



catholic education commission of victoria ltd
ACN 119 459 853

Safe and Sound Practice Guidelines *(Occupational Violence)*

***GUIDELINES FOR SCHOOL LEADERS
2022***

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Section 1 Context and overview

1.1 INTRODUCTION

Employing authorities and school principals carry a duty of care to provide and maintain a safe learning and working environment for students and staff. They also have a non-delegable duty under the *Occupational Health and Safety Act 2004* (Vic.) (OHS Act) to institute measures that either eliminate risks to student and staff health and safety or reduce risks as far as is reasonably practicable.

Meeting this duty of care, and fulfilling occupational health and safety (OHS) requirements with confidence, consistency and professionalism, requires the ability to recognise and safely respond to disruptive, aggressive and potentially violent behaviour before a crisis occurs. In addition, if behaviour does escalate to violence, it is essential to have the critical skills and support structures in place to maintain the safety of everyone involved.

The *Safe and Sound Practice Guidelines* offer advice and support to school leaders in both preventing and responding to incidents of aggressive, potentially violent or actually violent behaviour directed towards staff in circumstances arising out of, or in the course of, their work. In the key strategies and practices recommended, some apply to both student and parent behaviours, while others have a distinct parent or student application. The focus of this document is on controlling risks to employees and school staff, and it should be read in conjunction with other resources published by the Catholic Education Commission of Victoria Ltd (CECV).

The guidelines comprise four key sections:

1. **Overview and context information** that includes definitions and terminology associated with occupational violence; legislative responsibilities; guiding principles for effective practice; and perspectives from our Catholic tradition.
2. **Prevention measures, strategies and resources** that ought to be considered as part of a more holistic approach to ensuring the safety and wellbeing of all members of the school community.
3. **Intervention measures and strategies** to be enacted when challenging or threatening behaviours escalate, and in the immediacy of a violent incident.
4. **Post-incident responsibilities** that require consideration and enactment in the aftermath of a violent incident.

The approach is neither prescriptive nor exhaustive in the presentation of recommended practices. The nature and severity of challenging behaviour and violent incidents in schools vary greatly, and each school has its own specific circumstances that might require a different approach when dealing with a particular issue.

The guidelines do not form part of an employee's terms and conditions of employment, and are not intended to give rise to any contractual entitlement on the part of employees.

1.2 DEFINITIONS

Frequently used terms in these guidelines are defined as follows:

Aggressive behaviours – Behaviours that present a risk to a person’s physical or psychological health and safety, and that can escalate into serious incidents of violence.

Employer – In the context of Catholic schools in Victoria, this refers to whichever of the following is applicable in a particular school’s circumstances:

- the diocesan education office (Melbourne Archdiocese Catholic Schools Ltd, Diocese of Ballarat Catholic Education Ltd, Diocese of Sale Catholic Education Ltd or Catholic Education Sandhurst Ltd)
- the religious institute or ministerial public juridic person (RI/MPJP) that is the governing authority of a school
- the school itself, where that school is the governing authority.

Occupational violence – Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. It may include witnessing violent behaviour directed towards another person. Occupational violence includes a broad range of behaviours that create risks to health or safety and can include:

- physical acts including biting, spitting, scratching, hitting, kicking, punching, pushing, shoving, tripping and grabbing
- physical threats with weapons or by throwing objects
- verbal threats
- harassing gestures or expressions
- vandalism of a person’s property
- oral or written statements, including those communicated via SMS, phone, email or social media
- stalking.

Parents – A student’s natural, adoptive or foster parents, guardians or carers, who are authorised and entitled to participate in making decisions concerning the learning, safety and wellbeing of the student; any other person who has parental responsibility for the child, including under the *Family Law Act 1975* (Cth); and any person with whom the child normally or regularly resides.

Violence in schools – Any situation where a member of the school community (teacher, student, other staff member, parent or visitor) is intimidated, bullied, abused, threatened or assaulted; or their property is deliberately damaged by another member of that community or the public in circumstances arising out of their activities in, or involving, a school.

1.3 OCCUPATIONAL VIOLENCE – LEGISLATIVE RESPONSIBILITIES

Occupational violence falls under a legislative regime which includes the OHS Act, and concomitant regulations and codes of practice. Among other requirements, the legislation imposes a general duty on an employer to provide and maintain, so far as reasonably practicable, a working environment that is safe and without risk to health.

Sections 21 and 22 of the OHS Act list the duties of the employer to employees and independent contractors, including so far as reasonably practicable:

- providing and maintaining safe systems of work
- providing and maintaining safe plant and facilities
- ensuring the safe use, handling and storage of plant and substances
- maintaining the workplace in a safe condition
- employing or engaging suitably qualified person(s) to provide specific advice regarding health and safety
- monitoring conditions in workplaces
- providing necessary information, instruction, training and supervision to enable employees to perform their work safely
- keeping records of incidents in an incident report book to track all workplace injuries
- enabling employees to perform their work in a manner that is safe and without risk to health.

Other sections of the OHS Act impose obligations on employers that are relevant to their legal obligations in connection with occupational violence. These include:

- notifying WorkSafe of notifiable incidents, including those that result in death of a person, or a person needing immediate treatment as an in-patient of a hospital or medical treatment of certain physical injuries (see the WorkSafe Victoria website for further information on [notifiable incident criteria](#))
- consulting with health and safety representatives or employees, so far as reasonably practicable, when these employees are (or are likely to be) directly affected by the employer making decisions about health and safety issues.

Ministerial Order No. 1038 reinforced the special responsibility of principals to ensure safe working practices in schools under the OHS Act.

Related legislation

In school settings, several other legislative frameworks intersect with and have an impact on a school's response to incidents of occupational violence.

Legislation	Relationship to occupational violence and violence in schools
<i>Children, Youth and Families Act 2005 (Vic.)</i>	This Act stipulates a criminally liable age (section 344). A child under the age of 10 is not considered capable of committing an offence and cannot be rendered criminally liable for their actions. Between the ages of 10 and 17 years, children are dealt with by the Children's Court, provided the child is under the age of 18 when the matter is brought before the court.

Legislation	Relationship to occupational violence and violence in schools
<i>Disability Discrimination Act 1992 (Cth)</i> and the <i>Disability Standards for Education 2005 (Cth)</i>	<p>This legislation seeks to ensure that students with disability have a right to access and participate in education and training on the same basis as students without disability. Schools are required to make ‘reasonable adjustments’ to enable access to education, with such adjustments including the provision of behaviour supports for students with disability.</p> <p>A school may unlawfully discriminate against a person if it does not make reasonable adjustments for the person, and the failure to make reasonable adjustments has or would have the effect that the aggrieved person is, because of the disability, treated less favourably than a person without the disability would be treated in circumstances that are not materially different.</p>
<i>Education and Training Reform Act 2006 (Vic.)</i>	<p>Section 4.3.1 of this Act effectively requires that school policies relating to the discipline of students are based on principles of procedural fairness and don’t include the use of corporal punishment. As a condition of registration under the <i>Education and Training Reform Regulations 2017 (Vic.)</i>, a school must have policies in place relating to student behaviour, including policies on student engagement and the suspension or expulsion of students.</p> <p>Revised Guidelines to the Minimum Standards and Requirements for School Registration (Minimum Standards) were approved by the Victorian Registration and Qualifications Authority (VRQA) board on 7 April 2022 and take effect from 1 July 2022. These require schools to have policies and procedures in place that detail how schools approach student safety.</p> <p>The School Community Safety Order Scheme is established under Part 2.1A of this Act to assist in preventing and mitigating risks to staff, students and the school community resulting from the behaviours of parents (including carers and guardians as defined in the Act) and other adults.</p>
<i>Emergency Management Act 2013 (Vic.)</i>	<p>This Act establishes arrangements to provide for the management and organisation of the prevention, preparedness, response and recovery phases of emergencies. The VRQA Minimum Standards stipulate that every school in Victoria must have a documented emergency management plan that is updated as required throughout the year, and reviewed at least annually and immediately after any significant incident.</p>
<i>Equal Opportunity Act 2010 (Vic.)</i>	<p>Under this Act, schools must make reasonable adjustments to allow students with a disability to participate in or continue to participate in, or derive or continue to derive any substantial benefit from, the educational program provided by the school. Failure to do so, unless it is not a reasonable adjustment within the meaning of the legislation, may amount to unlawful discrimination.</p>

Legislation	Relationship to occupational violence and violence in schools
<i>Summary Offences Act 1966</i> (Vic.)	<p>This Act covers matters that include wilful damage, trespassing, loitering, and offensive, threatening, insulting or abusive behaviour in or near a school. A person who ordinarily has a legitimate purpose to enter school premises may cease to have a legitimate purpose under certain circumstances. This may include students who are on suspension (unless they return to collect their books or have some other legitimate reason for returning), or a parent who has engaged in threatening behaviour and has been warned by the principal or proprietor not to enter the school.</p> <p>Note: For further information regarding trespassing, see School Trespass Guidelines for Principals and Proprietors of Catholic Schools in Victoria.</p>
<i>Workplace Injury Rehabilitation and Compensation Act 2013</i> (Vic.)	<p>This Act commenced on 1 July 2014. It combines the <i>Accident Compensation Act 1985</i> and the <i>Accident Compensation (WorkCover Insurance) Act 1993</i> in a single, consolidated Act. The Act governs workers compensation insurance, payment of employer premiums, rehabilitation for injured workers, and compensation in relation to workplace injuries and deaths. It also imposes obligations on employers to facilitate the return to work of injured workers.</p>

1.4 EFFECTIVE PRACTICES – GUIDING PRINCIPLES

In recent years, a broad consensus on the elements of good practice in violence prevention and intervention in schools has begun to emerge.¹ Sections 2–4 of these guidelines elaborate on such practices, which are predicated on one or more of the following principles:

Our Catholic tradition

1. In Catholic education, school principals have at their disposal the corpus of Catholic social teaching and papal pronouncements to guide discernment and decision-making when confronted with harmful behaviours.

Aggressive behaviours – prevention

2. **Learning environments that are inclusive and relational**, and that stimulate high levels of engagement, connectedness, relevance, meaning and challenge, have a significant bearing on the social–emotional learning of students and their concomitant behaviours.
3. **Strong parent and community partnerships** reinforce a school’s capacity to prevent or respond effectively to violent incidents. Schools rely on parent input, support and collaboration to understand and manage a student’s challenging behaviours, and links with community networks and services increase the quality and efficacy of prevention and intervention strategies.
4. **A positive school culture** that features respectful relationships, courteous communications and shared understandings of members’ rights and responsibilities is a powerful driver of violence prevention in schools. Schools and families share responsibility for developing and maintaining relationships characterised by respect for the goodwill of the other and a willingness to engage collaboratively.

¹ The elements of good practice are drawn from resources developed by WorkSafe Victoria www.worksafe.vic.gov.au/work-related-violence; Victorian Department of Education and Training’s ‘Respectful Relationships’ www.vic.gov.au/respectful-relationships; and Education Services Australia’s *Australian Student Wellbeing Framework* https://studentwellbeinghub.edu.au/media/9310/aswf_booklet.pdf.

5. **Well-articulated school policies on behaviour expectations and management**, if age-appropriate, pastorally driven, and focused on ensuring a just and reasonable balance of individual and community rights, will assist in building and maintaining a positive school culture and a safe learning and work environment for students and staff.
6. **Complaints policy and procedures**, when well-constructed and enacted in good faith by all parties, can reduce the risk of a student's or parent's challenging behaviour escalating to aggression or violence.
7. **Training in conflict management and resolution**, and in the defusing of challenging behaviours, will strengthen staff members' confidence and capacity to prevent or manage a student's or parent's aggression or violence.
8. **Support for staff and leaders**, in the form of collaborative relationships in the school environment and externally through an employee assistance program, is vital in both incident prevention and minimisation.
9. **An individual behaviour support plan or safety plan** for a student who repeatedly exhibits challenging and aggressive behaviours has the potential to serve as a valuable support to staff who hold key responsibility for the wellbeing, safety and learning of the student and all other students in their immediate care. The use of restraint is discussed in detail in section 3.3.1 below.
10. **Well-rehearsed emergency management plans and systems, and well-constructed critical incident management plans** are essential in maintaining a safe learning and work environment for students and staff.

Aggressive behaviours – intervention

11. **Proactive networking and linking with external community and professional services** increase the support and management options available to schools when responding to challenging student and parent behaviours and incidents.
12. **Pastoral and restorative principles and practices** that reflect gospel values, Catholic social teaching and policies of employers of Catholic schools on student wellbeing ought to influence post-incident decisions pertaining to an offending student's or parent's ongoing relationship with the school.
13. **An adequately resourced healing and recovery program** must be made available to staff who have been harmed by violent incidents, with this program funded and supported pastorally by the employing authority.
14. **A school's incident response and emergency management procedures**, when comprehensively constructed, well-rehearsed and effectively implemented, can minimise the adverse short-term and long-term impacts of a violent incident.
15. **A school's incident response and emergency management procedures**, when comprehensively evaluated in the aftermath of an incident and adjusted where necessary, will reduce the risk of similar or repeated incidents in the future.

1.5 OUR CATHOLIC TRADITION – GUIDING PERSPECTIVES

As Christians engaged in the mission of Catholic education, we have access to resources and moral guidance for discerning appropriate responses to incidents of violence in schools. In addition to the wisdom of the Scriptures and the writings of numerous Christian thinkers through the ages, we have at our disposal a corpus of Catholic social teaching and papal pronouncements.

The following statements are drawn from the corpus and ought to inform the discernment of school leaders when confronted with harmful student and parent behaviours, and when attempting to mediate just outcomes and reconciliation for all involved.

On human dignity and respect for the human person

Coming down to practical and particularly urgent consequences, this council lays stress on reverence for man; everyone must consider his every neighbour without exception as another self, taking into account first of all his life and the means necessary to living it with dignity, so as not to imitate the rich man who had no concern for the poor man Lazarus. **Second Vatican Council 1965, [Gaudium et Spes](#) (Joy and Hope), n. 27.**

On conflict

Conflict cannot be ignored or concealed. It has to be faced. But if we remain trapped in conflict, we lose our perspective, our horizons shrink and reality itself begins to fall apart. In the midst of conflict, we lose our sense of the profound unity of reality.

When conflict arises, some people simply look at it and go their way as if nothing happened; they wash their hands of it and get on with their lives. Others embrace it in such a way that they become its prisoners; they lose their bearings, project onto institutions their own confusion and dissatisfaction and thus make unity impossible. But there is also a third way, and it is the best way to deal with conflict. It is the willingness to face conflict head on, to resolve it and to make it a link in the chain of a new process. 'Blessed are the peacemakers!'

In this way it becomes possible to build communion amid disagreement, but this can only be achieved by those great persons who are willing to go beyond the surface of the conflict and to see others in their deepest dignity. This requires acknowledging a principle indispensable to the building of friendship in society: namely, that unity is greater than conflict. **Pope Francis 2013, [Evangelii Gaudium](#) (The Joy of the Gospel), nn. 226–228.**

On rights, responsibilities and duties

Hence, to claim one's rights and ignore one's duties, or only half fulfill them, is like building a house with one hand and tearing it down with the other.

Since men are social by nature, they must live together and consult each other's interests. That men should recognize and perform their respective rights and duties is imperative to a well ordered society. But the result will be that each individual will make his whole-hearted contribution to the creation of a civic order in which rights and duties are ever more diligently and more effectively observed.

Pope John XXIII 1963, [Pacem in Terris](#) (Peace on Earth), nn. 30–31.

On the common good

It is generally accepted today that the common good is best safeguarded when personal rights and duties are guaranteed. The chief concern of civil authorities must therefore be to ensure that these rights are recognized, respected, co-ordinated, defended and promoted, and that each individual is enabled to perform his duties more easily. For 'to safeguard the inviolable rights of the human person, and to facilitate the performance of his duties, is the principal duty of every public authority'. **Pope John XXIII 1963, [Pacem in Terris](#) (Peace on Earth), n. 60.**

On forgiveness and reconciliation

But because human justice is always fragile and imperfect, subject as it is to the limitations and egoism of individuals and groups, it must include and, as it were, be completed by the *forgiveness which heals and rebuilds troubled human relations from their foundations*. This is true in circumstances great and small, at the personal level or on a wider, even international scale.

Following the teaching and example of Jesus, Christians hold that to show mercy is to live out the truth of our lives: we can and must be merciful because mercy has been shown us by a God who is Love. The God who enters into history to redeem us, and through the dramatic events of Good Friday prepares the victory of Easter Sunday, is a God of mercy and forgiveness ... The followers of Christ, baptized into his redeeming Death and Resurrection, must always be men and women of mercy and forgiveness. **Pope John Paul II 2002, [No Peace without Justice, No Justice without Forgiveness](#), Message for the Celebration of the World Day of Peace, nn. 3 & 7.**

Section 2 Incident minimisation practices

2.1 RELATIONAL AND ENGAGING LEARNING ENVIRONMENTS

Relational and engaging learning environments are a powerful antidote to disruptive, challenging and aggressive student behaviours. Few would dispute that student–teacher relationships, dialogue and mutual understanding have a substantive bearing on a student’s learning and wellbeing. Moreover, when learning is personalised, challenging, relevant, meaningful and directed to overcoming obstacles, the best possible conditions for learning engagement and student connectedness are advanced. The challenge rests with schools to continuously improve the learning experiences that advance a student’s wellbeing and engagement.

SUPPORTING RESOURCES AND REFERENCES

- See the [Australian Student Wellbeing Framework](#), particularly the elements of leadership, partnerships and support.
- Refer to the [publications](#) of Sue Roffey and associates regarding the promotion of social and emotional learning, the development of pro-social behaviour, and initiatives for social inclusion and development of relational values in education and the wider community.
- Refer to the student learning and wellbeing initiatives or programs of employers, as detailed on their respective websites and on the CEVN website <https://cevn.cecv.catholic.edu.au>.

2.2 STRONG PARENT AND COMMUNITY PARTNERSHIPS

Strong partnerships with parents are essential for developing and maintaining safe and supportive learning environments for students and staff. In instances where a student exhibits challenging behaviours or repeated breaches of behavioural expectations, schools rely on parent input and support to understand, manage and change the behaviour. Parent support is more likely to be offered and effective when the parent–school partnerships are inclusive, relational and respectful.

In some instances, a student’s or parent’s aggressive or violent behaviour is triggered by or linked to some adverse personal, health, social or economic circumstances in their family life. The interplay can be complex and the impacts multifaceted. Effective management therefore requires diverse and well-resourced strategies that are developed and implemented both in schools and across agencies.

Active collaboration and proactive networking and linking with local community services, such as health and welfare professionals, increase the support and management options available to schools when dealing with challenging student or parent behaviours.

SUPPORTING RESOURCES AND REFERENCES

- See the [Australian Student Wellbeing Framework](#), particularly the elements of leadership, partnerships and support.
- See [Parent and Family Engagement: An implementation guide for school communities](#).

2.3 RESPECTFUL RELATIONSHIPS – POLICIES AND CODES OF CONDUCT

A whole-school approach and commitment to respectful relationships are essential elements of violence prevention measures in schools. A whole-school approach that is supported and promoted through policies and codes of conduct fosters shared understandings and commitments among teachers, other staff, students and parents.

2.3.1 Expectations of staff

A key element of whole-school respectful relationships is an expectation of courteous communications, especially in interactions regarding contentious issues. It is important that school leaders provide staff with information and development opportunities to improve understanding of their professional responsibilities in modelling and promoting respectful interactions, even if this behaviour is not reciprocated.

2.3.2 Expectations of students

A well-articulated school policy regarding expected student behaviours and how these behaviours will be managed in the event of breaches is central to the establishment and sustainability of respectful relationships. The policy should express in positive terms the school's expectations of student behaviour. Behaviour management procedures should reflect the understanding that student behaviour management is not simply one person's responsibility. They should make provision for adequate support from both within and outside the school, ranging from, for example, staff 'team' approaches to working on behaviour management programs for groups of students or individual students, through to collaboration with parents and access to specialist professionals and wider community agencies in instances of highly challenging student behaviours. The application of restraint is discussed in more detail in section 3.3.1 below.

2.3.3 Expectations of parents

Catholic schools should have adopted the practice of developing a parent-school relationships agreement or charter, which specifies the communication and behavioural standards that parents and school staff can **reasonably expect** of one another. The intention is that such statements promote and advance respectful, cooperative and supportive relationships. Establishment of these expectations sets the foundation for development and maintenance of respectful relationships, even in challenging circumstances.

Implementation of an agreement may not prevent or curtail unacceptable behaviour but, at the very least, will provide the school with a strong reference point when enacting consequences in the aftermath of these unacceptable behaviours.

An agreement should be implemented in consultation with the employing authority. The agreement or charter should form part of the school's enrolment contract with parents, thus providing the school with an articulated basis to terminate an enrolment contract in the event of repeated or serious breaches of the agreement or charter.

Schools should ensure that potential consequences of breaches of expectations are clearly articulated in the agreement or charter.

2.3.4 Social media policy

Social media is defined as any form of online or web-based publication, forum or presence that allows interactive communication including, but not limited to, Facebook, LinkedIn, Instagram, Snapchat, TikTok, blogs, forums, discussion boards, chat rooms, wikis, Twitter and YouTube.

Increasingly, social media interactions are a cause for concern and can have harmful impacts. It is important that schools are proactive in these matters and include in their suite of policies one that addresses the responsible use of social media.

The policy needs to clarify the school's expectations with regard to respecting the dignity of each person. It needs to specify unacceptable behaviours, such as posting online comments that cause reputational damage to the school and individuals, and psychological harm to individuals through offensive, bullying, harassing or discriminatory material. The risks and consequences of breaching the privacy of others and disclosing confidential information ought to be highlighted.

2.3.5 Unacceptable behaviours – students and parents

In the context of these guidelines, the range of student or parent behaviours directed at staff that are considered serious and unacceptable includes the following:

- shouting at a staff member, either in person or on the telephone
- physically or verbally intimidating a staff member
- using aggressive hand gestures, such as shaking or holding a fist towards a staff member
- writing rude, defamatory, aggressive or abusive comments to or about a staff member, including vexatious communications that cause unreasonable stress or anxiety
- swearing at a staff member
- pushing, hitting, punching, kicking or using physical force against a staff member (or attempting such actions)
- directing racist or sexist comments towards a staff member
- damaging or violating a staff member's possessions or property.

Where a person's conduct, because of its nature or frequency, raises health or safety issues for staff, or consumes a disproportionate amount of resources to the detriment of other matters, this will in some cases constitute unreasonable conduct. Unreasonable conduct may also occur when a complainant makes ongoing contact about a matter that has been previously resolved.

2.3.6 Student conflicts and parent interventions

It is strongly recommended that school policies make clear and unequivocal statements that conflicts and incidents between students that occur at the school ought to be referred directly to the school for investigation and resolution.

SUPPORTING RESOURCES AND REFERENCES

- Each employer has policy statements regarding pastoral care, student wellbeing and student behaviour management that are intended for adoption and adaption by schools.
- See the [Australian Student Wellbeing Framework](#), particularly the elements of leadership, partnerships and support.

2.4 EFFECTIVE COMPLAINTS POLICY AND PROCEDURES

A school's complaints policy and procedures act in concert with the parent–school relationship agreement by providing a two-part mechanism to address an issue. This allows for separation of the issue being raised from the behaviours (if any) being exhibited, so that both can be dealt with appropriately and independently.

The complaints policy and procedures should be premised on the following principles and commitments:

- All members of the school community have a right to make a complaint or raise a concern, provided it is done in an appropriate manner.
- Some persons face challenges in communicating their concerns effectively.
- Every complainant deserves to be treated with respect and have their complaint properly considered.
- All parties have rights, responsibilities and expectations that should be considered in the complaint resolution process.

- Communications and negotiations that are courteous, culturally sensitive, respectful and fair help to build trust and confidence, and a shared commitment to satisfactory resolutions.
- Early and timely responses to complaints, in contexts where people feel they have been heard, minimise the risk of escalation.
- Widespread promulgation and promotion of the policy and procedures, and periodic reviews of their efficacy, will contribute to shared commitments and compliance.

A recurring problem in schools that can often lead to heightened parent aggression relates to direct parent-to-parent and parent-to-student interventions in school incidents affecting their child. As noted in section 2.3.6, it is strongly recommended that a school's complaints policy advises parents that conflicts and incidents between students that occur at the school are to be referred directly to the school for investigation and resolution.

There are some matters for which the complaints policy and procedures should not apply, including the imposition of a school community safety order (SCSO). The complaints policy and procedures should clearly stipulate the types of complaints to which they will not apply, and where the options for escalation of such complaints can be found.

SUPPORTING RESOURCES AND REFERENCES

- See '[Building healthy relationships with teachers](#)' on the Parenting Ideas website. The article offers advice to parents to help them stay focused and effective when responding to their child's school-related grievance. It could serve as a useful reference for periodic inclusion in school newsletters and for discussion in parent forums such as welcome nights.
- See '[Mediation](#)' and '[Restorative practice](#)' on the Department of Education and Training's website.
- Refer to [The 6 Methods of Intervention](#) advice sheet to see how the mediation approach can be used in schools to repair relationships.

2.5 ASSESSING, REDUCING AND MONITORING RISK

Principals are responsible for discharging duties under the OHS Act to institute measures to either eliminate the risk to employees or reduce the risk as far as is practicable.

To manage the risks associated with occupational violence, the steps below must be followed:

1. Identify hazards
2. Identify the people at risk
3. Assess risks
4. Control risks
5. Monitor risk controls.

Among the criteria for review, risk assessments seek to ascertain:

- how likely an incident will be in terms of frequency and duration of exposure
- how serious any possible injury will be if an incident occurs
- the cost, availability and suitability of measures available to control a risk
- who might be affected by the incident.

The risk assessment process is not intended for application only in critical or emergency situations. It is designed for early intervention, to prevent incidents from occurring in the first place, and to minimise and control risk at any phase of a situation.

2.5.1 Risk assessment

An assessment of risk to staff caused by aggressive or violent students or parents usually involves raising a number of questions. The answers to these call for consultation, after which existing controls are strengthened or new risk controls are implemented. Some questions for initial consideration are included in the table below.

Risk assessment questions	
1	Does the school have up-to-date information about students, families and persons with particular needs?
2	Are there guidelines or a plan of action to help staff identify risk factors associated with violent behaviours, and to deal with the aggressive behaviour of students and parents?
3	What supervision and monitoring arrangements are in place for ensuring staff personal safety? Do all staff know about these arrangements?
4	Do members of the leadership team have advanced or higher level communication and intervention skills to deal with distressed and aggressive students and parents?
5	Have staff had training in personal safety and dealing with threatening, violent incidents?
6	Are management strategies being applied consistently?
7	Is staffing adequate and suitable to deal with an incident, should it arise?
8	Is equipment relevant to managing risks regularly tested and maintained (such as alarms)?
9	Is there a strategy for supporting staff who have been involved in a distressing incident?
10	Is there a system in place to review the effectiveness of policies and support strategies?

Risk assessments should always incorporate an assessment of the physical school environment for safety-related risk factors. The areas for assessment include parking lots, internal and external points of entry and exit, reception areas, workstations, playgrounds, classrooms and offices. The specific type of assessment will vary in each environment, but every assessment will benefit from considering and ensuring:

- the provision of 'safe' meeting rooms (e.g. those with proximity to colleagues, external visibility, adequate lighting, accessible entry/exit doors, electronic emergency alert systems)
- convenient, accessible emergency escape and evacuation routes (for staff and students)
- the efficacy (including maintenance) of mechanisms to summon assistance
- the efficacy of mechanisms to effect a lockdown or evacuation
- the provision, maintenance and appropriate location of security cameras
- adequate lighting in all areas
- minimisation, where possible, of isolated staff and work areas
- the availability of first-aid kits
- regular review of changes to the physical environment.

Not only is it good practice to involve staff in the identification of risks and to ascertain how confident, equipped and supported they may feel in dealing with student or parent aggression and violence, employers also have a duty under the OHS Act to consult with employees regarding such matters.

2.5.2 Risk control

Principals are responsible for ensuring effective control measures for minimising the risk of occupational violence and aggression, with the control measures incorporating:

- the establishment and maintenance of a culture of safety
- the maintenance of routine work practices that enhance safety
- the effective management of conflict
- the building and maintenance of skilled and confident staff
- the implementation of a sound assessment framework when managing difficult and challenging situations.

2.5.3 Critical incident and emergency management plans

In severe, dangerous or high-risk incidents where physical violence is either threatened or unfolding, or where damage to property is ensuing, elements of the school's emergency management or critical incident management plan may need to be enacted.

In Victorian schools, a **critical incident** is understood as an event which causes disruption to an organisation, creates significant danger or risk, and creates a situation where staff, students or parents feel unsafe, vulnerable and under stress. Examples of a critical incident include an onsite accident causing death or serious injury, student or staff suicide, major vandalism, sexual assault at school, students lost or injured on an excursion, or intruders on a school site who cause harm to people or damage property.

The decision about when an incident is deemed critical will usually be determined by the principal, who will consider the impact or likely impact of the incident on the school community as well as the previous critical incident history of the school community.

An **emergency** is understood as an event, actual or imminent, that occurs on or off site and that endangers or threatens to endanger life, property or the environment, and requires a significant and coordinated response. Emergency management provides a process to protect the safety of students, staff and property.

The duty of care attributed to school personnel requires that all reasonable steps are taken to protect students from the risk of personal injury that could reasonably have been foreseen. Schools are responsible for ensuring that school-related activities are planned for, and conducted, in accordance with guidelines and procedures regulated by legislation and safety authorities.

Schools must have an emergency management plan and a critical incident management plan, both of which usually contain the four components: preparedness, prevention, response and recovery.

Reference to the School Community Safety Order Scheme (see section 3.3.3 below) should be incorporated into schools' emergency and critical incident management processes.

Principals must ensure that staff know what the plans contain and what they are required to do during and immediately after an emergency or critical incident. Principals are also responsible for ensuring that emergency arrangements are tested and practised at regular intervals to ensure that procedures work and that everyone learns the emergency protocols.

The emergency management plan must be documented and updated as and when required throughout the year. It should be site-specific and include local threats, hazards and corresponding response procedures. It should be reviewed at least annually and immediately after any significant incident. As stated in the VRQA Minimum Standards, the incidents that it should address include:

- circumstances that pose a critical risk to the health, safety or wellbeing of one or more students or staff
- incidents requiring school closure, lockdown or reduction of the number of students or staff attending
- death or serious injury of a student or staff member at school or at another location authorised by the school, for example, with another provider such as a registered training organisation.

SUPPORTING RESOURCES AND REFERENCES

- The Student Wellbeing Hub offers a [School Wellbeing Check](#) survey, as well as a number of searchable resources dealing with each of the elements of the *Australian Student Wellbeing Framework* directed specifically at [educators](#).
- Appendix 1 of these guidelines presents a risk matrix checklist that will facilitate staff awareness and dialogue regarding safety-related matters. It will also assist principals in ascertaining how confident, equipped and supported staff may feel in dealing with student or parent aggression and violence.
- WorkSafe Victoria has produced several resources for risk assessment of occupational violence. These include:
 - [A Handbook for Workplaces: OHS in schools](#)
 - [A Guide for Employers: Work-related violence](#)
 - [Occupational violence and aggression: Safety basics](#)
 - [Occupational violence and aggression incident investigation tool](#).
- Employers can suggest reputable companies for performing risk audits and developing risk management plans.
- Employers can assist with the development and assessment or review of a school's emergency management and critical incident management plans. See also the [Catholic Schools Operational Guide](#).
- The Department of Education and Training provides [emergency management planning guidance for non-government schools](#).

2.6 TRAINING AND CAPACITY-BUILDING OF STAFF

In some cases, potential violence can be defused and prevented if staff have undergone skills training in identifying and responding to behaviours that could easily escalate to aggression. The type of training and information that should be available to staff members includes:

Conflict management and resolution

- Understanding behaviour warning signs – the verbal and non-verbal precursors to aggression
- Handling provocation
- Improving listening skills
- Understanding the blame cycle
- Managing a request for an apology
- Moving beyond stalemates
- Encouraging fair play in negotiations
- Managing unreasonable complainant conduct
- Responding to strong emotions
- Being calm in a high-stress situation

Understanding occupational violence

- Understanding risk factors
- Recognising signs of impending occupational violence
- Identifying preventative measures
- Understanding workplace policies and relevant legislative frameworks

Emergency management

- Reporting circumstances or incidents of concern
- Knowing roles and responsibilities in violent or potentially violent situations
- Following appropriate procedures in the event of a violent situation
- Summoning assistance from colleagues or internal security personnel
- Activating alert systems, including local emergency services
- Maximising safety and minimising risks in emergency situations

Critical incident management

- Understanding and identifying the appropriate organisational responses to a particular critical incident
- Identifying practical tools for the management of the critical incident
- Understanding the legislative framework that applies to managing the critical incident

Understanding behavioural disorders and other behaviours associated with particular disabilities or mental health conditions

- Being aware of behavioural issues
- Understanding behavioural disorders
- Understanding behaviours associated with particular disabilities or mental health conditions.

SCSO training

The principal and any other person who is an authorised person for the purposes of the School Community Safety Order Scheme should undertake any training required by their employer.

As per the *School Community Safety Order Scheme Ministerial Guidelines*:

'[a]uthorised persons are required to complete any training as required by the Secretary [of the Department of Education and Training] from time to time before making an order or using the Scheme. Authorised persons who have completed the required training must retain evidence of completion and produce such evidence upon request by the Secretary or the Department'.

Some staff may be more exposed and susceptible to aggressive and violent behaviours of students or parents due to the specific nature of their roles, e.g. reception staff, teachers of students with known behavioural disorders, or senior staff who are required to meet with distressed or angry parents regarding a complaint. Where training budgets are limited and other constraints apply, principals are encouraged to give priority access to training for these members of staff.

SUPPORTING RESOURCES AND REFERENCES

- Employers can provide assistance and referral information regarding appropriate and specialised training providers.
- See Section D (pp. 22–46) of the Department of Education and Training's [Addressing Parents' Concerns and Complaints Effectively: Policy and guides](#). The 14 skills-based guides serve as a key reference for professional reading, and for assessing the skills capacity and training needs of staff.

2.7 INDIVIDUAL BEHAVIOUR SUPPORT PLANS

An individual behaviour support plan (BSP) is an agreement reached formally between the school, a student and their parents regarding expected behaviour of the student. If required, the BSP is informed and supported by authoritative advice in relation to the student's learning and health needs.

Individual BSPs ought to be in place for students who repeatedly exhibit challenging and aggressive behaviours. The BSP should specify:

- the positive, formative purpose of the plan
- the duration of the plan
- expectations regarding the student's future behaviour
- means by which the student will be supported in achieving this behaviour
- means by which the student's behaviour will be monitored and managed
- a schedule of review
- arrangements to apply following a satisfactory conclusion of the plan
- arrangements to apply if the student's behaviour is not in accord with the plan's stated expectations.

A behaviour management team should be established to construct the BSP, with membership along the lines of student support groups that are required for funded special needs students. The team monitors the student's progress, ensures there is a positive flow of feedback and communication between all key people involved, and modifies the BSP as required.

A BSP can serve as a positive and valuable support not only to the student, but to teachers and other staff who have key responsibility for the wellbeing, safety and learning of the student and other students in their class. The BSP can strengthen their professional confidence insofar as they know they are working from agreed and informed prevention and intervention procedures that are acceptable to all parties involved with the student.

SUPPORTING RESOURCES AND REFERENCES

- Each employer has staff to assist schools with the construction of BSPs.
- See the [CECV Positive Behaviour Guidelines](#).
- An internet search of 'behaviour management plans' will also call up a range of BSP samples from other education jurisdictions in Australia, along with advice regarding their construction and effective use.

Section 3 Intervention practices and incident response

3.1 RECOGNISING AND REPORTING BEHAVIOURAL WARNING SIGNS

Experts in behavioural psychology advise school personnel to pay attention to behavioural signals that may indicate rising distress and anger, such as:

- sudden changes in expression, physical activity, posture or appearance
- dramatic increase or change in the volume or tone of voice
- verbal threats to harm self, others or property
- silences, breathlessness or sighs
- challenges or resistance to authority
- withdrawal from engagement in normal interactions and activities.

When such behaviours (or a pattern of behaviours) are exhibited by **students**, staff ought to be strongly encouraged to share their observations with colleagues who have direct contact with the student, or who might become involved with them (e.g. counsellor/welfare officer, chaplain, student wellbeing coordinator). Schools should have procedures and mechanisms in place (e.g. incident registers, intranet file notes on student profile pages) to ensure that the reports are directed to the appropriate staff members, and that formal monitoring and follow-up occur.

When such behaviours are exhibited by **parents**, there ought to be an expectation that a staff member's concerns are reported to the appropriate senior member of staff for follow-up as deemed appropriate, which may include consideration of the appropriateness of the imposition of an SCSO.

3.2 DEFUSING CHALLENGING CONVERSATIONS AND BEHAVIOURS

Among practitioners in the fields of conflict resolution, arbitration and mediation, there exists a broad consensus on strategies for dealing in a timely manner with challenging behaviours. A key emphasis is on using calming, non-adversarial techniques that defuse a person's anxiety or distress and enable more rational emotions to prevail in continued interactions.

The strategies below are a composite of techniques that have been applied to school settings and contexts.²

3.2.1 Face-to-face interactions with students and parents

- **Endeavour to hold or continue the conversation in a private setting.** This will minimise the anxiety, fear and risk of harm to others in the vicinity who have witnessed the aggressive behaviour. Ensure that the relocation area is safe (i.e. it has reasonable proximity to colleagues, external visibility, adequate lighting and suitable access/exit doors).
- **Be empathic.** Try not to judge or discount the feelings of others. Whether or not you think their feelings are justified, those feelings are real to the other person. Pay attention to and acknowledge them, e.g. 'I can see that you're unhappy about ...'
- **Clarify messages.** Listen for the person's real message. What are the feelings behind the facts? Ask reflective questions, and use both silence and restatement.
- **Permit some verbal venting.** Let the student or parent talk without interruption, as curtailing the flow can fuel their anger.

² The strategies are drawn from Association of School and College Leaders 2006, 'Threatening behaviour', *Leader*, Issue 15, September, <http://archive.leadermagazine.co.uk/article.php?id=503>; and Crisis Prevention Institute 2005, *Creating a Safe and Caring School: Nonviolent Crisis Intervention training notes*.

- **Respect personal space and be aware of your body position.** Invading personal space tends to increase the individual's anxiety and may lead to acting-out behaviour. Standing eye-to-eye and toe-to-toe with a person, especially a student in your charge, sends a challenging message. Standing one leg-length away and at an angle off to the side is less likely to escalate the individual's anxiety or anger.
- **Set and enforce reasonable limits.** If the person becomes (or continues to be) belligerent, defensive or disruptive, state limits and directives clearly and concisely. When setting limits, offer choices and consequences to the individual.
- **Avoid overreacting.** Remain calm, rational and professional. Your response will directly affect the person's behaviour.

3.2.2 Face-to-face interactions with parents

- **Use 'I' statements rather than 'you'.** For example, 'I feel that [student's name] has not given you the whole picture', rather than, 'your child has not told you the truth'.
- **Be aware of any 'hurrying' or 'dismissive' behaviours or messages on your part.** If you do not have time or have students in your care, offer a choice, for example, 'You can arrange an appointment to discuss this later today, or I will find someone else who can speak to you straight away'.
- **Be clear about the boundaries of your role, but ensure that you take responsibility appropriately.** State clearly what you can do for the parent.
- **Avoid giving advice at an early stage.** This way, parents can make their own decisions and will be less likely to blame you if the option chosen does not work out.

3.2.3 Aggressive or abusive telephone conversations

Staff on the receiving end of aggressive or abusive behaviour over the telephone should receive training in the following procedures:

- **Calmly and firmly set limits**, such as: 'Please lower your voice', 'Please calm down so that I can understand your concerns and try to help you' and 'Please stop shouting [your abusive language] or I will have to terminate the call'.
- **Feed back to the caller** what you have heard regarding the issue or concern underpinning their aggression or abuse and what you believe the caller needs or wants.
- **Attempt to negotiate some referral and response time**, such as: 'You have raised some tough issues that ought to be referred to the staff member concerned/a senior member of the staff', 'I am not sure what we can do. I need to get advice from the principal' and 'I can assure you that you will hear back from me/the school as soon as possible'.
- **End the call** if the abuse or aggression continues or escalates, stressing beforehand that you will ask another staff member to contact the caller.
- **Make notes on what was said** immediately on termination of the call and then report the incident to the principal or a senior member of staff.

3.2.4 Aggressive or abusive written communications

Staff on the receiving end of aggressive or abusive communications via email, SMS or social media should be advised of the following procedures:

- **Do not reply** until first agreeing on an appropriate response in consultation with the principal or a senior member of staff.
- **Reply** with a simple concise message that the correspondence or message has been referred to the principal or a senior member of staff (name supplied) for response and follow-up, which will occur as soon as possible.

3.2.5 Training support

Training in strategies such as these is likely to increase the confidence of staff to use them effectively. As noted in section 2.6, some staff may be more exposed and susceptible to aggressive and violent behaviours of students or parents due to the specific nature of their roles, e.g. reception staff, teachers of students with known disruptive and aggressive behaviours, or senior staff who are required to meet with distressed or angry parents regarding a complaint. Priority access to training should be provided for these members of staff.

Diocesan education office staff can provide assistance and referral information regarding appropriate and specialised training providers.

3.3 ENACTING INCIDENT RESPONSE PROCEDURES

The nature and severity of a challenging situation will necessarily determine responses that can and should be made. In severe, dangerous or high-risk incidents where physical violence is either threatened or unfolding, or where damage to property is ensuing, elements of the school's emergency management or critical incident management plan may need to be enacted.

Incident management advisers consistently advocate for procedures premised on teamwork. Attempting to manage a dangerous situation alone may increase danger. It is therefore important that staff are aware of procedures and options for obtaining assistance from other staff members. In the absence of access to electronic alert systems, such options may be as simple as using whatever is available to call attention to the area where the incident is unfolding.

If there are other students in the vicinity of the incident, every effort needs to be made to relocate them to a safer, supervised area.

In addition to requesting that the offending person stops or desists from the behaviour, and calling for assistance, other responses that may need to be implemented include:

- enacting a lockdown (containment) or evacuation, as per the school's procedures
- relocating the distressed or aggressive student or parent to a student-free area, ideally a meeting room that is in close proximity to colleagues and that has appropriate external visibility, access doors and lighting
- considering the appropriateness of or implementing an SCSO, in accordance with the relevant employer SCSO policy or resources
- contacting emergency services personnel (police or ambulance) if necessary.

Principals are strongly encouraged to review the school's emergency management plan and ascertain its applicability for dangerous situations where physical violence is either threatened or unfolding, or where damage to property is ensuing. Additional procedures may need to be developed that take account of factors such as:

- a staff member's access to (or the absence of) alert systems

- the responsibilities and expectations of staff in the vicinity of the area
- ‘partial’ lockdown or evacuation procedures if the incident is not affecting the safety of other students or staff, or if the incident occurs in a contained area of the school.

3.3.1 Physical restraint of a student

The use of physical restraint of a student to prevent or curtail a violent incident is not acceptable practice unless in exceptional circumstances. In this matter, the CECV endorses the policy of the Department of Education and Training, entitled ‘Restraint and Seclusion’. More detailed guidance on this policy can be found in the *CECV Positive Behaviour Guidelines*. Drawing on regulation 25 of the Education and Training Reform Regulations, the policy states that school staff may only use physical restraint or restrain a student from imminent dangerous behaviours by seclusion when **all** the following conditions are met:

- there is an imminent threat of physical harm or danger to the student or others
- the action is reasonable in all the circumstances
- there is no less restrictive means of responding in the circumstances.

The Department of Education and Training policy emphasises that the decision about whether to use physical restraint or seclusion rests with the professional judgement of the staff member(s) involved, who will need to consider both their duty of care to their students, their right to protect themselves from harm, and any obligations under the *Charter of Human Rights and Responsibilities Act 2006* (Vic.). The policy also stipulates that a staff member should:

- only use the minimum force required to avoid the dangerous behaviour or risk of harm
- apply restraint for the minimum duration required and remove the restraint once the danger has passed
- ensure the type of restraint used is consistent with the student's needs and circumstances, considering factors including the student's age and size, any medical or other conditions of the student, and the student's likely response
- talk with the student throughout the incident, explaining why the restraint is being applied and that the restraint will stop once it is no longer necessary to protect the student or others.

Various follow-up and reporting actions should be taken after restraint has been used.

3.3.2 Social media offences

A school's response needs to align with its policy on this matter (see section 2.3.4 of these guidelines). In most instances, when a staff member or a principal has been threatened, denigrated or defamed in an online forum, the principal or the school's governing authority ought to:

- immediately approach the author or perpetrator of the offending material and request that the material be removed
- if appropriate to the circumstances, request a written retraction of comments or offending material
- confirm in writing the request
- seek legal advice if the material is not removed or retracted
- if necessary and appropriate, impose an SCSO on the author or perpetrator, with any such order to be considered and imposed in accordance with the school's relevant employer SCSO policy or resources.

3.3.3 School community safety orders

The School Community Safety Order Scheme provides for orders prohibiting or regulating certain conduct on school premises or at school-related places for the purpose of protecting members of school communities from harmful, threatening or abusive behaviour. Harmful behaviour is harm of any kind, including physical or mental harm.

Under the Scheme, an authorised person may make an immediate or ongoing SCSO in certain circumstances, including if they reasonably believe that a person against whom an SCSO is able to be imposed poses an acceptable risk of harm to another person on the school premises (or within 25 metres of the school premises), or to a member of the school community at any other premises on which there is activity being conducted in connection with the school. Principals and other persons as nominated by the Secretary of the Department of Education and Training are authorised persons for the purposes of the School Community Safety Order Scheme.

An SCSO cannot be imposed on a staff member or student of the school, or anyone who is under 18 years of age.

An SCSO can prohibit the recipient from a range of conduct for a specified period, with such conduct including entering or remaining on the school-related place(s) specified in the SCSO, and telephoning, sending a message or otherwise contacting specified staff member(s).

There are several procedural and substantive requirements of which principals and other authorised persons must be aware and ensure compliance with when considering whether to impose an SCSO, as well as when they have decided to impose an SCSO.

Further details on the above can be found in the school's relevant employer SCSO policy or resources, the Education and Training Reform Act, and the *School Community Safety Order Scheme Ministerial Guidelines*.

School principals must ensure that every staff member who may act in the position of an authorised person for the purposes of the School Community Safety Order Scheme completes training required by the Victorian Government and the relevant employer, and that staff are otherwise aware of the Scheme. This will be deputy or assistant principals in most instances.

As required under the Education and Training Reform Act, schools must also ensure that internal review processes for ongoing orders are published on the school website. Please refer to the employer for further details on the applicable review process for your school.

SUPPORTING RESOURCES AND REFERENCES

- Victorian Government [School Community Safety Orders](#).
- [Overview of the School Community Safety Order Scheme](#).
- School Community Safety Order Scheme [Training for authorised persons](#).
- School Community Safety Order Scheme [Ministerial Guidelines](#).

3.4 EXTERNAL SUPPORT

Accessing emergency services and specialist personnel increases the support and management options available to schools when dealing with challenging student or parent behaviours and incidents. Depending on the nature and severity of the situation, support people and agencies may include:

- Victoria Police
- Youth Resource Officers (local government or Victoria Police officers)
- employer support staff (see Appendix 2)
- health and welfare professionals
- ambulance services.

Contact details of the school's service providers in these areas should be easily accessible to staff.

Employer assistance

Each employer has varied procedures and personnel in place for providing emergency support, advice and back-up services when a school is dealing with a violent or potentially violent incident. The most appropriate first point of call for school principals will be determined in large part by factors which include the people involved (students, parents or a combination) and the point at which assistance is sought, i.e. prior to, during or after an incident.

SUPPORTING RESOURCES AND REFERENCES

- Appendix 2 of these guidelines provides diocesan education office contact details.

Section 4 Post-incident responsibilities

4.1 STAFF RECOVERY AND SUPPORT

Schools have a legal obligation to control risks to the health of any persons who are exposed to potentially traumatic incidents in connection with the workplace. Where a person exposed to a potentially traumatic incident is a direct employee or contractor, the obligation to control risks so far as reasonably practicable arises under section 21 of the OHS Act. Where a person exposed to an incident is not an employee or contractor, the legal obligation arises under section 23 of the OHS Act.

A principal needs to ensure that a staff member harmed by a violent incident:

- is advised of their entitlements under WorkCover
- is made aware of the option, and is able, to refer the matter to the police if the incident is deemed to be a breach of the law (see section 4.3 below)
- has a clear, adequately resourced program of healing, recovery and ongoing support provided by the employing authority. The program may include:
 - access to WorkCover entitlements
 - an offer of counselling support
 - reduced or changed duties for a negotiated period of time, with clinical input
 - compensation for damage to personal property.

In many instances, a violent incident will also have an adverse emotional impact on those who witnessed the incident (e.g. students, co-workers, other parents or visitors to the school). As injuries resulting from exposure to trauma are known to develop over time, it is important that principals seek external assistance in facilitating debriefing sessions and arranging counselling services for those affected, which may include persons other than staff members.

4.2 REPORTABLE CONDUCT

Where occupational violence exposes a child to harm that constitutes reportable conduct, it may be necessary to make a report to the Commission for Children and Young People (CCYP).

The five types of reportable conduct are:

1. sexual offences (against, with or in the presence of a child)
2. sexual misconduct (against, with or in the presence of a child), capturing a broad range of inappropriate behaviours that may not necessarily amount to a sexual offence
3. physical violence (against, with or in the presence of a child)
4. behaviour that causes significant emotional or psychological harm
5. significant neglect, which occurs when there is a significant, deliberate or reckless failure to meet the basic needs of a child in circumstances where the adult understood or should have understood those needs, but failed to do so.

The protocol of employers of Catholic schools and any applicable mandatory reporting procedures should be followed in reporting such conduct. More information on the obligations and procedures under the Reportable Conduct Scheme can be found in the [Catholic Schools Operational Guide](#).

4.3 POLICE INVOLVEMENT

If there has been an alleged breach of the law by a student or parent in connection with occupational violence, there is no express obligation to report a matter to Victoria Police. However, the matter may be referred to the police unless it is considered a minor matter. The principal is the appropriate authority for considering the degree of seriousness of an alleged offence; however, a staff member harmed by the incident has the right to make a police report independently of the principal's decision.

The *Catholic Schools Operational Guide* presents the following information that may assist principals and staff members in discerning an appropriate way forward:

- Where a matter is to be referred to police, this should be done at the earliest opportunity. Private inquiries beyond the minimum required in ascertaining the bare facts and whether an allegation is frivolous or vexatious must be avoided.
- In Victoria, no person is compelled to report a crime as far as criminal law is concerned (though note there is an exception in the case of an adult who has information that leads them to form a reasonable belief that another adult has committed a sexual offence against a person under the age of 16 years: see section 327 of the *Crimes Act 1958* (Vic.)).
- Under section 344 of the Children, Youth and Families Act, a child under the age of 10 is not considered capable of committing an offence and cannot be rendered criminally liable for their actions. Between the ages of 10 and 17 years, children are dealt with by the Children's Court, provided the child is under the age of 18 when the matter is brought before the court.
- Under Police Standing Orders, police have the discretion to administer a caution to a child who they believe to have committed an offence, instead of laying criminal charges. This is often the procedure adopted in cases of first offence and the caution is usually administered by a senior officer.

4.4 SANCTIONS: STUDENT OFFENCES

In the aftermath of an incident where a student's behaviour has been violent and has caused harm to a staff member:

- The student's parents must be contacted as soon as possible and be part of any ongoing procedures.
- The student must be given every opportunity and support to account for their behaviour.
- Depending on the circumstances and any history associated with the student's behaviour, specialist personnel may be called in for assistance in managing the student's immediate situation.
- In some instances where the behaviour of a student is deemed likely to cause ongoing harm, distress or danger to others, it may be necessary to withdraw or suspend the student temporarily from the school community. Such actions will need to accord with:
 - the school's behaviour management policy
 - policies of employers of Catholic schools pertaining to the management of serious offences, in particular, provisions relating to suspensions, in-school or out-of-school withdrawals, and the convening of a behaviour management support group to explore short-term and long-term options for the student.
- The student may require a BSP, or an amended BSP if one is already in place (see section 2.7). Where the student already has a BSP, the school ought to enact the specified arrangements that apply if the student's behaviour is not in accord with stated expectations.

SUPPORTING REFERENCES AND RESOURCES

- The [CECV Positive Behaviour Guidelines](#) provide detailed processes and procedures for behaviour support and post-incident practices.

4.5 SANCTIONS: PARENT OFFENCES

A school's response to a parent's violent behaviour will need to take account of a range of factors, including:

- the nature of the violent action and its impact on the staff member and others in the school community
- the school's stated policies on parent–school relationships and related agreements or charters
- the appropriateness of, or need for, an SCSO in the circumstances
- the school's complaints policy and the degree to which it was observed prior to the incident
- any known extenuating circumstances associated with the parent's behaviour (e.g. health issues, family hardship)
- any history associated with the parent's behaviour (e.g. previous threatening behaviour and the school's earlier attempts to address the issue).

Where appropriate, the parent must be given the opportunity to calm down and account for their behaviour. This process should be facilitated by the principal and another senior member of staff, with no expectation that the affected staff member attend.

If there has been an alleged breach of the law, the matter may be referred to the police. This action will have a bearing on whether the school undertakes its own investigation of the incident and precipitating factors (see section 4.3 above, noting that schools are not best placed to undertake investigations of criminal matters).

An assessment regarding the parent's continued presence in the school, short-term or long-term, will need to be undertaken. Personnel from the employer may need to be called in for assistance in determining this matter (see section 3.4). Consideration should also be given to the school's relevant employer SCSO policy or resources (see section 3.3.3 above).

Where the behaviour of a parent is deemed likely to cause ongoing harm, distress or danger to others, the school has the right to impose a temporary or permanent ban on the parent entering the school premises, attending school activities, or communicating with the school or certain persons at the school. Depending on the circumstances, this may be done by imposing an SCSO (see the school's relevant employer SCSO policy or resources) or through other mechanisms such as issuing a trespass order. Legal advice about parent exclusion options, including intervention orders and procedures, can be accessed through the employer. Assistance can also be provided with drafting letters informing the parent of the school's position, and its processes and timeline for reviewing the ban or intervention order.

There may be instances where a parent requests external, third-party mediation if they believe that the school's response to the incident is unsatisfactory and the subject matter of the mediation does not relate to the imposition of an SCSO. Conversely, principals may require mediation assistance if interactions and negotiations with the parent fail to achieve satisfactory outcomes. Principals are advised to contact their employer for advice on appropriate mediation services and providers. The neutrality of mediators (perceived or actual) in what should be a 'level playing field' will be an important consideration and, in some cases, may preclude the direct involvement of diocesan education office personnel.

4.6 INCIDENT MANAGEMENT REPORTS AND EVALUATION

In the aftermath of an incident, it is essential that all aspects of the school's management of the emergency or critical incident are reviewed to identify potential opportunities for improvement, which in turn can facilitate prevention or minimisation of any future incidents. The review outcomes may require adjustments to existing procedures and systems in order to reduce the risk of similar or repeated incidents in the future.

As part of the review, it is the responsibility of the principal to ensure that:

- health and safety representatives and employees are consulted in relation to health and safety matters
- a report of the incident has been made in the school's accident/incident register and has been forwarded to the appropriate employer personnel
- all aspects of the school's relevant risk assessment and management process are evaluated
- the school's health and safety representatives (if in place) have been informed of the incident and are involved in evaluating the school's response
- school policies, processes and procedures are modified if necessary, with staff and parents advised of changes
- the efficacy of emergency response equipment and systems is evaluated and, where needed, equipment is upgraded and expanded.

Where an SCSO has been imposed, specific reporting and record keeping requirements apply, as do other requirements such as the preparation of a communication and access protocol. These are set out in the school's relevant employer SCSO policy or resources, the Education and Training Reform Act, and the *School Community Safety Order Scheme Ministerial Guidelines*. The principal is responsible for ensuring compliance with such requirements.

Appendices

Appendix 1: Staff safety – Risk matrix checklist

Suggested use

1. Distribute the checklist to staff (or a sample group) and ask them to record their assessment of the school's practices/procedures against each statement, using the 'Comment' cell for recording any qualifying statements, opinions, suggestions, future actions, etc.
2. Draw on the findings to establish priorities for new or improved practices over the next 12 months.
3. Repeat the process 12 months later, noting practices that require ongoing attention.

Practice/procedure	Yes	No	Unsure	Comment
Aggressive parent behaviour – prevention measures				
We have effective policies and procedures for addressing parent complaints.				
There are commonly held understandings among staff about what constitutes unacceptable parent behaviour.				
There are commonly held understandings among parents about what constitutes unacceptable parent behaviour.				
Expectations and procedures are clear for recording and reporting behaviours of concern.				
Triggers for and warning signs of escalating aggressive behaviours of parents are well understood by staff.				
Aggressive student behaviour – prevention measures				
We have effective systems for monitoring students with known behavioural problems.				
We have adequate systems for sharing information about behaviours of concern.				
Expectations and procedures are clear for recording and reporting behaviours of concern.				
Triggers for and warning signs of escalating aggressive behaviours of particular or individual students are well understood.				
Our Positive Relationships/Respectful Relationships/Behaviour Management policies and procedures work well for both students and staff.				
In most instances, parent support of and collaboration with our behaviour management procedures are strong.				
Implementation of individual behaviour management plans for some students is a strategy that works well.				

Practice/procedure	Yes	No	Unsure	Comment
Training				
We are aware of our professional responsibilities under the Victorian Institute of Teaching (VIT) Code of Conduct.				
Training in prevention and intervention strategies for managing a student's or parent's aggressive or potentially violent behaviour is made available to staff.				
Training in prevention and intervention strategies for managing aggressive or potentially violent behaviour of a student or parent ought to be given higher priority.				
Some staff have advanced mediation and negotiation skills.				
When required, we make effective use of expert advice and specialist services to assist with aggressive behaviours.				
Incident response and emergency management plan (EMP)				
I am confident that I have sufficient defusing strategies and techniques to calm an aggressive or angry student or parent.				
Staff have specific strategies, techniques and procedures commensurate with their role to respond to student or parent aggression.				
We have adequate or effective systems for summoning assistance from colleagues.				
The school has developed its EMP and a critical incident management plan.				
The details of our EMP and our critical incident management plan are easily accessed and well known to staff.				
Aspects of our EMP are regularly rehearsed.				
Our EMP (or aspects of it) has been evaluated and amended in the last 18 months.				
Our roles and responsibilities in lockdown, evacuation and other EMP procedures are clear and well known.				
Support mechanisms for staff affected by incidents are identified and available.				
Security – equipment, systems, procedures				

Practice/procedure	Yes	No	Unsure	Comment
Proximity to colleagues in most areas of the school enables us to promptly assist each other.				
Some areas of the school are less secure and safe than others.				
We have effective procedures for reporting safety or security concerns.				
Follow-up is good on safety or security reports and on concerns raised.				
We have good options for and access to emergency alerts.				
Our alert and alarm systems are tested regularly.				
Indoor lighting in all or most areas of the school is adequate.				
External lighting in all or most areas of the school is adequate.				
Our meeting rooms are well equipped for attracting attention or summoning assistance if required.				

Appendix 2: External support

External support is available via the diocesan education office and applies where advice or support services might be required in different contexts, for example:

- when threats of violence have been made or there are fears that threatening behaviours could escalate
- in the immediacy of a violent incident
- in the immediate aftermath of a violent incident
- in the aftermath of a violent incident where legal ramifications and options for the parties involved need clarification.

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