



EXCLUSIONS POLICY

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Status: Statutory

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- **Statement of intent**

Malden Oaks does not believe suspending or excluding its students is in their best interests.

At Malden Oaks, we understand that a safe, calm and purposeful learning environment is essential for promoting a high quality education. Unconditional care and respect underpin everything that we do. We see behaviour as a form of communication and hold the following values at the core of our practise:

- **Growth Mindset**

We have no fixed ideas about student potential

Every day is a fresh start

We have high expectations of all of our students

- **Learning from example**

We model communication behaviour for the students

- **Language matters**

We talk about what students can do.

We focus on needs and we avoid judgemental language.

We describe the behaviour and not the student.

For example, we talk about students being unable to engage in a lesson rather than refusing to engage in a lesson.

We talk about students experiencing difficulty doing XYZ rather than choosing not to

We talk about the behaviours we see rather than passing judgement on a student's character

- **The 4 As approach**

We give students frequent exposure to the following opportunities in order to build resilience and positive learning behaviours:

Altruism- helping others

Autonomy- feeling in control of our own choices

Achievement- feeling a sense of satisfaction at having overcome a challenge or succeeding at something

Attachment- feeling like you belong to a group

- **Awards not Rewards**

Awards are made after the event.

They are given to recognise and celebrate success and achievement.

- **Unwanted behaviour happens when students have unmet needs**

Our approach to all incidents or ongoing concerns is to examine the underlying needs of the student and to explore all possible options to better meet these needs

We want students to leave us at the end of their placement able to make the right choices and to take responsibility for their actions. This means that they need to take charge of their own behaviour, not rely on externally imposed controls. We recognise and understand that everyone makes mistakes but we ensure that every day is a fresh start, with high expectations of what can be achieved on that day. We do not carry difficulties forward. We aim to establish and maintain positive relationships between all members of our community, so that there is an adult, purposeful atmosphere.

We recognise that the needs of students attending Malden Oaks may present as challenging behaviour, which we consider to be a form of communication. For this reason, we do not believe that excluding/suspending students is right for them at this time in their educational journey. We will always seek to make alterations to our provision to ensure that the needs of the student are met and this might involve changes to the type of provision offered or the location of the provision. We also acknowledge that our students have often experienced a sense of rejection from other schools and we do not seek to reinforce the low self esteem they may experience as a result of this.

The most recently available national data evidences that our approach is in stark contrast to the norm for AP. The average suspension exclusion rates for alternative provision were **141.01** in 2020 and **139.2** in 2021. Malden Oaks' suspension rate was **2.0** in 2020 and has been **0** since adopting this new exclusions policy from 2021 onwards.

[The suspension exclusion rate is calculated as **the total number of suspensions, divided by the total number of students (x100)**. For example, in 2021 on average, an Alternative Provision school/PRU with 100 students, lost 139 days through suspensions over the year]

In the highly unlikely event that a suspension or exclusion was considered in the best interests of the student, the legal framework [Appendix 1] will be followed in line with guidelines from the Department for Education and the Equalities Act 2010:

We are mindful that the decision to exclude a student must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against students on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of students from groups who are vulnerable to exclusion.

1.Malden Oaks Ethos

1.1 Malden Oaks views all behaviours as a communication and recognises that its students have often had traumatic experiences in their educational journey and consequently do not believe that suspending or excluding students is in their best interests.

1.2 All staff are attachment aware and trauma informed and receive regular training to best meet the needs of their students.

1.3 Students are provided with personalised timetables, playing to their strengths, interests and aspirations. At KS3 Surbiton, students are placed with one key teacher to encourage positive relationship building with adults and peers over the course of the day. They are taught in small groups (no more than 5) to build a sense of belonging and consistency. At KS4 DC & 6Oaks, students are placed in a small tutor group (no more than 8). Their tutor will build a positive relationship with them and will model positive interactions. This is achieved through the daily tutor time and, for KS4, the 1:1 mentoring sessions. The tutor will develop a thorough understanding of

each student's specific strengths and needs. The academic curriculum is taught by subject specialists, again in small groups, thus enabling a deep understanding of each student's profile. Within the tuition part of our provision, students participate in 1:1 or 1:2 programmes that are designed to promote positive engagement.

1.4 Malden Oaks offers students a fresh start and the opportunity to rebuild their trust in education and the professionals included in these settings. They are encouraged to believe in themselves and what they can achieve, something they may be lacking from negative experiences over the years in their personal and/ or academic lives.

1.5 Students are encouraged to work within our vision of the 4As (Attachment, Autonomy, Altruism and Achievement) in order to understand that they are important and what they do and the choices they are able to make will positively impact their own lives and the lives of others close to them.

As detailed above, Malden Oaks seeks to consistently find alternatives to exclusions. In exceptional circumstances, if a suspension or exclusion was required, the legal framework would be followed and this can be found in Appendix 1.

Links with other policies

This exclusions policy is linked to our:

- Relationships and Communication policy
- SEN policy and information report

Appendix 1 - Legal framework

Advice and guidance

Statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement](#), based on the following legislation, which outlines schools' powers to exclude students:

Section 51a of the Education Act 2002, as amended by the Education Act 2011

The School Discipline (student Exclusions and Reviews) (England) Regulations 2012

Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded students

Section 579 of the [Education Act 1996](#), which defines 'school day'

The [Education \(Provision of Full-Time Education for Excluded students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded students\) \(England\) \(Amendment\) Regulations 2014](#)

[The Equality Act 2010](#)

Definitions

Suspension – when a student is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Permanent exclusion – when a student is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

Roles and responsibilities

Only the **headteacher**, or acting headteacher, can suspend or permanently exclude a student from school on disciplinary grounds. The headteacher will only use permanent exclusion as a last resort.

During the first 5 days of a suspension, the **headteacher** will take steps to ensure that achievable and accessible work is set and marked for the student. Online pathways such as Google Classroom or Oak Academy may be used for this. If the student has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the student is looked after or if they have a social worker, the school will work with the **LA** to arrange AP from the first day following the suspension or permanent exclusion. Where this isn’t possible, the school will take reasonable steps to set and mark work for the student, including the use of online pathways.

For any suspension of more than 5 school days, the **Local Authority** will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension.

For permanent exclusions, the **LA** will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For students who are LAC or have social workers, the **LA** and the **school** will work together arrange suitable full-time education to begin from the first day of the exclusion.