



Appendix to the Federation Behaviour Policy – Extremely Challenging Behaviour

All children who have, or potentially could, exhibit extremely challenging behaviour will be following our 'Persistent Misconduct Pathway', and receiving all the support we are able to provide to enable them to succeed in our schools.

There are occasional events in school where, despite this support, children exhibit 'extremely challenging behaviour'. This could include:

- Picking up a large object (e.g. a chair) and throwing it toward a pupil or member of staff
- Spitting at, kicking or hitting a member of staff
- Damaging property
- Running out of class and refusing to return
- Leaving (or making a concerted effort to leave) the school site

If these a child exhibits extremely challenging behaviour that could be described as a 'serious breach of the Federation behaviour policy; and where allowing the pupil to remain in school would seriously harm the education and welfare of the pupil or other pupils in the school' we will use a fixed-term exclusion of 5 days

The child will then be given the opportunity to repair harm and renew their commitment to the Federation ethos and learn from their mistakes.

If there is a further incident of extremely challenging behaviour we would repeat the process.

If there is a further incident we would ask the Local Authority for either: an urgent placement in Alternative Provision, at least for an assessment of needs; or to support us in arranging a Managed Move to another local school.

If this is not possible or does not happen we would permanently exclude the child.





Schools are required within the [Annex G \(notice of permanent exclusion\)](#) paperwork to indicate what has prevented all of the following inclusive measures from either enabling the pupil to remain in school or from undertaking a managed move.



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Control (limit-setting, discipline)



The Devon Ladder of Behavioural Intervention Inclusive
Measure: Statutory Guidance:





<p>Provide opportunity for the pupil to repair harm, learn from the mistake and embark on a period of close monitoring with risk assessment in place.</p>	<p>'Where practical, headteachers should give pupils an opportunity to present their case before taking the decision to exclude [page10]</p>
<p>Adhere to 2012 DfE Guidance on drugs misuse to avoid permanent exclusion for possession.</p>	<p>'Exclusion should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases.' [page6, DfE and (ACPO) NPCC Drugs Guidance]</p>
<p>Adhere to DfE Statutory Guidance 2017</p>	<p>Any decision of a school including exclusion must be made in line with the principles of administrative law, ie. that it is Lawful (with respect to the legislation relating directly to Exclusions and schools' wider legal duties, including European Convention on Human Rights and the Equality Act 2010); rational, reasonable, fair and proportionate. [page8]</p>
<p>Consider mitigating circumstances eg. Bereavement,</p>	<p>'Headteachers should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For</p>





bullying or recently moved into Local Authority Care.	example, when it comes to light that a pupil has suffered a bereavement, has mental health issues or has been subject to bullying.' [page10]
If none of the above are sufficient to allow the pupil to remain within the school then placement elsewhere could be arranged	'Maintained schools have the power to direct a pupil off site for education to improve behaviour. A pupil at any type of school can also transfer to another school as part of a 'managed move' where this occurs with the consent of the Parties involved, especially the parents and the Admissions Authority of the school. However, the threat of exclusion must never be used to influence parents to remove their child from school.'

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The Devon Ladder of Behavioural Intervention Part Four: Special Cases

The 'Final Straw' Scenario

If a breach of behaviour policy justifies a permanent exclusion only because of previous violations, then it must be coded as 'persistent misconduct' to accurately reflect this context of the decision. The pupil will therefore have been supported through the steps outlined in Part One of the ladder.

Looked After Children (CiC) and pupils with a statutory plan, EHCP

'Headteachers should as far as possible avoid permanently excluding any pupil with an EHCP or a Looked After Child.' [page7]

Pupils who are Looked After must not be permanently excluded without reference to the Devon [Virtual School Headteacher](#). There is [guidance](#) which must be followed and will be highlighted to Governors, Independent Review Panels and Tribunals.

Pupils with an EHCP must not be permanently excluded [without an emergency review](#) first having been convened and acted upon.

