

Annex to Behaviour Policy

From March 2020, the global Covid-19 pandemic has led to a change in how we define some of our children's behaviour in school and our assessment as to whether these are difficult or dangerous, particularly where a child or young person's behaviour could cause an increased risk to their own health or the health of others. Examples of this might include (but are not limited to):

- repeated disregard of social distancing rules
- inability to remain in their class bubble
- not following any altered routines for arrival or departure
- repeated disregard of following school instructions on hygiene, such as handwashing and sanitising
- not following instructions on who pupils can socialise with at school
- repeated disregard of school expectations for moving around the school as per specific instructions (for example, one-way systems, out of bounds areas, queuing)
- repeated disregard of school expectations about sneezing, coughing, tissues and disposal ('catch it, bin it, kill it') and avoiding touching your mouth, nose and eyes with hands
- inability to follow rules about sharing any equipment or other items including drinking bottles
- not following amended expectations about breaks or play times, including where children may or may not play

We will follow our normal behaviour management practice and use reinforcement of positive behaviours to encourage children to follow our new procedures. If a child makes a mistake this will be discussed with the child and they will be encouraged to recognise why this is being discussed and how not to make the same mistake again. However, if the child continues to find it difficult to follow the new procedures the group leader will talk to the child's parents.

We will work together with the child, parents/carers to carry out a risk assessment which will explore whether a child can manage in the school environment, under current circumstances. In exceptional circumstances, the outcomes of the risk assessment may mean we are unable to offer a place in school, at this time. If a child is unable to manage within the safety rules to minimize Covid-19 risk, then an offer of a school place may be removed until a new plan and phased return can be implemented that ensures the current guidance can be adhered to. In all cases, the child's Risk Assessment and plan will be regularly reviewed, and the school will work with the family to ensure support to the child is provided in other ways, through reasonable endeavours.

DfE Guidance

The DfE guidance [found here](#) (last updated on 18th May 2020) addresses matters relating specifically to the exclusion of pupils:

19.1 Will pupils be punished if they deliberately disobey rules on protective measures?

It is important for schools to be calm and disciplined environments, where everyone follows the rules. Before they reopen, schools should update their behaviour policy to reflect the new [protective measures](#) and new rules and routines. It should also include appropriate consequences (such as sanctions and rewards), so that staff can ensure pupils understand them and can enforce them rigorously. The disciplinary powers that schools currently have, including exclusion, remain in place. Schools will be aware that the current circumstances can affect the mental health of pupils and their parents in a way that affects behaviour. Our [/export/hda3/borglet/local_ram_fs_dirs/3.prod.changeling-worker-libreoffice.apps-docs-changeling-worker-libreoffice.1385701019823.549eedb1e9d07f8c/ramdisk/dira17c20c6915b5b811caf10149008082/filea17c20c6915b5b811caf10149008082.odt](#)

guidance on mental health and behaviour in schools sets out how mental health issues can bring about changes in a young person's behaviour or emotional state and how this can be reflected within the approach to behaviour set out in Creating a Culture.

19.2 How can schools make reasonable adjustments when they devise and implement new rules?

Some children will return to school having been exposed to a range of adversity including bereavement and long term anxiety. This may lead to an increase in social, emotional and mental health (SEMH) concerns. Additionally, where children have special educational needs and disabilities (SEND), their provision may have been disrupted during partial school closure and there may be an impact on their behaviour. Some children will need additional support and access to services such as Educational Psychologists, social workers, and counsellors. For children and young people with SEND, it will be especially important to teach new norms and routines around protective measures and personal hygiene clearly and accessibly.

19.3 Can head teachers exclude pupils?

Head teachers retain the power to exclude pupils on disciplinary grounds. Any decision to exclude should be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair; and proportionate. Permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches of the school's behaviour policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

We expect schools who have permanently excluded a pupil to work with parents or carers and the local authority to arrange a place at an alternative educational setting as soon as possible so as to minimise any further breaks in education provision. Where the child in question is vulnerable, the school should notify the local authority/social worker immediately and should work with the local authority to ensure that the child is found a place in another educational setting quickly. During any gap in provision, education providers, social workers, local authorities and other professionals will need to work together to ensure adequate and appropriate arrangements are in place to keep in touch with vulnerable children and young people.

19.4 What is the effect of coronavirus on governing boards' duties to consider reinstatement of excluded pupils, and the process for independent review panels (IRPs)?

The timeframes set out in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 remain in force. This applies to all exclusions, including those that were issued before 23 March.

The government appreciates that it may not be possible to meet the timeframes set out in regulations for review meetings and IRPs, due to the disruption caused by the coronavirus outbreak and the health risks of holding meetings. The Regulations themselves envisage that the timeframes may not always be met, which is why they specify that meetings and panel hearings must still go ahead even if the relevant deadline has been missed. It is for the governing board or arranging authority to assess the facts of the case and decide whether the statutory deadlines are achievable or whether, in the circumstances, the meeting has to be delayed. Governing boards and arranging authorities should continue to take reasonable steps to ensure meetings are arranged for a time when all parties are able to attend."

Cambridgeshire and Peterborough Risk Assessment Guidance

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If you feel that you are currently unable to offer a place or you need to withdraw a place due to a child or young person's behaviours, we strongly recommend that you undertake a risk assessment, to evidence and record your decision and look at what reasonable endeavours you can offer to the child and family in order to support the reintegration of the child. It is also vital that you review and work in partnership with multiagency colleagues to mitigate against any repeating behaviours, including those behaviours that could be rooted in anxiety.

The Government has released an update on their previous guidance around Risk Assessments for children with Special Educational Needs and Disabilities: Supporting children and young people with SEND as schools and colleges prepare for wider opening (updated 26th May 2020). To support settings and schools with this document we have produced a summary which can be [found here](#).

The LA has worked in partnership with colleagues across education, social care and health services to create a risk assessment tool that can facilitate a process that ensures that all the children and young people who should be in school will be identified and offered a place wherever it is safe to do so and is clearly in the best interests of the individual child and young person.

We have developed a protocol to allow schools and professionals to understand both the legislation and our approach – this can be [found here](#). This common risk assessment framework is not intended to replace any existing risk assessments that have already been agreed, in fact the guidance is quite clear and stipulates that existing risk assessments remain in play. However, consideration in regard to the need to review any existing risk assessment, in the light of the new guidance should be undertaken and the new risk assessment framework should be used to support any review process.