

John Madejski Academy

Exclusions Policy

To be approved by Full Governing Body - September 2017

1. Introduction

John Madejski Academy recognises that good discipline is essential to safeguard students' education. Exclusion (both permanent and fixed term) will be used as one strategy to do this. The Academy aims to identify causal factors for student's behaviour quickly and provide early intervention to, wherever possible, prevent and reduce fixed term exclusions and avoid permanent exclusions.

- John Madejski Academy adheres to the DfE statutory guidance, for those with legal responsibilities in relation to exclusion (January 2015).
- John Madejski Academy adheres to the obligations set under the Equality Act 2010, the European Convention on Human Rights and takes account their statutory duties in relation to special educational needs when administering the exclusion process
- The Academy acknowledges that it unlawful to exclude a pupil for a non-disciplinary reason
- Any decision to exclude will be done with reference to the Academy's behaviour policy

2. Exclusions

John Madejski Academy will follow the latest DfE statutory guidance which may be accessed [here](#).

Fixed term exclusions are those where a pupil is excluded for a set (fixed) number of days, up to a maximum of 45 school days in a single academic year.

A **permanent exclusion**, upheld by the Governing Body and any independent panel, would result in a student no longer being educated at John Madejski Academy and their education becoming the responsibility of the local authority.

3. Permanent exclusions

- a. The Principal alone may decide to permanently exclude a pupil from the Academy.
- b. A decision to permanently exclude a pupil will only be taken:-
 - i. In response to serious or persistent breaches of John Madejski Academy's behaviour and discipline policy;
 - ii. If allowing the pupil to remain at John Madejski Academy could seriously harm the education or welfare of the pupil or other pupils in the school.

A flowchart to support the decision-making process in a permanent exclusion is included in Appendix 1.

4. Considerations to the process

When excluding a pupil we:

- Take account of the legal duty of care when sending a pupil home following an exclusion
- Apply the civil standard of proof and not the criminal standard of “beyond reasonable doubt” when establishing the facts relating to an exclusion. This means that if something is more likely than not to have occurred (“on the balance of probabilities”) then the standard is met
- Consider our responsibilities under the Equality Act 2010 when deciding whether to exclude a pupil.
- Take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, the pupil may have suffered a bereavement or been subject to bullying

5. Equal Opportunities

John Madejski Academy will take into account of the impact on exclusion on the equality of opportunity. We will consider our responsibilities under the Equality Act 2010 when deciding whether to exclude a pupil. We do not discriminate against, harass or victimise pupils because of their sex, race, disability, religion or belief, gender reassignment, sexual orientation or pregnancy/maternity.

We recognise that groups of vulnerable students such as SEN, FSM and BCRB students have higher rates of exclusion nationally and locally as such as well as early intervention we actively seek alternatives to exclusion.

6. The Governing Body

The Governing Body will keep under review the rate of exclusion and seclusion of pupils within the Academy relative to local and national figures. The Governing Body will also keep under review the impact of exclusion and seclusion on different groups within the Academy with particular reference to ethnicity, gender, SEN/D and disadvantage.

7. Alternatives to exclusion

Where appropriate the Academy will seek alternatives to exclusion. This will include consideration of a managed transfer to another school/academy when, in the professional judgement of the Principal, such a move would be in the best interests of the student *and* the transfer is likely to be successful.

8. The Local Authority

We will work collaboratively with colleagues from the Local Authority (Brent) to support reducing and preventing exclusion. The LA Pre-exclusions Officer will be consulted to ensure effective early intervention is in place for students at risk of exclusion. A regular multi-agency meeting to review support of those at risk of exclusion and those on support plans will seek to provide the necessary support to prevent the need for exclusion.

Where a student has a statement of special educational need / educational health care plan (EHCP) the Academy will liaise with the Reading SENAS team to identify whether the Academy is an appropriate provision through a review to prevent permanent exclusion.

9. Internal seclusion

Internal seclusion is an alternative to a fixed exclusion. Here students work through their mainstream timetable in isolation in a small group with supervision. In addition they reflect on their behaviour with our mentors and discuss strategies to prevent recurring incidents.

10. Local Authority 6th day provision and provision for Children Looked After

We may allocate funding to purchase 6th day and respite provision as an alternative to exclusion for vulnerable students and those that are persistently breaching the behaviour code.

11. Alternative provision

We may utilise internal or local alternative provision for students that need respite for longer than 2 weeks to support them in improving their behaviour following persistent breaches of the code of conduct and work collaboratively with these organisations to reintegrate students. The Principal's decision will be final in identifying the best provision for a student on the Academy's roll.

12. Fair Access Protocol

We commit to working collaboratively with local secondary schools across Reading to support the reintegration of pupils who have been previously excluded via the local Fair Access Protocol. The Governing Body will keep under review the local Protocol and its impact and readopt this on the advice of the Principal and senior staff when changes are made.

Appendix 1: A flowchart to support the decision-making process in a permanent exclusion

