political, economic, social, health and cultural rights of all children and young people. It also sets out the requirements of government for ensuring that these rights are upheld and realised. The Convention provides a useful and powerful framework to both inform the development of laws, policies and services and monitor the realisation of children's rights.'*

*The voice of the child is a fundamental concept of the UNCRC which underpins all other rights. Article 12 states that children have a right to express their views and have them taken seriously, and where appropriate acted upon in accordance with their age and maturity. The right of the child to be heard applies to all aspects of their life – at home, in school, in healthcare, in play/leisure, in the courts etc.*

*Children's active involvement in decision-making, at different levels, in matters that concern them contributes to their personal development, leads to better decision-making and outcomes, serves to protect children and strengthens accountability'.*

As well as upholding ratification of the United Nations Convention on The Rights of The Child (1989), the Education (Jersey) Law (1999) and The SEN Code of Practice (2017) these policies aim to:

- promote early intervention and the need for a graduated approach
- demonstrate that relationships are at the heart of an excellent school
- prioritise the importance of high-quality staff development opportunities
- value every child and develop a culture of mutual respect in all our establishments
- actively promote evidence-based approaches
- highlight the voice of parent and pupil
- highlight specific considerations for vulnerable pupils
- clarify the relationship between school attendance and behaviour

## Positive Behavioural Support and the Use of Restrictive Physical Intervention (RPI) Policy

This policy encompasses all pupils aged 3-19, and all staff employed by the Education Directorate. The purpose of this document is to:

- encourage a person-centred framework for supporting pupils who exhibit behaviours which could be described as challenging
- enable a framework to support pupils to develop appropriate and socially valid behaviours

- enable staff to discharge their duty of care towards pupils
- ensure the safety of pupils
- ensure the safety of staff (and others) and offer appropriate advice and guidance
- reduce risks associated with challenging behaviour

The policy should be read in conjunction and with reference to other relevant policies as well as the following documents indicative of current good practice principles:

- Children's Act (1989)
- United Nations Convention on the Rights of the Child (1989)
- Human Rights (Jersey) Law 2000
- BILD Code of Practice for Trainers in Physical Interventions, 4th Edition
- Department of Health/Department for Education Reducing the Need for Restraint and Restrictive Intervention. Children and Young People with Learning Disabilities, Autistic Spectrum Disorder and Mental Health Difficulties (2018)
- Health and Safety at Work (Jersey) Law 1989
- RIDDOR 1995
- Physical Interventions and the Law, Lyons Pimor, BILD (2004)
- Department of Health/NIMHE: Good Practice Standards Prevention and Management of Violence and Aggression (2004)
- Lone Workers Policy 2013
- The Jersey School Review Framework
- The school's respective behaviour policy

*Please be aware that while UK policies and guidance are not applicable in Jersey, the principles and guidance within them are indicative of best practice.*

## **Positive Behavioural Support**

All schools and settings where the Positive Behavioural Support and Use of RPI Policy guidance applies should follow the set of key actions described below. These are based on evidence-based practices which work well in supporting children and young people with challenging behaviour.

### **A Clear Policy**

All schools and settings will need to ensure policies on behaviour and physical intervention are consistent with relevant statutory duties and/or related guidance and standards. Policies should be developed with regard to RPI strategies outlined in this policy. It is good practice, and in some cases a legal requirement (in bold), for policies to set out:

- the measures taken to encourage effective communication and positive behaviour, including adjustments to the environment which help to reduce stress and anxiety and the potential for challenging behaviour. This should include the way staff interact/communicate with children and young people
- how support is provided for those whose behaviour challenges – including strategies for prevention, de-escalation or diffusion which can avert and reduce the need for RPI, and the development and regular review of support plans for individual children and young people
- how children/young people and parents/carers and other agencies are involved in supporting positive behaviour (including for e.g.) individual support plans.
- **those circumstances in which it may be appropriate to use RPI**
- how staff are trained in supporting positive behaviour, assessing and managing risk, and using RPI appropriately where necessary, including how training is maintained and reviewed
- arrangements for reporting and recording use of RPI

- arrangements for providing support (emotional and, where necessary, medical) to children and young people and staff following use of RPI
- arrangements for monitoring the use of RPI
- details of how the behaviour policy will be reviewed, evaluated and where necessary amended.

### **Accountability**

Arrangements should include recording, monitoring and review. Provided schools should record all data on SIMS as an event. An analysis of the use of RPI in schools should be used to consider future measures to avoid incidents which could lead to its use. This should inform risk management of individual pupils.

Schools and settings should consider identifying a lead person at governing body and/or senior leadership level with responsibility for their behaviour policy, including any specific programmes to reduce inappropriate RPI.

### **Evidence Based Approaches**

Staff should be trained in effective behaviour strategies. This should include the use of consistent management plans for individual children and young people with challenging behaviour. It is important that strategies are kept under review so that changes can be made based on evidence of what has worked and what has not worked in practice.

### **A Framework for Positive Behavioural Support**

The term positive behavioural support is used here to describe a framework for understanding the context and meaning of behaviour and developing interventions to support individual children and young people. The quality of assessment, intervention and review underpinning it is key to success. It should, wherever possible, include involvement of the child/young person and their family or advocates. Examples of successful positive behavioural support are given in the appendix.

The graduated approach is central to this. Approaches using the positive behavioural support framework typically involve:

- person-centred planning – assisting the child/young person to develop personal relationships and for staff to understand them as individuals
- skilled assessment – to understand why a child/young person presents behaviours that concern or challenge; what predicts their occurrence or causes the child/young person to continue presenting them or regularly reverting to them. This can help to identify areas of unmet need
- consistent management plans – to describe how the child/young person is to be supported, addressing aspects of their environment which they find challenging and support to help them develop strategies to better meet their own needs

Schools should ensure that at least one member of teaching staff is trained in writing a Consistent Management Plan (see **Appendix 1**. Please enquire with SEMHIT who offer training in this area).

It is important to emphasise that support needs to be positive and therefore it is not acceptable, and against UNCRC requirements and in some cases Jersey Law, to:

- physically punish a pupil or to verbally threaten to do so, this includes the use of physical interventions
- deprive pupils of food or drink
- shout in anger
- display aggressive verbal or non-verbal actions or behaviours
- direct a parent or family member to impose sanctions against a pupil

- use demeaning tasks or punishments such as wearing inappropriate clothing
- withhold medical treatment
- conduct personal body searches (where significant concern exists a senior manager should be contacted, or support of the police should be sought)
- lock a pupil in a room or prevent them from leaving a room (except in very extreme situations of high risk)

## Training and the Development of Staff

Training and development play a crucial role in promoting positive behaviour. They enable staff to develop the understanding and skills to support those whose behaviour challenges. Please see the Inclusion and Early Intervention Training Offer to Schools for further information.

Training should be tailored to take account of the needs of the child/young person being taught and/or cared for and to the role and specific tasks that staff will be undertaking. Training should be designed to meet the requirements of the staff team members, so that they are equipped with the necessary skills to undertake their duties safely and will form part of the school's training cycle.

The Education Directorate has an ambition that all employees are trained in understanding risk, personal safety and communication styles, preferably as part of their induction to the school or setting. This training would include de-escalation, guiding and disengagement techniques. The preferred training for this is **MAYBO (accredited) Positive Behavioural Support** (previously referred to as Level 1). In order to remain current, this training must be repeated every **24 months** and the Head teacher is responsible for ensuring that all staff have been adequately trained.

When a safer handling plan is required, **staff should only use MAYBO (accredited) De-escalation and RPI** techniques. In these circumstances staff are required to attend individualized MAYBO courses on Safer Handling Techniques and as part of this demonstrate competence in the techniques being taught. This training must be repeated every **12 months**.

The Education Directorate will monitor the use of, and training on, positive approaches to behaviour and RPI across all schools. This information will be reported in the annual statistics and shared with the Directorate's SMT.

## The Use of Restrictive Physical Intervention (RPI)

The following underpinning principles apply for the use of RPI in schools and settings:

- the use of force should, wherever possible, be avoided. It may not be used as a punishment
- there are occasions when the use of force is unavoidable
- when force is unavoidable, it must be used in ways that maintain the safety and dignity of all concerned
- RPI should only be used in the context of wider behaviour policies and procedures which promote positive behaviour. There are occasions when RPI is unavoidable and is used in response to the risks presented in a particular situation. RPI should only be used when there is no alternative, less intrusive, course of action

## Appropriate Use of RPI

RPI should only be used in very extreme circumstances. Jersey Law states this would include preventing a pupil from doing or continuing to do any of the following:

- committing any offence
- causing personal injury or damage to property

- prejudicing the maintenance of good order and discipline, whether during a teaching session or otherwise

The most usual circumstances where reasonable force might be used is when a pupil's behaviour is likely to cause personal injury or serious damage to property.

Members of staff should be very cautious about the use of force in other circumstances and remember that force should only be used as a last resort and in line with the legal considerations and principles above.

Staff should also be aware that a restriction of personal freedom is also a physical intervention. It is illegal to lock a pupil in a room or to prevent them from leaving a building except in very extreme circumstances of high risk that are unforeseen.

## **Legal Considerations**

A duty of care is imposed on staff. They must therefore take reasonable care to avoid acts or omissions which may cause harm. This duty of care applies to all employees of the Education Directorate and they remain personally responsible and accountable for their actions at all times.

Members of staff should not be required/advised to carry out any form of RPI outside legal/policy guidelines which will put themselves at risk legally or otherwise.

The Education Directorate, in turn, owes a duty of care as an employer to those professionals in its employment and offer appropriate training and guidance. It recognises that at times they may face situations where they have to make a judgement about the use of RPI. Employees have the right to defend themselves and/or others from harm and where they decide to do this, they must not use a disproportionate level of force.

## **Terminology**

A number of terms can be used interchangeably (and inaccurately), however for the purpose of this policy the following definitions apply:

- *Non-restrictive physical intervention* is manual guidance, for e.g., to assist a pupil in crossing the road safely
- *Restrictive physical intervention (RPI)* would include holding a pupil's hand to prevent them from hitting another pupil. This policy applies to the use of restrictive physical interventions and in no way comments on appropriate therapeutic or appropriate support given to assist pupils in given daily tasks. This policy does not make reference to the use of mechanical restraint nor should any form of mechanical restraint be used
- *Unplanned (emergency) physical intervention* refers to the use of force, which occurs in response to unforeseen circumstances. There are occasions when the use of RPI is unavoidable in response to the risks presented in a particular situation. However, the scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause
- *Planned intervention* refers to the use of RPI using pre-arranged physical skills detailed in a support plan and based upon a risk assessment. This will always be accompanied by alternative behavioural approaches aimed at supporting the development of socially valid behaviour

## **Physical Intervention and Associated Risks**

It is important to highlight that a level of risk is associated with any form of physical intervention. For this reason, it should be avoided wherever possible. High levels of risk are associated in particular with:

- taking a pupil to the floor or holding them on the floor
- restricting breathing
- bending, flexing or holding over the joints
- pressure on the neck, chest abdomen or groin area
- mechanical restraint (this policy does not address this, and it will not be supported within the Education Directorate)

*Employees of the Education Directorate should only employ physical intervention techniques in which they have received training from MAYBO trainers.*

## **Who Can Use RPI and When**

The term RPI covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils. School staff should always try to avoid acting in a way that might cause injury. It is acknowledged that in extreme cases it may not always be possible to avoid injury as an accidental consequence of the intervention.

All staff might use RPI to maintain safety in an emergency whilst being aware of the principles of Jersey Law. It is important, however, to distinguish between the use of RPI in planned circumstances as compared to an unplanned, emergency situation.

## **The Use of Unplanned RPI**

In an unexpected, emergency situation, the member of staff must make an immediate assessment of risk and act accordingly to maintain the safety of all involved. The procedures outlined in this policy for recording the incident, informing parents, providing support for those involved and future risk assessment should all be followed. School and setting staff will not be expected to act in a way which puts themselves at risk of injury. It will be helpful for staff if the response to unplanned incidents is considered in the school's annual staff training on RPI.

## **The Use of Planned RPI**

When pupils present with particularly challenging behaviour it is helpful to generate a Consistent Management Plan (**Appendix 1**) which outlines:

- communicative function of the behaviour
- the environmental changes to be made
- new skills to be taught
- how these will be reinforced
- reactive strategies
- if the pupil's behaviour presents a significant risk, *RPI may be identified as one of the reactive strategies*

## **Risk Assessment**

When it is likely that a pupil's behaviour may necessitate the use of RPI as one of the reactive strategies a risk assessment MUST be carried out (see **Appendices 2 and 3**).

## **Positive Handling Plan**

When the management/behaviour plan and risk assessment indicate the likely need for school staff to hold or physically intervene with a child/young person to prevent an injury, the school should record this in a Positive Safer Handling Plan (PSHP) (**Appendix 4**). The information in the risk assessments will help to inform this plan which will outline:

- who has been consulted about the plan?
- the type of physical intervention to be used
- which adults are authorised to use this intervention?



- parental consent for the plan
- Head teacher authorisation for the plan

The recommended format for a Positive Safer Handling Plan is included in **Appendix 4**. A pictorial copy of the Handling Plan will also be provided by the SEMHIT. Handling plans should be reviewed on a monthly basis with SEMHIT to assess whether they need updating or are no longer required. This will also provide an opportunity to practice RPI skills.

When a handling plan is needed, all named staff must be trained in MAYBO accredited RPI techniques. Staff will be responsible for maintaining the level of skills acquired within training and ensuring the skills are updated as appropriate. Employees should not informally share techniques or engage in adapting techniques in any way following training.

### **Reporting and Recording**

When RPI has been used, whether in a planned or unplanned way, schools should record this within 24 hours using the format in **Appendix 5**. It is necessary to report the use of RPI when using 'escorting' and 'holding' techniques. A copy of this report should be sent to SEMHIT. It is not necessary to report incidents where non RPI techniques are used (e.g., 'guiding' and 'disengagement' techniques), although these should be logged by school (see **Appendix 6**).

### **Informing Parents/Carers**

Parents/carers should always be informed of any incident involving RPI. Parents/carers should be included in any review of a pupil's individual education plan, which follows an incident of RPI.

### **Safeguarding the Welfare of Staff**

Schools and settings have a duty to ensure, so far as is reasonably practicable, that the health, safety and welfare at work of their employees and the health and safety of others is safeguarded. As part of this employers must:

- assess the risks to employees and others (including the risk of reasonably foreseeable violence) and implement steps to reduce these risks
- provide adequate information, instruction, training and supervision
- monitor and review arrangements put in place to reduce the risks to ensure they are effective
- establish transparent processes to acknowledge the hazardous nature of any foreseeable incidents, and of any restrictive interventions

The duty includes risks arising from both violence and the use of RPI.

### **Post-incident Support**

After incidents, the child/young person and the staff involved should be given emotional support and basic first aid for any injuries as soon as possible. Immediate action should be taken to secure medical help for injuries that require other than basic first aid. All injuries should be recorded in accordance with the school or setting's procedures and reported as appropriate to the health and safety officer.

Schools and settings should ensure that appropriate lessons are learned from instances where RPI has been used. This will usually involve de-briefing, post-incident review (see **Appendix 7**) and monitoring of the use of RPI.

The process should consider individual plans and wider policies. Reviews could involve a facilitated staff team discussion about the warning signs of an impending incident, whether

any previously agreed behaviour plans were followed, what de-escalation strategies were used and how effective they were, and what might be done differently in future.

It is good practice to involve the child/young person and, wherever possible, parents/carers, advocates and other relevant representatives in planning, monitoring and reviewing how and when restrictive interventions are used. If the child/young person and parents/carers are not involved this should be documented and reasons given.

As soon as possible after the use of RPI, the member of staff involved should be de-briefed by an appropriate manager to allow for reflection and the manager to deal with the emotions raised by the incident. This would support staff learning and professional development. Children/young people should have separate opportunities to reflect on what happened, and wherever possible a choice as to who helps them with this.

Families of children/young people should also have the opportunity to participate in post-incident reviews – though this may not always be appropriate.

### **Monitoring and Reviewing the Use of RPI**

Schools should use information from reviews to consider improvements to policies and practices, including the school or setting's approach to reducing potential triggers to challenging behaviour or conflict situations. They should take action to change policies or practices where approaches have been used for some time, but they have not been found effective. This process is especially important in schools or settings where children/young people's histories and needs may not be known, or well understood and individual planning is not possible. Schools should consider involving parents/carers, pupils and SEMHIT in this review.

### **Children Looked After**

In any circumstance where a child looked after experiences the use of RPI in a school, someone appropriate and trusted by the child/young person (e.g. the designated teacher, the Virtual School Head (VSH), the child/young person's carer) needs to be involved in the post incident review. Care homes will be trained in RPI and it is essential there is consistency across the two settings. It is highly likely these children/young people will have experienced some form of trauma and therefore a carer who knows and understands the child/young person's needs will provide invaluable information and support with future planning.

In addition, it is suggested that someone who was not involved in the incident should be involved in post-incident reviews to understand from the child/young person's perspective whether the school or setting did not fully understand what was needed, what upset the child/young person most, whether and how staff actions were helpful or unhelpful, and how things could be better in the future.

If there is a pattern of persistent use of RPI, the reviewer should consider, with the child/young person, and as appropriate, their parents/carers and/or advocates, revising their individual support plan.

## **The Use of Exclusion in Schools and Colleges Policy**

### **Introduction**

This policy has been developed to assist head teachers and governors achieve consistently high standards in the management of pupil relationships and behaviour as well as effective partnerships with parents/carers. This means that, while not all the policy has force of statute, there is an expectation that it is followed.

## Scope

The policy applies to all provided schools, including those with sixth forms, and all pupils in them, including those who may be below or above compulsory school age. Non-provided schools are not required by statute to follow this policy. However, they are required to have policies in place which provide pupils and parents/carers with similar rights and expectations in relation to school discipline and the management of behaviour as in provided schools.

These policies should be available to pupils, parents/carers and governors and will be monitored by CYPES Directorate. Throughout the policy the term 'parent' includes anyone who has parental responsibility for, or care of, a child. Where a child is the subject of a care order, Children's Services are entitled to determine to what extent the parents exercise their parental responsibility. Throughout this policy, 'school' generally refers to a school provided by the States of Jersey and includes Highlands College.

## Related Documents

This policy should be read in conjunction with:

- SEN Code of Practice 2017
- Positive Relationships for Positive Behaviour Policy
- Attendance Policy
- Short Stay School Protocol (La Sente document)
- PSP guidelines
- Anti-bullying Policy

## Statutory Requirements

Part 6 of the Education (Jersey) Law 1999 sets out the duties of Head teachers in relation to the management of behaviour and discipline. The Law requires Head teachers to determine what is to be regarded as acceptable behaviour and the measures that shall be taken to manage the conduct of pupils. In doing so Head teachers are required to ensure that any such measures are consistent with any advice and policy provided by the Minister and to make them generally known within the school and amongst the parents of the pupils. The Law also gives Head teachers the power to exclude a pupil from a provided school.

## Defining Exclusion

Exclusion is a disciplinary measure that the Head teacher of a school may use to deal with incidents of serious misbehaviour. There are two types of exclusion:

### 1. Suspension

This is for a specified number of days. The Head teacher may suspend a pupil for up to 5 days at any one time, up to a maximum of 15 days in any one school term. For longer suspensions the Head teacher must obtain the agreement in writing from the Group Director of Education.

### 2. Permanent Exclusion

Permanent exclusion is extremely rare in Jersey. Before a Head teacher can permanently exclude a pupil, they must first obtain the agreement in writing from the Group Director of Education and secondly, if agreed, the agreement in writing of the governing body of the school (where this applies).

## Unlawful Suspensions

If a Head teacher is satisfied that a pupil has committed a disciplinary act and needs to be removed from the school site for that reason, formal suspension is the only acceptable method of removal. 'Informal' or 'unofficial' suspensions, such as sending pupils home 'to cool off' or because they are deemed to be 'unfit for learning' are unlawful, regardless of whether they

occur with the agreement of parents or carers. When a pupil is sent home in response to a breach of discipline, even for a short period of time, *this must be formally recorded as a suspension*. \*Please see SIMS guide for how this is entered.

The law does not allow for extending a suspension when there has been a serious physical assault on a pupil or member of staff. At this point a pastoral support plan (or equivalent) involving school, representative from La Sente, and other professionals as appropriate must be convened by school (within the suspension period), which will enable a placement in the Short Stay School (SSS) for an agreed period of time before the pupil is ready to return to their mainstream setting.

It is not appropriate to suspend or to increase the severity of a suspension for a non-disciplinary reason (for example):

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

In every instance where a pupil is sent home for disciplinary reasons, head teachers should ensure that:

- they are meeting their legal duty of care towards pupils
- parents are formally notified of the suspension
- safeguarding/child protection issues remain paramount

### **Pupils' conduct outside the school gates**

School's behaviour policies should set out what the school will do in response to non-criminal bad behaviour and bullying which occurs off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils. Subject to the behaviour policy, teachers may discipline pupils for:

1. misbehaviour when the pupil is:
  - taking part in any school-organised or school-related activity or
  - travelling to or from school or
  - wearing school uniform or
  - in some other way identifiable as a pupil at the school.
2. misbehaviour at any time, whether or not the conditions above apply, that:
  - could have repercussions for the orderly running of the school or
  - poses a threat to another pupil or member of the public or
  - could adversely affect the reputation of the school.

In all cases of misbehaviour, the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.

### **Preventative Measures**

Below are some measures that can be put into place to support inclusion.

### **Holistic Assessment**

Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early to reduce the need for an exclusion. Schools should give consideration to a multi-agency assessment/co-ordinated early intervention and support that goes beyond the pupil's educational needs. This should be reflected in a plan.

## Before Taking the Decision to Suspend

From a developmental perspective, it would be highly unusual to suspend a pupil in Key Stage 1 (KS1). In a similar manner, consideration should be given to the emotional/ developmental stage of older pupils when suspension is being viewed as an option. Each suspension should consider individual circumstances and should be as brief as possible. Before taking the decision to suspend the following questions should be carefully considered:

- Has Inclusion/other services had meaningful involvement over time and have their recommendations been evidenced and outcomes measured?
- Have wider school policies been followed?
- Has a thorough assessment been carried out to understand the pupil's behaviour?
- Has the incident been provoked e.g. by bullying or because of a relationship breakdown?
- Does the child/young person have special educational needs (SEN); are they Looked After; are they on the Child Protection register; is suspension the last resort?
- Does the seriousness necessitate suspension?
- Does the pupil require additional adult (and/or peer) support or a different approach? If so, who can best provide this?
- Have the views of the pupil/ parents and carers been sought?
- Have parents/carers been sufficiently engaged and supported, both when things are working well and not so well?
- What is the likely impact upon the pupil, and their wider circumstances?
- Have there been opportunities to review the management plan and try a different approach?

## Schools' Responsibilities

While it is acknowledged there is likely to be a need for suspension at times, it should be seen as part of a broader process rather than a complete process in and of itself.

The decision to suspend a pupil for a fixed period should be taken only in response to a significant breach of the school's behaviour policy, where lesser consequences are considered inappropriate. Individual suspensions should be for the shortest time necessary, bearing in mind that suspensions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards.

Evidence suggests that one to three days are often long enough to secure the benefits of suspension without adverse educational consequences. Suspensions should certainly only be for the reasons given in the tariff for suspension (**Appendix 8**), and no longer than recommended. *\*Please note categories from SIMS can only be selected in line with the suspension tariff.*

An exclusion should not be enforced if it puts the safety of the pupil at risk. If efforts to resolve the issue with the parents are unsuccessful the school should contact the Directorate or any other actively involved agency to seek advice and support.

Where the parents/carers of an excluded pupil do not speak or have a good understanding of English, schools should make every effort to ensure correspondence and documentation relating to the exclusion is translated into their home language, and every effort to arrange for an interpreter to be present at any meetings with the parent/carer about the exclusion.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.

## The Head teacher's Role in Suspensions

Only the Head teacher or acting Head teacher (the senior member of staff in the Head teacher's absence) may suspend a pupil. As part of this, the Head teacher must:

- immediately inform the parents/carers, ideally by telephone, of the intention to suspend, reason for the suspension, the duration of the suspension and of their right to either make representation or appeal as appropriate (**Appendix 9**)
- attach to all suspension letters a copy of Suspension from School: Information and 'Advice for Parents', included in this policy (**Appendix 10**)
- ensure that arrangements are in place for work to be set, sent home and marked
- ensure that the information has been logged on SIMS within 24 hours of the exclusion commencing
- If suspended for **up to 2 days**, arrange a 'return to school' interview **no later than the morning of their return date**. If suspended for **3 days or more**, the 'return to school' interview **should take place within the period of suspension**.
- ensure a re-integration plan is in place and that this has been discussed with the pupil, parents and school staff at the return to school interview (on the rare occasion where parents fail to attend, they will be sent a copy of the plan).
- inform the governing body (where appropriate)

Even if the suspension is only for one or two days' duration, schools are expected to:

- continue the pupil's existing involvement in any non-school based learning (for e.g. work experience, college courses) unless there is an evidenced health and safety issue
- provide homework or class work and maintain contact with the pupil (email, phone) on a daily basis. This contact could be with the pupil's keyworker (if one is in place)
- provide a named school contact who can address any concerns

In circumstances where a permanent exclusion is being considered, head teachers will need to demonstrate the active measures previously implemented by school to avoid suspension. The Head teacher should discuss this request with the CEO/ their governing body and provide a chronology of events led by the graduated approach, the pupil's plan containing the assessment of well-being and details of the potential risks to good order in the school and to other children/young people and staff. In making decisions to resolve the suspension all relevant factors will be taken into account.

Where the Head teacher makes a request to school governors or the Group Director of Education for a permanent exclusion, the Education Directorate representative is likely to ask at the review meeting whether the Head teacher had given any consideration to a managed move or short stay school placement. They will also be asking for evidence of (for e.g.) the graduated approach, a management plan, the level of support in place, designated teacher (DT) involvement in the case of a child looked after, level of support for pupils with a Record of Needs (RoN), evidence for suspension and any plans that were subsequently put in place. Head teachers should consider whether or not to inform the police where a criminal offence may have taken place on school premises. The community police should be consulted to help make a decision. Schools should also consider whether or not to inform other agencies. Head teachers should also refer to the [Policy on Involvement of the Police in Schools and Youth Centres](#).

### **Return to School Following a Suspension**

Schools should have a strategy/plan for reintegrating pupils following a suspension, and for managing their future behaviour. It is good practice to consider the use of restorative practice or other restorative approaches that enable relationship repair and prevent future suspensions. SEMHIT are able to support with this process and staff training.

### **Suspension from Special School**

Special schools should have their own policy, where the only reason for suspension is unmanageable risk and, even then, the school would secure other arrangements to ensure statutory schooling is maintained.

## Post-16 Pupils

The statutory requirement for education does not apply to Year 12 and above. Behaviours are expected to conform to those required by employment and reflect an increased responsibility of the pupil to display those aptitudes related to the requirements of the course they are following.

Pupils should be provided with support to assist them in changing their inappropriate behaviour and it is recognised that pupils with SEN/additional learning needs may require specific arrangements.

## The Governing Body's Role

The guidance in this section applies to schools with governing bodies. In schools that do not have a governing body, the Education Directorate acts as the governing body.

For the purposes of carrying out its role, the **governing body should establish a behaviour sub-committee of at least three members which would be a quorum**. This committee should not include the Head teacher or a Parent Governor. Where parents/carers choose to make a representation to the governing body, the behaviour sub-committee should convene to consider the representation within 15 school days.

The governing body's role is to review suspensions imposed by the Head teacher and to consider any representations made by parents/carers. Typically, the governing body **does not** have the power to reinstate a pupil if the suspension **totals 5 days or fewer**, provided that the total number of suspended days in any one term does not exceed 15. It may determine that a suspension was unjustified and record this on the pupil's file. Whether the suspension is considered to be justified or not, the parent's/carers' concerns must be recorded on the pupil's file.

The governing body **does** have the power to reinstate the pupil if the suspension is for **more than 5 days** or more than 15 days in any one term. Where the period of suspension is more than this, the governing body may, on considering a representation from the parents, reinstate the pupil.

The governing body **does** have the power to **reinstate a pupil in relation to a suspension of any duration**, if the pupil is due to take a **public examination** during that period. In such cases the Chair of Governors may take a 'Chair's action' to overturn the suspension if the behaviour sub-committee cannot meet before the exam date. Such suspensions are best avoided, and alternative arrangements made for the pupil to take the exam in a separate place.

The governing body cannot increase the severity of a suspension, for example by extending the term of a suspension or by recommending permanent exclusion in substitution for a suspension. Governors should bear in mind that, in the case of a request for permanent exclusion, any appeal would be heard by an independent review panel established by the Minister that would re-hear all the facts of the case including any fresh evidence. An independent review panel does not have the power to direct a governing board to reinstate a suspended pupil. However, where a panel decides that a governing board's decision is flawed, it can direct a governing board to reconsider its decision.

## The Role of the Education Directorate

As part of their overarching responsibilities the Education Directorate will:

- advise schools in the development of policies relating to behaviour
- designate officers to support governors and head teachers, provide advice and guidance on exclusions and attend meetings following parental concerns or appeals

- provide training for governors, head teachers and senior teachers in the management of exclusions and appeals
- be responsible through the Group Director of Education for considering requests for periods of suspension exceeding 5 days
- ensure that the provision of full-time education for pupils who have been permanently excluded is in place
- collect data on suspension from schools, including the number and timescale at any given time and analyse trends
- respond to this data, putting support in place where required
- report on and investigate changes in suspension trends
- arrange appeals against suspensions of more than 5 days, an aggregate period of more than 15 days in any school term or expulsions
- help schools plan and monitor appropriate interventions
- challenge schools where evidence suggests there are issues in relation to the management of behaviour or the use of suspension

### **The Minister's Role**

The Minister will:

- issue policies in respect of behaviour support, management, and suspension from school
- make arrangements for appeals against permanent exclusion in all provided schools
- order a review by the Group Director of Education if the panel finds that correct procedures have not been adhered to

### **Alternatives to Exclusions**

When a pupil is suspended, the time out of school is an opportunity to start behaviour support planning (including timetable review) ready for a structured programme of re-entry/reintegration, with involvement from both school-based and wider external professionals.

There are a number of steps and actions that an educational setting can take to support pupils and reduce the risk of exclusion. When planning support for pupils it is useful to consider if the following actions/options have been explored:

- curriculum alternatives at Key Stage 4 (including attendance at Highlands College or another form of alternative provision)
- temporary placement in an in-school Learning Support Unit as part of a planned positive programme for pupils
- possible interventions within the school
- allocation of a key worker
- a request to involve IEI
- placement at the SSS
- a managed move
- assessment of special educational needs (which may lead to banded funding support within school or possible placement in a special school)
- In school pastoral support programmes (PSPs)/ similar to oversee interventions in school

### **Internal Suspension**

Schools can use internal suspensions. Such suspensions are served on the school site and are not treated as an external suspension from school. Internal suspensions may be more appropriate in cases where a pupil is subject to a Child Protection Plan, is looked after, or where the Head teacher believes a formal suspension might pose a safeguarding risk. It is still necessary to ensure an individual plan is in place and regularly reviewed to prevent the behaviours from recurring. All internal supervisions should be recorded on SIMS.



## **Managed Moves**

CYPES support all schools in working together to avoid permanent exclusions. In some cases a managed move may be seen as appropriate for a pupil with continuing issues with relationships in school, which could place them at risk of exclusion. It is the Headteachers' responsibility to oversee the process of a managed move and ensure that an education is provided while the young person is on roll and not yet attending a new setting.

A managed move is a formal agreement between two schools, a pupil and their parents/carers. It allows a pupil at risk of exclusion to transfer to another school. The move requires the agreement of the child/young person's parent/carer, the Head teacher of the pupil's school and the Head teacher of the proposed school. A managed move is never an early or first response when a pupil is failing at school because of behaviour. Rather, it should be considered as part of a measured response to supporting their emotional social and behavioural needs. It is likely to be a positive strategy considered during the PSP/ or equivalent process. Secondary Managed moves only apply to Years 7 to 10, it is not considered in the best interests of the young person to move them in a year when they will be completing their GCSEs, as this is likely to negatively impact on their educational outcomes if the Managed Move is unsuccessful.

A managed move may be considered if the pupil has a history of challenging behaviour and other support strategies have not been successful, or if there has been a 'one off' incident which means the pupil would benefit from a fresh start, or if the relationship between the pupil and the school or community has broken down.

This protocol should not seek to put head teachers under any pressure to accept a pupil if they consider that a managed move is not in the interests of that pupil or of others in the school community. Equally, a Head teacher should not feel under any pressure to attempt a managed move, save that it is good practice to consider alternatives in response to a serious breach or persistent breaches of the school's behaviour/relationship policy. The managed move transition period is 12 weeks during which time s pupil will remain on roll.

Please refer to the key action card for Managed Moves (see page 61).

## **Vulnerable Pupils**

As well as having higher rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impact of exclusion. This includes pupils with special educational needs and children looked after. The Head teacher should, as far as possible, avoid permanently excluding any pupil with a RoN, or placing them on a part-time timetable (see page 23). When this does occur, a 'team around the child' meeting should be called to put a preventative plan in place.

## **Children Looked After**

The suspension of a child who is looked after requires serious consideration since suspension may have a significant impact on their home lives and in some circumstances lead to a change in placement because of additional pressures on carers. A Head teacher cannot permanently exclude a child who is looked after. Instead, a multi- agency meeting including the child's social worker and carers, Virtual School Head (VSH), Independent Reviewing Officer (IRO) representatives from IEI/ other agencies should be convened and a plan agreed and alternatives considered.

If a child looked after has escalating behaviours, the designated teacher should schedule a multi-agency meeting, which includes the VSH, within 5 working days to explore possible causes and solutions. This should allow partners the opportunity to review the personal

education plan (PEP) and minimise risks. In most cases it will be appropriate to work through the risk assessment process (see **Appendix 2** of the Positive Behaviour Policy).

### **Pupils with Special Educational Needs (SEN)**

Guidance on identifying, assessing and making provision for pupils with SEN, including those with social, emotional and mental health needs, is given in the SEN Code of Practice 0-19 yrs. Schools must have regard to this policy.

Where a school has concerns about the behaviour/ risk of exclusion, of a pupil with SEN/ a RoN, it should consider what additional support may be required. This should involve assessing the suitability of current and proposed arrangements for a pupil's SEN.

Where a pupil has a RoN, schools should consider requesting an early annual review or interim (emergency) review.

### **Transition**

It is acknowledged that transitions increase stress levels and as such, children who are undertaking a transition such as moving from one-year group to another or into a new establishment may be more likely to show an escalation in behaviour.

Vulnerable children often display more unsettled behaviours prior to or immediately after school holidays. Planning around this could help avoid a situation which will potentially lead to exclusion. Consideration should be given to planning transitions within a prescribed timescale to ensure that effective practice is shared and built upon.

### **Appeals**

In the case of a suspension totalling more than 5 days or an aggregate of 15 days in any one term, parents/carers have the right to meet with the governing body which has the power to reinstate and record on the pupil's file that the suspension was unjustified. If, following a meeting with the governing body, they remain concerned, they have the right to appeal to the Minister.

Appeals to the Minister are heard by a specially convened panel comprising the Minister or a nominated Assistant Minister, an independent member of high standing in the community, a senior member of the Directorate, who has not been involved in the case and a Head teacher, serving or retired within the previous 5 years.

The decision of the appeals panel is final. If at this point parents feel they have not been given a fair hearing, they may take their case to the Jersey Complaints Board. It is entirely up to the Complaints Boards whether or not it accepts the case. On hearing a case, the Complaints Board may request the Minister to reconsider the case.

Pupils over the age of 18 have the right to make representation or appeal on their own behalf.

Whether or not a school recognises a pupil as having SEN, all parents/carers have the right to request the presence of an SEN expert at a review meeting. The SEN expert's role is to advise the review panel, orally or in writing or both of the relevance of SEN in the context and circumstances of the review. For example, they may advise whether the school acted reasonably in relation to its legal duties when excluding the pupil.

### **Parent/Carer Responsibilities**

During a period of suspension, parents/carers are responsible for care arrangements for their children and should ensure that they do not enter school premises or be seen close to the premises unless invited by the school. Ideally, provided the exclusion is justified, the

parents/carers should support the school position by ensuring that the pupil is not present in a public place during school hours unless there is reasonable justification for this. If a parent/carer does not comply with a fixed period exclusion, for example by sending the child to school, or by refusing to collect them, the school must have due regard for the pupil's safety in deciding what action to take.

# Appendices

## Appendix 1 – Consistent Management Plan

### Consistent Management Plan

Pupil Name: DOB:		Class Teacher: School:		Date of plan: Review date:	
Strengths:					
Concerns/functions of behaviours:					
Targets area/need:	(SEMH Interventions) How will it be met?	Who is responsible?	When will it be completed by?	How will you know Target has been achieved?	
1.  Date:					
2.  Date:					
<u>Baseline Behaviours</u>		<u>Positive Reinforcement Strategies (related to Baseline Behaviours)</u>			
<u>Triggers</u>		<u>Primary Preventative Strategies (related to Triggers)</u>			
<u>Rumbling Stage Behaviours</u>		<u>Secondary Preventative Strategies (related to Rumbling Stage Behaviours)</u>			
<u>Crisis Stage Behaviours</u>		<u>Tertiary Reactive Strategies (related to Crisis Stage Behaviours)</u>			
<u>Recovery Stage Behaviour</u>		<u>Secondary Supportive Strategies (related to Recovery Stage Behaviours)</u>			
<u>Post Crisis Depression Stage Behaviours</u>		<u>Support Strategies (related to Post Crisis Depression Stage Behaviours)</u>			

**Record of Unregulated Events / Behaviours**  
**(In weeks since Consistency Plan introduced)**

What happened?	Date/time	Where did it happen?	Who Witnessed it?	What colour/number level did the event reach?	
				rumble	crisis
				0 -----5-----10	
<b>Week 1</b>					
1.					
2.					
3.					
<b>Week 2</b>					
1.					
2.					
3.					
<b>Week 3</b>					
1.					
2.					
3.					
<b>Week 4</b>					
1.					
2.					
3.					
<b>Week 5</b>					
1.					
2.					
3.					
<b>Week 6</b>					
1.					
2.					
3.					

Review of Pupil Interventions Related to Targets

<b>Target need / area</b>	<b>(SEMH Intervention) How will it be met?</b>	<b>Who is responsible?</b>	<b>When will it be completed by? (start date/finish date)</b>	<b>How will you know Target has been achieved? (Starting data/finishing data)</b>
<b>1.</b> <b>Date:</b>				
<b>2.</b> <b>Date:</b>				
<b>3.</b> <b>Date:</b>				
<b>4.</b> <b>Date:</b>				

**N.B. before writing the Consistent Management Plan please refer to Appendix 2 + 3**

**Positive Support Strategies**

- These are generic support strategies to accompany the different stages of the risk reduction model
- These strategies could be included in the Consistent Management Plan.
- This is not a completed list and schools need to be aware that any positive support strategies should be personalised to an individual and therefore appropriate to meeting the pupil's needs.

**Positive Reinforcement Strategies (related to Baseline Behaviours) (MAYBO Risk reduction Model - Primary, secondary and tertiary)**

Reminder of expectations and positive consequences of their choices  
Reminder of choices and take up time to prevent negative consequences of their choice – could be presented in a pupil friendly flow diagram.  
Pupil views sort and co-production of target setting and what helps the pupil.  
Communication passport  
SEMH assessments leading to targeted interventions.  
Opportunities for pupils to be successful within social situations planned and supported by staff.  
Establishing a team of staff around the pupil that meet regularly to plan for success  
Regular staff supervision of this team, working with this pupil  
Opportunities for pupils needs to be met in positive ways rather than through negative behaviours  
Regular pupil pastoral support and feedback  
Establishing and agreeing a Consistent management plan.  
Involving  
Programmatic supports – plan for success.  
School to use preferred learning styles to engage pupil in the curriculum.  
Adapting curriculum arrangements to reflect challenge, choice and structure levels which are appropriate to the pupils assessed learning needs.  
Adapting group arrangements to promote positive peer models and minimise inappropriate contact.  
Adapting furniture and equipment to minimise movement and frustration  
Allow for regular movement breaks, brain breaks and anxiety reducing activities.  
Providing extra staff support at unstructured with peers, transitions at the beginning, during and end of day.

**Primary Preventative Strategies (related to Triggers) (MAYBO Risk reduction Model - Primary, secondary and tertiary)**

Active listening  
Time for reflection in safe places with preferred adults  
Time for reflection away from others  
Verbal advice by preferred adults  
Option of safe places with preferred adults

Humour  
Change of task  
Take up time to allow for good choice to be made by pupil  
Good choices reminder/ bad choice reminder  
Options explained  
Planned ignoring  
Environmental adaptation – place, individuals and situation

**Secondary Preventative Strategies (related to Rumbling Stage Behaviours)**

*(Maybo Risk reduction Model - Primary, secondary and tertiary)*  
*(Maybo Open Palms – position, attitude, look and listen, make space, stance.)*  
  
*(Maybo Safer Model – Step back, assess, find help, evaluate options and respond)*  
Non-verbal reminders  
Providing positive choices  
Time with preferred adults and environments they feel safe in.  
Staff to notice pupils, to be seen.  
Staff to provide safe environment alongside know staff.  
Staff to sooth through emotional connection and empathic approaches.  
Staff to make pupil feel secure through being seen, soothed and providing a feeling of safety.

**Tertiary Reactive Strategies (related to Crisis Stage Behaviours)**

*(Maybo Risk reduction Model - Primary, secondary and tertiary)*  
*(Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful)*  
Physical intervention - to keep them and others safe.  
Agrees key strategies when managing challenging behaviour – through handling plan.  
These reactive strategies to be shared with parents/carers and pupils  
Review meetings of incident to improve practice and learn from experience

**Secondary Supportive Strategies (related to Recovery Stage Behaviours)**

**Support Strategies (related to Post Crisis Depression Stage Behaviours)**



## **Appendix 2 – Risk Assessment of Pupils Experienced as having Behavioural Difficulties**

### **Risk Assessment of Pupils Experienced as having Behavioural Difficulties**

Pupils with SEMH are significantly more vulnerable, fearful and impulsive than their peers. They need to feel safe. To minimise the risk of incidents escalating unnecessarily due to lack of foresight, planning and training, schools should carry out a risk assessment from two perspectives:

- social, emotional and environmental risk assessment; and
- individual risk assessment

#### **Risk Reduction**

Risk reduction should include:

- proactive measures to support the child effectively and prevent difficulties emerging
- early interventions to help the child in difficult situations and avert problems; and
- planned measures to manage the child and others safely, when unavoidable difficulties arise

#### **Social, Emotional and Environmental Risk Assessment**

Identify situations or locations where there is increased risks of incidents happening;

- analysis of past incidents to identify medium to high risk locations
- consult staff and pupils
- decide the appropriate type and level of intervention
- plan the implementation of intervention
- implement intervention plan
- review plan

#### **Individual Risk Assessment**

Where a school is aware that a pupil's behaviour is likely to be experienced as a risk the school should plan its response by:

- consulting the pupil
- consulting the parents
- briefing staff - on the pupils needs and planning and providing for the needs
- managing the pupil – e.g. reactive strategies to de-escalate a conflict (creating containing environments through the use of appropriate interventions)
- planning for difficult situations
- implement plan
- review plan

#### **Checklist of key points:**

1. Draw up written agreements and protocols.
2. Obtain detailed written information on children and young people.
3. Draw up a behaviour management plan which promotes emotional health and well-being.
4. Ensure that the child or young person's methods of communication are understood and recorded.

5. Obtain written consent from parents to the behaviour management plan and the child or young person's communication picture.
6. Provide accredited training to all staff and carers who will be involved in managing behaviour.
7. Allow adequate time for introductory processes.
8. Ensure that there is consistency in the management of the child or young person's behaviour.
9. Ensure systems are in place for staff and carers to record incidents.
10. Review, monitor and record behaviour management through clear and accessible review and monitoring procedures.

[Taken from The Dignity of Risk: National Children's Bureau and Council for Disabled Children 2004]

**Background**

**Pupil name:**

**School:**

**Year group:**

Evidence of need:

Involvement of family:

Other agencies: Assessments, interventions and reviews of progress and need (with dates)

Does the pupil have other difficulties: - Evidence/Assessment date.

(a) Language and communication (0 = little impact, 10 = strong impact)

1	2	3	4	5	6	7	8	9	10

(b) Learning difficulties (0 = little impact, 10 = strong impact)

1	2	3	4	5	6	7	8	9	10

(c) ADHD (0 = little impact, 10 = strong impact)

1	2	3	4	5	6	7	8	9	10

(d) Other – specify (0 = little impact, 10 = strong impact)

1	2	3	4	5	6	7	8	9	10

**Context**

**SEMH pupils are easily affected by social, emotional and environmental factors.**

1. Have strategies to support this pupil been identified?  Yes  No

Please list strategy	Implemented by who
(a)	
(b)	

(c)	
(d)	

3. Have these strategies been implemented and how would you rate their success?

By whom	Strategy	Implemented	Success																																								
	(a)	Rarely                      -                      Often <table border="1"> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table>	1	2	3	4	5	6	7	8	9	10											None                      -                      Effective <table border="1"> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table>	1	2	3	4	5	6	7	8	9	10										
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Other comments:

### Relationships with significant adults

*Pupils with SEMH may have difficulty with attachments to others*

#### Looking for patterns and “safe” strategies

Which adults does the child respond to when calm?

Are these adults in the same room/near the teaching room?

Which adults does the child respond to when beginning to get distressed? Proximity to child?

Can any of the above adults, or others in the school community (including peers) divert and reassure this pupil as they become distressed (diminishing their fears)?

Name of person	Role	Rating of success (0 = very occasional 10 – regular success)																				
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1	2	3	4	5	6	7	8	9	10													

### Promoting secure learning opportunities

List places, activities, people pupil is with when they are most safe, most unsafe.

To achieve this list:

Places	unsafe ← → safe																				
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Which of these lead to most predictable behaviours?

Which activities and places are most helpful to the child when they are distressed?

**Plan of provision to decrease risk**

Can the child's needs now be more accurately described? Please expand:

What promotes the development and progression of this pupil?

Plan for practice to now reduce risks:

School Policies to support implementation

Specific guidance to staff for de-escalation –

*Please attach + evidence*

- **notifying identified staff (verbally/in writing)**
- **and staff willingness/agreement to trial strategies**

Review and feedback/monitoring arrangements (weekly in the first instance).

How easy is it to provide this context?

daily	
for a lesson	
long term	





### Appendix 3 – Risk Assessment to Accompany Individual Pupils

#### Risk Assessment to Accompany Individual Pupils

- This assessment is for students who may need Restrictive Physical Intervention (Holding and Escorting) as part of their Consistent Management Plan.
- At all times staff will be monitoring the environmental risks, from the objects within that environment, the risks presented by individual students and the interaction between all of these elements. This dynamic risk assessment will encourage constant monitoring and reaction to potential risks.

<b>Pupil Name:</b>					<b>D.O.B:</b>						
<b>School:</b>					<b>Is the young person Looked After?</b> yes / no						
Name(s) of assessor(s)					Date Risk Assessment completed:						
Risk Rating				Severity					Action Criteria		
Table of Likelihood		Table of Severity									
5	Almost Certain	5	Fatality		5	5	4	3	2	1	<p><b>25 – 20 Very High</b> These risks are unacceptable. Substantial improvements in risk controls are necessary.</p> <p><b>19-15 High</b> Substantial efforts should be made to reduce risks. Risk reduction measures should be implemented urgently. Activity suspended.</p> <p><b>14-9 Medium</b> Consideration as to how the risks can be further lowered. Risk reduction measures should be implemented as part of a time bonded action plan.</p> <p><b>8-5 Low</b> No additional controls are required.</p>
4	Very Likely	4	Major Injury or illness	Likelihood	4	20	16	12	8	4	
3	Likely	3	Over 3 day injury or illness		3	15	12	9	6	3	

																		Existing controls should be maintained.
2	Unlikely	2	Lost time injury or illness				2	10	8	6	4	2						4-1 Very Low These risks are considered acceptable
1	Very unlikely	1	Minor injury or illness				1	5	4	3	2	1						(Please see additional action criteria notes)

Behaviour/Hazard	Who could be affected	Risk assessment – Evaluating the risk Likelihood x Severity			Controls in place (See Positive Behaviour Approaches for Examples)	New Risk Assessment Likelihood x Severity		
		Likelihood	severity	Risk Assessment		Likelihood	severity	Risk Assessment
1.								
2.								
3.								
4.								
5.								
6.								

#### Appendix 4 – Positive Safer Handling Plan to accompany Individual Students

##### Positive Safer Handling Plan to accompany Individual Students

- When the Consistent Management Plan and Risk assessment indicate the likely need for school staff to use Restrictive and Non-restrictive Physical Interventions.
- Restrictive and Non-restrictive Physical Interventions include: Disengagement, Guiding, Escorting and Holding.
- All staff listed on the plan must have attended up to date training in Maybo Positive Approaches to Behaviour and Safer Handling – **Children** or **Adolescent**
- SEMHIT will offer refresher training on a regular basis to ensure school staff are confident and safe to carry out Restrictive and Non-restrictive Physical Interventions.

<b>Student Name:</b>		<b>D.O.B:</b>	
<b>School:</b>		<b>Is the young person Looked After?</b> yes / no	
Date Safer Handling Plan to be introduced:		Review date:	
List the staff that are authorised by the head teacher to carry out Restrictive and Non-restrictive Physical Interventions:			
People involved in contributing and developing this plan, including the pupil and parents/carers:			
What behaviours may occur which may require the use of N-RPI and RPI.	What preventative measures or positive reinforcement strategies could be implemented? <i>(Maybo Risk reduction Model - Primary, secondary and tertiary)</i>	What de-escalating techniques could be used to prevent the use of N-RPI and RPI? <i>(Maybo Open Palms – position, attitude, look and listen, make space, stance. Maybo Safer Model – Step back, assess, find help, evaluate options and respond)</i>	What types of Restrictive and Non-restrictive Physical Interventions could be used? <i>(Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful) Plus necessary, reasonable and proportionate.</i>
1.			
2.			
3.			
4.			
I, the parent/carer of _____ Have discussed this Positive Handling Plan and agree to _____ Being guided, escorted or held if the staff assesses that there is no alternative for their own safety and the safety of others.		On behalf of the staff of _____ school. I undertake to ensure that we inform the parents/carers of: On each occasion that we have to guide, escort or hold _____ safely.	
<b>Signed:</b>	<b>Dated:</b>	<b>Signed :</b> <b>(Head Teacher)</b>	<b>Date:</b>

Justification for Physical Intervention

Justification for Physical Intervention: Education (Jersey) Law 2017

1. **Committing an offence**
2. **Causing injury, or damage, to a person or the property of any person. (including the person themselves)**
3. **Prejudicing the maintenance of good order and discipline in the school or among pupils receiving education in the school, weather during lessons or elsewhere.**

*(Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful)*

*Plus necessary, reasonable and proportionate.*

Maybo moral and ethical values –

Treat children with respect and dignity. Act in their best interests. Maintain positive relationships. Just because it is lawful doesn't mean its right.

All Physical interventions carry risk of: Physical harm, stress and emotional trauma therefore it is seen as a last resort.

Types of Physical intervention (**Red – children, Blue - adolescent**)

Types of Physical intervention: Non-Restrictive Physical Interventions.

1. **(Disengagement) Self-defence – protecting against assault.**  
(**Open Palms, Roofs and walls, Grab prevention, Active Palms, Cradle off, Strong clothing grab, Bomb shelter exit, Hair grab, Object removal.**)
2. **(Guiding) Non-restrictive**  
(**Shepherding, Supportive prompt.**)
3. **(Guiding) Low level Restrictive**  
(**Cradle guides, Hook and cradle guide and turn, Front and rear shoulder turn, Elbow turn.**)

Types of Physical intervention: Restrictive Physical Interventions

4. **(Escorting) Handling – restrictive**  
(**Hook and interrupter escort, Reverse hook and interrupter escort, Support to floor, Wrap escort, Wrap turn and reverse, Hip hook and turn, Team turn. Cross body escort to be used with adolescents only.**)
5. **(Holding) Handling – restrictive**  
(**Kneeling hook and cradle containment, Containment with hooks, Seated hook and cradle, Wrap hold, Wrap wall recovery Single wrap and hook containment.**)
6. **(Seated and kneeling) Handling – restrictive**  
(**Seated hook and cradle, Seated wrap, Wrap support to ground, Switch kneeling to seated, Re-engagement.**)

Views of pupil

What are the feelings and views of the pupil in relation to the Safer Handling Plan?

## Appendix 5 – Report of an Incident of Restrictive Physical Intervention (RPI)

### Report of an incident of Restrictive Physical Intervention (RPI)

- This form is for recording **Restrictive Physical Interventions (Holding and Escorting)** please send to SEMHIT after completion.
- For recording Non-Restrictive Physical Interventions (Guiding and Disengagement) please use appendix...and keep a record at school.

<b>Student Name:</b>		<b>D.O.B:</b>	
<b>School:</b>		<b>Is the pupil Looked After?</b> yes / no	
Does the pupil have a Safer Handling Plan? (this should only be for unplanned)		Yes/No	If yes - Date it began:                      If no – Date Safer Handling Plan to be introduced: (i.e. contact ~SEMHIT for MAYBO training)
List the staff that are trained in Maybo, Safer Handling - <b>Children/Adolescent</b> PI and are listed on the Safer Handling Plan:			
Justification for Physical Intervention: Education (Jersey) Law 2017 <b>4. Committing an offence</b> <b>5. Causing injury, or damage, to a person or the property of any person. (including the person themselves)</b> <b>6. Prejudicing the maintenance of good order and discipline in the school or among pupils receiving education in the school, weather during lessons or elsewhere.</b> <i>(Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful)</i> <i>Plus necessary, reasonable and proportionate.</i>		Types of Restrictive Physical Interventions if planned: <b>7. (Escorting) Handling – restrictive</b> (Hook and interrupter escort, Reverse hook and interrupter escort, Support to floor, Wrap escort, Wrap turn and reverse, Hip hook and turn, Team turn. Cross body escort to be used with adolescents only.) <b>8. (Holding) Handling – restrictive</b> (Kneeling hook and cradle containment, Containment with hooks, Seated hook and cradle, Wrap hold, Wrap wall recovery Single wrap and hook containment.) <b>9. (Seated and kneeling) Handling – restrictive</b> (Seated hook and cradle, Seated wrap, Wrap support to ground, Switch kneeling to seated, Re-engagement.)	
		Unplanned RPI Describe incident:	
The Incident			
Date/Time of Restrictive Physical Intervention	Duration Start finish/time	Description of behaviour	Justification for Restrictive Physical Intervention (See above grid)
		Types of RPI used (See above grid)	Was the RPI used as part of a Planned Intervention? If yes, please attach Positive Handling Plan.
			Staff Involved with RPI. (Physically or as an observer) Pupil witnesses

Review of Incident of Restrictive Physical Intervention (RPI)

- After completing the **Report of Restrictive Physical Intervention** (Holding and Escorting) please send to SEMHIT.
- The school and SEMHIT should review the Incident using the following format. It is current policy and good practice for schools/staff to review any incident that involves an RPI.

**Post-incident student and staff supports**

<p><b>Did pupil or staff require first aid or admission to hospital?</b> Where individuals monitored during and after the event? Please describe any injuries sustained.</p>	<p><b>How the pupil and staff were supported after the incident?</b> How the pupil was supervised and supported after the incident of RPI? How were staff supervised and debriefed, appropriate to the individual's needs?</p>	<p><b>How the pupil/staff conflict was resolved and if appropriate were restorative processes used?</b> How the feelings of those were involved heard?</p>	<p><b>What training needs have arisen as a result of the incident?</b> What organisation changes could be made to reduce the chance of RPI occurring again?</p>

**Review of incident**

<p><b>Antecedents or build up leading to the need for RPI.</b> What triggered the behaviour? (<i>Maybo POPS - Person, Object, Place, Situation</i>)</p>	<p><b>What de-escalating techniques were used prior to the RPI?</b> (<i>Maybo Open Palms – position, attitude, look and listen, make space, stance.</i>) (<i>Maybo Safer Model – Step back, assess, find help, evaluate options and respond</i>)</p>	<p><b>What was successful about the management of the incident and the staff responses?</b> (<i>Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful</i>)</p>	<p><b>What could change to reduce the chances of RPI from being used again?</b> (<i>Maybo Risk reduction Model - Primary, secondary and tertiary</i>)</p>

## Appendix 6 – School Log of Non-Restrictive Physical Interventions (N-RPI’s) for an Individual Pupil

### School Log of Non-Restrictive Physical Interventions (N-RPI’s) for an Individual Pupil

- This Log is to be used for recording **Non-Restrictive Physical Interventions (Guiding and Disengagement)**
- SEMHIT will review this information termly and/or if the school feel they need support to reduce the number N-RPI’s.
- For Restrictive Physical Interventions (Holding and Escorting) please complete **appendix 5** and forward copy to SEMHIT.

<b>Pupil Name:</b>				<b>D.O.B.</b>			
<b>School:</b>				<b>Is the young person Looked After?</b> yes / no			
Does the pupil have a Safer Handling plan? Yes/No				If yes - Date it began:		If no – Date handling plan to be introduced:	
List the staff that are trained in Maybo, Safer Handling - <b>Children/Adolescent</b> PI’s <b>and</b> are listed on the Safer Handling Plan:							
Justification for Physical Intervention: Education (Jersey) Law 2017 <b>7. Committing an offence</b> <b>8. Causing injury, or damage, to a person or the property of any person. (including the person themselves)</b> <b>9. Prejudicing the maintenance of good order and discipline in the school or among pupils receiving education in the school, weather during lessons or elsewhere.</b> <i>(Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful)</i> <i>Plus necessary, reasonable and proportionate.</i>				Types of Physical intervention: Non-Restrictive Physical Interventions. <b>10. (Disengagement) Self-defence – protecting against assault.</b> <i>(Open Palms, Roofs and walls, Grab prevention, Active Palms, Cradle off, Strong clothing grab, Bomb shelter exit, Hair grab, Object removal.)</i> <b>11. (Guiding) Non-restrictive</b> <i>(Shepherding, Supportive prompt.)</i> <b>12. (Guiding) Low level Restrictive</b> <i>(Cradle guides, Hook and cradle guide and turn, Front and rear shoulder turn, Elbow turn.)</i>			
Date of Non-restrictive Physical Intervention	Duration Start finish/time	Justification for N-RPI (See above grid)	Types of N-RPI used (See above grid)	Staff Involved with N-RPI	Line manager informed	<b>Review of incident.</b>	
						Antecedents or build up leading to need for N-RPI	What could change to reduce the chances of N-RPI’s from being used again?
1.							
2.							
3.							

## Appendix 7 – Review of Incident of Restrictive Physical Intervention (RPI)

### Review of Incident of Restrictive Physical Intervention (RPI)

- After completing the **Report of Restrictive Physical Intervention** (Holding and Escorting) please send to SEMHIT.
- The school and SEMHIT should review the Incident using the following format. It is current policy and good practice for schools/staff to review any incident that involves an RPI.

#### Post-incident student and staff supports

<p><b>Did pupils or staff require first aid or admission to hospital?</b> Where individuals monitored during and after the event? Please describe any injuries sustained.</p>	<p><b>How the pupil and staff were supported after the incident?</b> How was the pupil supervised and supported after the incident of RPI? How were staff supervised and debriefed, appropriate to the individual's needs?</p>	<p><b>How the pupil/staff conflict was resolved and if appropriate were restorative processes used?</b> How the feelings of those were involved heard?</p>	<p><b>What training needs have arisen as a result of the incident?</b> What organisation changes could be made to reduce the chance of RPI occurring again?</p>

#### Review of incident

<p><b>Antecedents or build up leading to the need for RPI.</b> What triggered the behaviour? (<i>Maybo POPS - Person, Object, Place, Situation</i>)</p>	<p><b>What de-escalating techniques were used prior to the RPI?</b> (<i>Maybo Open Palms – position, attitude, look and listen, make space, stance.</i> (<i>Maybo Safer Model – Step back, assess, find help, evaluate options and respond</i>)</p>	<p><b>What was successful about the management of the incident and the staff responses?</b> (<i>Maybo SEAL test – response was Safe, Effective, Appropriate and Lawful</i>)</p>	<p><b>What could change to reduce the chances of RPI from being used again?</b> (<i>Maybo Risk reduction Model - Primary, secondary and tertiary</i>)</p>



## Appendix 8 – Recommended Suspension Tariff

<b>RECOMMENDED SUSPENSION TARIFF</b>				
* a single suspension of more than 5 days or an aggregate of more than 15 days in any one term requires advance authorisation from the Group Director or nominee				
* Categories below are the only valid reasons for suspension. Only these categories can be selected from SIMS list				
<b>BEHAVIOUR</b>	<b>1 to 2 days</b>	<b>From 3 to 5 days</b>	<b>Up to 10 days*</b>	<b>Up to 15 days*</b>
Failure to follow school rules	Not following legitimate instructions of staff in line with the school's behaviour policy			
Verbal abuse to staff or another pupil	Verbal abuse Personalised and Serious swearing/ abuse directed at a member of staff. Verbally abusing other pupils	NA	NA	NA
Property	Minor damage to property – vandalism	Minor criminal offence in which the Police <u>may</u> be involved (e.g. theft, damage with considerable cost)	Extensive damage to property	NA
Physical assault on staff or another pupil, sexual misconduct	Fighting/ threatening behaviour not leading to injury. Sexual harassment	Assault by one or more pupils on another	Offences which will be reported to the police. The possession of offensive/ dangerous weapons or replicas of such weapons. Serious assault leading to injury	Using or threatening to use an offensive weapon. Serious physical assault leading to injury requiring medical treatment. Sexual Assault
Dangerous behaviour, bullying	Dangerous behaviour that could harm the education or welfare of self or others in the school	Dangerous behaviour that would or did harm the education or welfare of self or others in the school	Extortion - demanding money with menaces. Serious and repeated bullying	Persistent and defiant misbehaviour including bullying which could include racist or homophobic elements. Such behaviour persisting despite extended support programme in conjunction with IEI & agencies, and detrimental to the welfare of the school community
Drugs/ Smoking/ Vaping	Smoking on site	Possession of illegal drugs -first offence	Second offence of possession of illegal drugs	Selling illegal drugs to other

## Appendix 9 – Model Letters

### MODEL LETTER 1

*From a head teacher notifying parent/carer of a fixed period exclusion of up to five school days in total in one term.*

Dear **[parent/carer's name]**,

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The suspension **[begins/began]** on **[date]** and ends on **[date]**. I realise that this may be upsetting for you and your family, but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended because **[reason for exclusion]**.

You will be responsible for care arrangements during this time and it will be helpful if you can ensure that your child is not present in a public place in school hours on **[specify dates]** unless there is reasonable justification for this. Your child must not enter school premises or be seen close to the premises during this time unless invited by the school.

We will set work for **[child's name]** to be completed during the period of their exclusion. I would be grateful if you could ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make a representation against this decision to the **[insert governing body or Education Directorate if the school does not have a governing body]**. If you do wish to, please contact **[name of contact]** on/at **[contact details – address, phone number, email]** who will arrange for your concerns to be reviewed within 20 school days.

Normally, **[the governing body/department]** does not have the power to reinstate a pupil if the suspension totals five days or less, provided that the total number of suspended days in any one term does not exceed fifteen. The **[governing body/department]** may, however, determine that the suspension was unjustified and record this on the **[child's name]** file. Whether the suspension is considered to be justified or not, your concerns will be recorded on file.

You and **[child's name]** are requested to attend a return to school interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the return to school interview is to discuss how we can best support a successful return to school for **[child's name]**.

Yours sincerely,

## MODEL LETTER 2

*From a head teacher/principal notifying parent/carer of a fixed period exclusion of more than five school days or an aggregate of more than 15 days in any school term.*

Dear **[parent/carer's name]**,

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The suspension **[begins/began]** on **[date]** and ends on **[date]**. I realise that may be upsetting for you and your family, but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended because **[reason for exclusion]**.

During this period you will obviously be responsible for care arrangements and it would be helpful if you could ensure that your child is not present in a public place in school hours unless there is reasonable justification for this. Your child must not enter school premises or be seen close to the premises during this time unless invited by the school.

We will set work for **[child's name]** to be completed during the period of their exclusion. I would be grateful if you could ensure that work set by the school is completed and returned to us promptly for marking.

The Group Director has been required to authorise this exclusion as it **[is in excess of five days / brings the total number of days your child has been excluded from school to more than 15 this term]**. You have the right to make a representation against this decision and/or to meet with **[insert governing body or Education Directorate if the school does not have a governing body]** to discuss your concerns. If you wish to do so, please contact **[name of contact]** on/at **[contact details – address, phone number, email]** who will arrange for this to take place within 20 school days.

The **[governing body/department]** may decide that the suspension was not justified and can reinstate your child or if they have returned to school already, place a record on your child's file stating that the exclusion was unjustified.

You and **[child's name]** are requested to attend a return to school interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the return to school interview is to discuss how we can best support a successful return to school for **[child's name]**.

Yours sincerely,

### MODEL LETTER 3

*Lunchtime Suspension - Letter from the head teacher to parent/carer*

Dear **[parent's/carer's Name]**,

Further to my telephone conversation with you I am writing to confirm that I have suspended **[child's name]** from school during lunchtimes for **[number of days]** school days commencing **[date from]** to **[date to]**

The reason/s for this is/are **[reasons for suspension]**

As this suspension covers the lunchtime period, you are asked to make arrangements for your child's supervision away from the school premises during this time, ensuring that he/she does not return until a maximum of five minutes before the end of the lunch period.

You have the right to make a representation against this decision to **[governing body or Education Department if the school does not have a governing body]**. If you wish to do this, please contact **[name of contact]** on/at **[contact details – address, phone number, email]** who will arrange for your representation to be considered as soon as possible.

An appointment has been made for you to discuss the suspension with **[name of person]** on **[date]** at **[time]**. If this date is inconvenient, please telephone the school to rearrange.

Yours sincerely,

## MODEL LETTER 1 - POLISH TRANSLATION

*From a head teacher notifying parent/carer of a fixed period exclusion of up to five school days in total in one term:*

Drogi **[parent/carer's name]**,

Piszę do Państwa aby poinformować o mojej decyzji zawieszenia **[child's name]** na ustalony okres **[specify period]**. Oznacza to, że on/ona nie mają pozwolenia do uczęszczania do szkoły w wyznaczonym terminie. Zawieszenie w prawach ucznia **[zaczyna się/zaczęło się]** w dniu **[date]** i kończy się w dniu **[date]**. Zdaje sobie sprawę, że ten fakt może zmartwić Państwa i waszą rodzinę, ale decyzja o zawieszeniu **[child's name]** nie została podjęta pochopnie. **[child's name]** został/a zawieszony/a w prawach ucznia ponieważ **[reason for exclusion]**.

W związku z tym w tym terminie opieka nad dzieckiem będzie leżeć na Państwa odpowiedzialności i będzie bardzo pomocne jeżeli upewnicie się Państwo, że wasze dziecko nie przebywa w miejscach publicznych w ciągu godzin lekcyjnych w dniach **[specify dates]** albo że to przebywanie jest przez was usprawiedliwione. Państwa dziecko nie ma prawa przebywać na terenie szkolnym i przyszkolnym i nie może być widziane w pobliżu terenów szkolnych za wyjątkiem przypadku kiedy zostanie wezwane do szkoły.

My przygotowujemy zestaw zadań dla **[child's name]** w czasie jego/jej wykluczenia. Będę zobowiązany jeżeli dopilnujecie Państwo żeby wszystkie zadania zostały odrobione i jak najszybciej dostarczone z powrotem do oceny.

Macie Państwo prawo do złożenia odwołania od powyższej decyzji w **[Radzie Nadzorczej szkoły lub Wydziale Oświaty, Kultury i Sportu jeżeli szkoła nie posiada rady nadzorczej]**. Jeżeli zdecydujecie się Państwo do złożenia odwołania prosimy o kontakt z **[name of contact]** w/przy **[contact details – address, phone number, email]** który/a zorganizuje rozpatrzenie Państwa odwołania w ciągu 20 dni szkolnych.

Zazwyczaj **[Rada Nadzorcza/Wydział]** nie ma mocy prawnej aby unieważnić zawieszenie ucznia, który został zawieszony na pięć dni lub mniej, uwzględniając iż ogólna liczba dni zawieszenia ucznia w jednym semestrze nie przekracza piętnastu. **[Rada Nadzorcza/Wydział]** mogą, jakkolwiek, odnotować w szkolnych aktach **[child's name]** iż kara zawieszenia była nieusprawiedliwiona. W każdym z przypadków czy kara zawieszenia będzie podtrzymana czy zakwestionowana, Państwa uwagi w stosunku do niej będą wpisane do akt.

Państwo i **[child's name]** są proszeni aby uczestniczyć w spotkaniu w sprawie powrotu do szkoły ze mną **[lub, specify the name of another staff member]** at **[place]** w dniu **[date]** o **[time]**. Jeżeli termin spotkania nie jest dogodny dla Państwa prosimy o powiadomienie szkoły najszybciej jak jest to możliwe aby móc ustalić dogodny dla was inny dzień i godzinę. Celem spotkania w sprawie powrotu do szkoły jest przedyskutowanie w jaki sposób możemy najlepiej pomóc **[child's name]** w powrocie do szkoły.

Z poważaniem,

## MODEL LETTER 2 - POLISH TRANSLATION

*From a head teacher notifying parent/carer of a fixed period exclusion of more than five school days or an aggregate of more than 15 days in any school term:*

Drogi **[parent/carer's name]**,

Piszę do Państwa aby poinformować o mojej decyzji zawieszenia **[child's name]** na ustalony okres od **[specify period]**. Oznacza to, że on/ona nie mają pozwolenia do uczęszczania do szkoły w wyznaczonym terminie. Zawieszenie w prawach ucznia **[zaczyna się/zaczęło się]** w dniu **[date]** i kończy się w dniu **[date]**. Zdaje sobie sprawę, że ten fakt może zmartwić Państwa i waszą rodzinę, ale decyzja o zawieszeniu **[child's name]** nie została podjęta pochopnie **[Child's name]** został/a zawieszona w prawach ucznia ponieważ **[reason for exclusion]**.

W związku z tym w tym okresie opieka nad dzieckiem będzie leżeć na Państwa odpowiedzialności i będzie bardzo pomocne jeżeli upewnicie się Państwo, że wasze dziecko nie przebywa w miejscach publicznych w ciągu godzin lekcyjnych w dniach **[specify dates]** albo że to przebywanie jest przez was usprawiedliwione. Państwa dziecko nie ma prawa przebywać na terenie szkolnym i przyszkolnym i nie może być widziane w pobliżu terenów szkolnych za wyjątkiem przypadku kiedy jest wezwane do szkoły.

My przygotowujemy zestaw zadań dla **[child's name]** w czasie jego/jej wykluczenia. Będę zobowiązany jeżeli dopilnujecie Państwo żeby wszystkie zadania zostały odrobione i jak najszybciej dostarczone z powrotem do oceny.

Naczelny Inspektor Wydziału Oświaty, Kultury i Sportu ma obowiązek zatwierdzenia tego zawieszenia, ponieważ **[jest ono powyżej pięciu dni / ogólna liczba dni, które Państwa dziecko było wykluczone ze szkoły jest powyżej 15 dni w tym semestrze]**. Macie Państwo prawo do złożenia odwołania od powyższej decyzji w **[Radzie Nadzorczej szkoły lub Wydziale Oświaty, Kultury i Sportu jeżeli szkoła nie posiada rady nadzorczej]**. Jeżeli zdecydujecie się Państwo do złożenia odwołania prosimy o kontakt z **[name of contact]** w/przy **[contact details – address, phone number, email]** który/a zorganizuje rozpatrzenie Państwa odwołania w ciągu 20 dni szkolnych.

**[Rada nadzorcza/ Wydział Oświaty]** może zdecydować iż kara zawieszenia nie była usprawiedliwiona i tym samym wstrzyma karę lub jeżeli Państwa dziecko już wróciło do szkoły nakaże wpisać zmianę decyzji do akt ucznia stwierdzając że kara wykluczenia była nieuzasadniona.

Państwo i **[child's name]** są proszeni aby uczestniczyć w spotkaniu w sprawie powrotu do szkoły ze mną **[lub, specify the name of another staff member]** at **[place]** w dniu **[date]** o **[time]**. Jeżeli termin spotkania nie jest dogodny dla Państwa prosimy o powiadomienie szkoły najszybciej jak jest to możliwe aby móc ustalić dogodny dla was inny dzień i godzinę. Celem spotkania w sprawie powrotu do szkoły jest przedyskutowanie w jaki sposób możemy najlepiej pomóc **[child's name]** w powrocie do szkoły.

Z poważaniem,

### MODEL LETTER 3 - POLISH TRANSLATION

*Lunchtime Suspension - Letter from the head teacher to parent/carer:*

Drogi **[parent/carer's name]**,

Nawiązując do mojej rozmowy telefonicznej z Panem/Panią piszę aby potwierdzić iż wykluczyłem **[child's name]** ze szkoły podczas przerwy na lunch na okres **[number of days]** dni szkolnych poczynając od dnia **[date from]** do **[date to]**

Powodem/ami ku temu było/ly **[reasons for exclusion]**

Ponieważ powyższe wykluczenie obejmuje przerwę na lunch, jesteście Państwo proszeni aby zorganizować nadzór poza szkołą nad Państwa dzieckiem w tym czasie, zapewniając tym samym że wróci ono do szkoły nie wcześniej niż pięć minut przed końcem lunchu.

Macie Państwo prawo do złożenia odwołania od powyższej decyzji w **[Radzie Nadzorczej szkoły lub Wydziale Oświaty, Kultury i Sportu jeżeli szkoła nie posiada rady nadzorczej]**. Jeżeli zdecydujecie się Państwo do złożenia odwołania prosimy o kontakt z **[name of contact]** w/przy **[contact details – address, phone number, email]** który/a zorganizuje rozpatrzenie Państwa odwołania najszybciej jak to jest tylko możliwe.

Jest uzgodniony termin spotkania Państwa z **[name of person]** w dniu **[date]** o **[time]** aby omówić powyższe wykluczenie. Jeżeli termin spotkania nie jest dogodny dla Państwa prosimy o telefoniczne powiadomienie szkoły aby zmienić termin spotkania na inny.

Z poważaniem,

## MODEL LETTER 1 - PORTUGUESE TRANSLATION

*From a head teacher notifying parent/carer of a fixed period exclusion of up to five school days in total in one term:*

Exmos. [pais/nome do encarregado de educação],

Escrevo-lhes para os informar da minha decisão da suspensão [nome do/a aluno/a] durante um período de tempo fixo de [especificar o número de dias]. Tal significa que durante esse período de tempo, o/a aluno/a, não poderá frequentar a escola. A suspensão [começa/começou] no dia [data] e termina no dia [data]. Compreendo que isto possa ser perturbador para si e para a sua família, no entanto, a decisão da suspensão [nome do/a aluno/a, não foi tomada de ânimo leve. O/A [nome do/a aluno/a] foi suspenso/a porque [motivo de exclusão].

Serão responsáveis por todos os cuidados dos vossos educados durante este período de tempo e seria muito útil se pudessem garantir que o vosso/a filho/a não se encontra presente em locais públicos durante o horário escolar [especificar datas], só se houver uma razão que justifique tal. O/A vosso/a filho/a não deverá entrar nas instalações da escola ou ser visto/a perto das mesmas, durante este tempo, a não ser que seja convidado pela escola.

Marcaremos trabalhos de casa para que o/a [nome do/a aluno/a] faça durante o período da sua exclusão. Agradecia de que se certificassem que o trabalho definido pela escola é feito e devolvido com prontidão, para que seja corrigido.

Têm o direito de se manifestar contra a decisão junto de [corpo governamental ou Departamento de Educação, Desporto e Cultura, caso a escola não possua um corpo directivo]. Se o desejarem fazer, por favor, contactem [nome do contacto] endereço [detalhes do contacto – endereço, número de telefone, email]. Esta entidade tomará as devidas providências para que a vossa manifestação seja analisada durante os próximos 20 dias escolares.

Normalmente, [o corpo governamental/departamento] não tem o poder de reintegrar um/a aluno/a se a suspensão total for de cinco dias ou menos, desde que o número total de dias de suspensão não exceda os quinze dias durante um período escolar. O [o corpo governamental/departamento] pode, no entanto, determinar que a suspensão foi indevida e registar esse facto no processo do aluno [nome do/a aluno/a]. Se a suspensão for ou não considerada justificada, as vossas preocupações ficarão registadas e arquivadas.

Deverão, tal como o/a vosso/a filho/a [nome do/a aluno/a] comparecer, na minha presença, a uma entrevista de regresso à escola a [alternativamente, especifiquem o nome de outro elemento da equipa escolar] em [local] no dia [data] à/às [hora]. Se tal não vos for conveniente, agradecia que contactassem a escola o mais rapidamente possível, para que possamos encontrar uma alternativa adequada. O objectivo desta entrevista de regresso à escola é discutir a melhor forma de apoiar o sucesso de retorno à escola do/a aluno/a [nome da criança].

Com os melhores cumprimentos



## MODEL LETTER 2 - PORTUGUESE TRANSLATION

*From a head teacher notifying parent/carer of a fixed period exclusion of more than five school days or an aggregate of more than 15 days in any school term*

Exmos. [pais/nome do encarregado de educação],

Escrevo-lhes para os informar da minha decisão da suspensão [nome do/a aluno/a] durante um período de tempo fixo de [especificar o número de dias]. Tal significa que durante esse período de tempo, o/a aluno/a, não poderá frequentar a escola. A suspensão [começa/começou] no dia [data] e termina no dia [data]. Compreendo que isto possa ser perturbador para si e para a sua família, no entanto, a decisão da suspensão [nome do/a aluno/a, não foi tomada de ânimo leve. O/A [nome do/a aluno/a] foi suspenso/a porque [motivo de exclusão].

Serão responsáveis por todos os cuidados dos vossos educados durante este período de tempo e seria muito útil se pudessem garantir que o vosso/a filho/a não se encontra presente em locais públicos durante o horário escolar [especificar datas], só se houver uma razão que justifique tal. O/A vosso/a filho/a não deverá entrar nas instalações da escola ou ser visto/a perto das mesmas, durante este tempo, a não ser que seja convidado/a pela escola.

Marcaremos trabalhos de casa para que o/a [nome do/a aluno/a] faça durante o período da sua exclusão. Agradecia de que se certificassem que o trabalho definido pela escola é feito e devolvido com prontidão, para que seja corrigido.

Foi requerido ao Director da Educação, Desporto e Cultura que autorize esta exclusão [superior a cinco dias /cujo total de número de dias em que o/a aluno/a foi excluído/a é de mais de 15 dias durante este período lectivo]. Têm o direito de se manifestar contra a decisão junto de [corpo governamental ou Departamento de Educação, Desporto e Cultura, caso a escola não possua um corpo directivo] para poderem conversar sobre as vossas preocupações. Se o desejarem fazer, por favor, contactem [nome do contacto] endereço [detalhes do contacto – endereço, número de telefone, email]. Esta entidade tomará as devidas providências para que a vossa manifestação seja analisada durante os próximos 20 dias escolares.

O [corpo governamental/departamento] pode determinar que a suspensão foi indevida e reintegrar o/a aluno/a ou se, entretanto, já tiver regressado à escola, fará o registo desse facto no processo do aluno referindo que a exclusão foi injustificada.

Deverão, tal como o/a vosso/a filho/a [nome do/a aluno/a] comparecer, na minha presença, a uma entrevista de regresso à escola a [alternativamente, especifiquem o nome de outro elemento da equipa escolar] em [local] no dia [data] à/às [hora]. Se tal não vos for conveniente, agradecia que contactassem a escola o mais rapidamente possível, para que possamos encontrar uma alternativa adequada. O objectivo desta entrevista de regresso à escola é discutir a melhor forma de apoiar o sucesso de retorno à escola do/a aluno/a [nome do/a aluno/a].

Com os melhores cumprimentos,

**MODEL LETTER 3 - PORTUGUESE TRANSLATION**

*Lunchtime Suspension - Letter from the head teacher to parent/carer*

Exmo./a. [Nome **do pai ou da mãe /Encarregado de Educação**],

No seguimento da nossa conversa telefónica, escrevo-lhe para confirmar de que excluí **[nome da criança]** da escola, durante as horas de almoço, durante **[número de dias]** a partir **[data de início]** até **[data final]**

O (s) motivo (s) desta decisão é/são **[razões de exclusão]**

Dado que a exclusão abrange o período da hora de almoço, pedimos-lhe que tome as devidas providências para que o/a seu/sua filho/a, durante esse tempo, seja supervisionado/a fora da escola e que se certifique de que regressa, apenas, cinco minutos antes de terminar a hora de almoço

Tem o direito de se manifestar contra a decisão junto de **[corpo governamental ou Departamento de Educação, Desporto e Cultura, caso a escola não possua um corpo directivo]**. Se o desejar fazer, por favor, contacte **[nome do contacto]** endereço **[detalhes do contacto – endereço, número de telefone, email]**. Esta entidade tomará as devidas providências para que a sua manifestação seja analisada o mais rapidamente possível

Foi marcada uma reunião com **(nome da pessoa)**, no dia **(data)** à/às **(hora)** para que se possa abordar e esclarecer a decisão da exclusão. Se a data lhe for inconveniente, agradecia que contactasse a escola, para que se possa alterar.

Atenciosamente,

## **Appendix 10 – Exclusion from School, Information and Advice for Parents**

### **Exclusion from School**

#### **Information and Advice for Parents**

##### **FAQ**

##### **What is an exclusion?**

An exclusion is a disciplinary measure that the Head teacher can use to deal with unacceptable behaviour. There are two types of exclusion.

**Suspension** – the young person may be excluded for up to 5 days (maximum of 15 days in any one school term)

**Permanent Exclusion** – in exceptional circumstances the young person will be removed from the school permanently.

##### **When is a decision taken to exclude a young person?**

A decision to exclude a young person permanently should be taken only in response to serious breaches of the school's relationship and behaviour policy and where allowing the young person to remain in school would seriously harm the education or welfare of the young person or others in the school.

A decision to permanently exclude is a serious one and will usually be the final step if the school has tried a range of sanctions and other strategies to improve behaviour. In exceptional circumstances it may be appropriate to permanently exclude a young person.

##### **Who can exclude a young person?**

Only the head teacher or a senior member of staff in the head teacher's absence can exclude a pupil.

##### **What happens to the young person's education whilst they are excluded?**

The school must:

- continue the young person's existing involvement in any non-school based learning (for e.g. work experience, college courses) unless there is an evidenced health and safety issue
- provide homework or class work and maintain contact with the young person via email or phone on a daily basis. This contact could be with the young person's keyworker (if one is in place)
- provide a named school contact who can address any concerns

##### **What support will a young person get if they are excluded from school?**

Schools have a duty of care to support all young people who attend their school. In some cases, the school might recommend that they receive support from an external support service. This will be discussed and agreed on an individual basis and the school will discuss this with you in detail.

##### **How long will a young person be excluded at any one time?**

Up to five days and a maximum of 15 days in any one school term.

##### **What happens if the exclusion needs to be extended?**

In exceptional cases, schools must obtain written agreement from the Group Director and the Governing Body, if the school has one.

##### **What happens if a young person keeps being excluded?**

The school will always explain the reason for the exclusion to you. The school will discuss how they can support the young person and reduce the risk of exclusion.

### **Can a school send a young person home without excluding them?**

Informal suspensions such as sending a young person home to 'cool off' are unlawful. Any exclusion of a young person, even for short periods of time, must follow the formal process including being formally recorded.

### **I don't agree with the exclusion, what can I do?**

You have the right to appeal the exclusion decision. Details about how you can do this are available in the policy.

### **I am a parent/carer and I am unhappy with how the school handled the situation. I want to talk to someone who doesn't work at the school, who can I talk to?**

If as a parent/carer, you have a general complaint about the way the school handled a situation, you can follow the normal school complaints process.

<https://www.gov.je/Education/Schools/ChildsWelfare/Pages/RaisingConcern.aspx>

### **Where can I get a copy of this policy online?**

All Education policies are available at: [www.gov.je/educationpolicies](http://www.gov.je/educationpolicies). The school should also provide copies of all its policies on the school website.

### **How often is the policy updated?**

The policy is updated once a year. The States of Jersey also recommends that school policies like this one, are reviewed with its students e.g. through the student council at school, and with parents/carers.

### **I am a young person, what can I do if I am unhappy with the policy?**

You can speak to a member of staff at your school or you can talk to your Student Council and request to be included in the annual review of the policy.

## Key Actions

### Positive Behaviour - School and Setting Requirements

- have a clear policy for promoting positive relationships and behaviour, including measures for understanding the causes of behaviour, assessing, managing and reducing risk, and reducing the need for RPI
- have clear arrangements for governance and accountability for supporting children and young people whose behaviour challenges and for use of RPI
- involve children, young people and their parents/carers as appropriate in decisions relating to behaviour and use of RPI
- use evidence-based approaches to promoting positive behaviour and supporting individual children and young people whose behaviour challenges
- have sound measures in place for training and developing staff, including training in understanding children and young people whose behaviour challenges
- have a system in place for improving assessment and management of risk
- have a system for recording and reporting incidents (distinguishing between planned and unplanned interventions)
- have a system in place for reviewing how RPI is used in individual cases to inform changes in approach where necessary
- schools and settings should ensure that at least one member of staff is trained in positive behaviour support including how to write a consistent management plan. This training can be provided by SEMHIT
- in line with Health and Safety requirements, schools and settings should hold accredited MAYBO Positive Approaches to Behaviour training for **all staff every two years**
- when a Handling Plan is needed, **all named staff must be trained in MAYBO accredited Restrictive Physical Intervention (RPI) techniques**. Head teachers will be responsible for ensuring that all staff who are at risk receive accredited MAYBO RPI training appropriate to the level of risk. This training must be updated within **12 months**
- it is best practice to review Handling Plans on a monthly basis with SEMHIT to assess whether they need updating or are no longer required. This will also provide an opportunity to practice RPI skills
- once trained, staff will be responsible for maintaining the level of skills acquired within training and ensuring the skills are updated as appropriate
- if RPI is used as a part of a planned response for a pupil, the plan should be informed by a risk assessment
- schools and settings should have procedures in place for supporting pupils and staff who are involved in an incident requiring RPI. This should include staff debriefing and restorative approaches

### Managed Moves

- if a Managed Move is under consideration, the head teacher should contact parents to inform them that a further strategy could be employed to help the pupil and that this would involve a Managed Move
- if the parent or the pupil is not willing to explore the Managed Move option further, the head teacher will look for other possible solutions to meet the needs of the child or young person
- the head teacher will discuss with the parent(s) / carer(s) which school(s) to approach to discuss the transfer
- the Head teacher will discuss the possible transfer with the Head teacher of the receiving school. In order for the head teacher of the receiving school to make an informed decision, all relevant information on the pupil should be shared prior to the Managed Move meeting
- consider using the transition documents for vulnerable pupils (or other school based plans)
- the pupil remains on the school roll of the original school for the entire duration of the eight week trial period until the successful or unsuccessful completion of the Managed Move
- during the period the following monitoring procedures should take place:

- A member of the SLT of the receiving school should monitor the progress of the pupil and liaise with those staff working closely with the pupil to ensure rapid response to any problems
  - The parent(s) / carer(s) should be kept informed of the progress of the pupil, both positive features as well as problems that have arisen
  - The original school and Education Directorate officer should be kept informed if there are any serious problems
- at the end of the eight week trial period the Final Review should be held. If, there are concerns that the Managed Move may break down before the agreed review date, any of the parties concerned can request that the Final Review Meeting is brought forward as an attempt to prevent the failure of the transfer

## Up to 5 day suspension - Key Actions

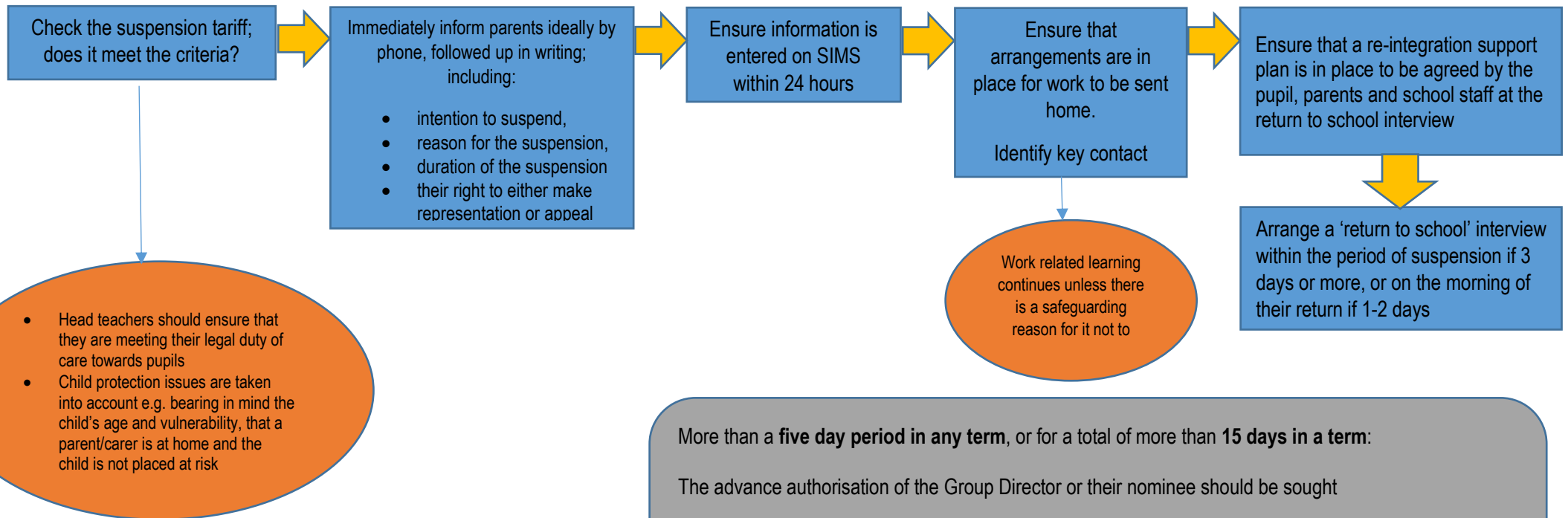
Before deciding whether to suspend a pupil, the head teacher should:

- ensure that wider school policies have been followed
- ensure that a thorough investigation has been carried out
- consider the impact of any SEN on the pupil's behaviour
- consider all the evidence available to support the allegations
- allow, encourage and support the pupil to give their version of events (through a mentor where appropriate)
- check whether the incident may have been provoked
- keep a written record

Where a pupil has a RoN, schools should consider requesting an early annual review or interim (emergency) review.

If LAC: Do not suspend, the designated teacher should schedule a multi-agency meeting, which includes the VSH, within 5 working days to explore possible causes and solutions

Head teacher must:



More than a **five day period in any term**, or for a total of more than **15 days in a term**:

The advance authorisation of the Group Director or their nominee should be sought

### Permanent Exclusion:

Head teachers cannot expel a pupil without having obtained, firstly, the agreement in writing of the Group Director and, secondly, if they agree, the agreement in writing of the governing body of the school.

### CHANGE HISTORY

Version	Date Issued	Issued by	Reason for Change
0.1	October 2015	Head of Service Social, Emotional, Mental Health Inclusion	
0.2	November 2019	Head of Inclusion	
0.4	August 2021	Head of Inclusion	Updated to reflect changes – see below table
0.5	October 2023	Associate Director of Education	Removal of Part-Time Timetables for pupils of compulsory school age to become its own policy

### APPROVAL

Presented To	Approved by:	Date
SLT	Approved	22.11.2021

### ADDITIONAL INFORMATION

Planned review date:	Distribution:	
November 2023	Updated as below	
Associated policies	Name	Reference
	Insert Change History	
	Recording of RPI in accountability	P 3
	internal suspensions to be recorded on SIMS	Pg 17
	Managed Move	Pg 17
	8-12 weeks period of managed move	Pg 58
	Guidance for Schools on the Use of Part-time Timetables – section removed	Pg 18 +19