

Appendix 2- Consideration of refusals on the grounds of behaviour

In order for any refusal made on the grounds of behaviour to be lawful, the threshold for challenging behaviour as set out in the School Admissions Code 2021 section 3, described in section 3 of Nottinghamshire's Fair Access Protocol, must be met.

Pupil information

Pupil name	
Year group	
D.O.B	
School presenting refusal	
Current school or most recent school attended	

Child evidence

The School Admissions Code states that **'behaviour can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment'**.

<p>Evidence of significant challenge due to behaviour being of such severity, frequency or duration that it is beyond the normal range that a school can tolerate. Pupil behaviour presents significant challenge, supported by external agency involvement and/ or an history of exclusion over the past 2 years of increasing severity and frequency.</p>	<p>Evidence provided below or attached</p> <p>Yes/ No</p>
<p>Evidence that the behaviour would unlikely be responsive to the usual range of interventions to help prevent and address pupil misbehaviour. Behaviour has been unresponsive to the usual interventions put in place by previous setting or evidence provided from another source that behaviour would unlikely be responsive to the usual interventions.</p>	<p>Evidence provided below or attached</p> <p>Yes/ No</p>
<p>Evidence that the behaviour is likely significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment. The pupil is in receipt of HLN funding for SEND needs that mean that the learning or safety of others is a known concern OR the pupil has a risk assessment or AIMS assessment in place that demonstrates a significant risk of harm OR there is evidence from another source of risk to the safety of others.</p>	<p>Evidence provided below or attached</p> <p>Yes/ No</p>

School evidence:

The school has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources

<p>The school or academy have admitted a highly challenging FAP (including previously permanently excluded), LAC or EHCP pupil into the class that term OR the admission would mean placing the young person into a highly complex class. Anonymised evidence of challenge within the class may include having a number of children in receipt of AFN/ HLN funding as a consequence of highly challenging behaviours or who have risk assessments in place because they pose a significant risk to themselves or others.</p>	<p>Evidence provided below or attached</p> <p>Yes/ No</p>
<p>The School or Academy can evidence concerns held by support services about the number of children with challenging behaviour in the existing cohort. Evidence may come from EPS, SFSS, SEMH team or another acceptable source.</p>	<p>Evidence provided below or attached</p> <p>Yes/ No</p>