



*catholic education commission of victoria ltd*  
ACN 119 459 853

# ***Safe and Sound Practice Guidelines (Occupational Violence)***

**GUIDELINES FOR SCHOOL PRINCIPALS**

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# Section 1 Context and Overview

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## 1.1 INTRODUCTION

Employing authorities and school principals carry a duty of care for providing 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 safety or reduce risks as far as is practicable.

Meeting this duty of care and instituting 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 principals in both preventing and responding to incidents of aggressive, potentially violent and/or violent behaviour directed towards staff. 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 Guidelines comprise four key sections:

- **Section 1 – Overview and context information** that includes definitions and terminology associated with occupational violence; guiding principles for effective practice; legislative responsibilities; and guiding perspectives from our Catholic tradition
- **Section 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
- **Section 3 – Intervention measures and strategies** to be enacted when challenging or threatening behaviours escalate and/or in the immediacy of a violent incident
- **Section 4 – Post-incident responsibilities** that require consideration and enactment in the aftermath of a violent incident.

The Guidelines are neither prescriptive nor exhaustive in their presentation of recommended practices. The nature and severity of challenging behaviour and violent incidents in schools vary greatly, and each school has its own specificities that might require a different approach when dealing with a particular problem.

The Guidelines do not form part 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

In these Guidelines, the following frequently used terms are defined as follows:

**OCCUPATIONAL VIOLENCE** – any incident where an employee is physically attacked or threatened in the workplace. The violent or threatening behaviour can include:

- physical acts
- harassing gestures or expressions
- vandalism of a person’s property
- oral or written statements, including those communicated via SMS, phone, emails or social media
- stalking.

**VIOLENCE IN SCHOOLS** – in 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 a school.

**AGGRESSIVE BEHAVIOURS** – behaviours that present a risk to a person’s physical and/or psychological health and safety and that can escalate into serious incidents of violence.

**PARENTS** – a student’s natural, adoptive or foster parents; guardians; and/or caregivers, who are authorised and entitled to participate in making decisions concerning the learning, safety and wellbeing of a student.

## 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.

Section 21 of the OHS Act lists the duties of the employer, including so far as reasonably practicable:

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

## 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</i> (Vic.)	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 her or his actions. Between the age 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.
<i>Disability Discrimination Act 1992</i> (Cth) and the <i>Disability Standards for Education 2005</i> (Cth)	This legislation seeks to ensure that students with disabilities have a right to access and participate in education and training free from discrimination and on the same basis as other students. Schools are required to make 'reasonable adjustments' that are necessary to ensure this, with such adjustments including the provision of behaviour supports for students with behavioural disorders associated with their disability.
<i>Education and Training Reform Act 2006</i> (Vic.)	Section 4.3 of this Act effectively requires that school policies relating to the discipline of students be based on principles of procedural fairness and not include the use of corporal punishment. As a condition of registration under the <i>Education and Training Reform Regulations 2007</i> (Vic.), a school must have policies in place relating to student behaviour, including policies on student engagement and the suspension or expulsion of students.
<i>Emergency Management Act 1986</i> (Vic.)	This Act establishes arrangements to provide for the management and organisation of the prevention, response and recovery phases of emergencies. The Victorian Registration and Qualifications Authority (VRQA) minimum standards for school registration stipulate that every school in Victoria must have a documented Emergency Management Plan (EMP).
<i>Summary Offences Act 1966</i> (Vic.)	This Act covers matters that include trespassing and unbecoming 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/proprietor not to enter the school.  NOTE: For further information regarding trespassing, see 'School Trespass Guidelines': <a href="http://cevn.cecv.catholic.edu.au/FinLegal/Legal/general.htm">http://cevn.cecv.catholic.edu.au/FinLegal/Legal/general.htm</a> >
<a href="#"><u>Workplace Injury Rehabilitation and Compensation Act 2013</u></a> (Vic.)	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.

## 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.<sup>1</sup> Sections 2–4 of these Guidelines elaborate on such practices, which are premised 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 student and parent behaviours.

### Aggressive Behaviours – Prevention

2. **Learning environments that are inclusive and relational** and that stimulate high levels of learning 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** strengthen the school’s capacity to prevent and/or respond effectively to violent incidents in schools. 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.
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 and/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 and/or manage a student’s or parent’s aggression or violence.
8. **Individual behaviour support plans** for students who repeatedly exhibit challenging and aggressive behaviours have the potential to serve as a valuable support to staff who hold the key responsibility for the wellbeing, safety and learning of the student and all other students in their immediate care.
9. **Well-rehearsed emergency management plans and systems and well-constructed critical incident plans** are essential in maintaining a safe learning and work environment for students and staff.

<sup>1</sup> The elements of good practice are drawn from: 1) Information sheets and other resources developed by the WorkSafe Advisory Service [www.worksafe.vic.gov.au/safety-and-prevention/health-and-safety-topics/occupational-violence](http://www.worksafe.vic.gov.au/safety-and-prevention/health-and-safety-topics/occupational-violence); 2) DEECD 2009, *Respectful Relationships Education* [www.education.vic.gov.au/school/teachers/health/pages/respectrel.aspx](http://www.education.vic.gov.au/school/teachers/health/pages/respectrel.aspx); and 3) MCEEDYA 2011, National Safe Schools Framework [www.education.gov.au/national-safe-schools-framework-0](http://www.education.gov.au/national-safe-schools-framework-0).

### Aggressive Behaviours – Interventions

10. **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.
11. **Pastoral and restorative principles and practices** that reflect gospel values, Catholic social teaching and diocesan policies on student wellbeing ought to influence post-incident decisions pertaining to an offending student's or parent's ongoing relationship with the school.
12. **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.
13. **A school's incident response and emergency management procedures**, when comprehensively constructed, well rehearsed and effectively implemented, can minimise the adverse short- and long-term impacts of a violent incident.
14. **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 a principal's discernment 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 humankind; everyone must consider their every neighbour without exception as another self, taking into account first of all his or her 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, Pastoral Constitution on the Church in the Modern World, n. 27.**<sup>2</sup>*

### 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.*

<sup>2</sup> [www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19651207\\_gaudium-et-spes\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html)

*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!' (Mt 5:9).*

*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, The Joy of the Gospel, nn. 226–228.**<sup>3</sup>*

### On Rights, Responsibilities and Duties

*Those who claim their own rights, yet altogether forget or neglect to carry out their respective duties, are people who build with one hand and destroy with the other. Since men are social by nature they are meant to live with others and to work for one another's welfare. A well-ordered human society requires that people recognise and observe their mutual rights and duties. It also demands that each contribute generously to the establishment of a civic order in which rights and duties are more sincerely and effectively acknowledged and fulfilled. **Pope John XXIII, 1963, Peace on Earth, nos 29–31.**<sup>4</sup>*

### On the Common Good

*It is agreed that in our time the common good is chiefly guaranteed when personal rights and duties are maintained. The chief concern of civil authorities must therefore be to ensure that these rights are acknowledged, respected, coordinated with other rights, defended and promoted, so that in this way everyone may more easily carry out their duties. For to safeguard the inviolable rights of the human person, and to facilitate the fulfillment of each one's duties, should be the chief duty of every public authority. **Pope John XXIII 1963 Peace on Earth, n. 60.**<sup>5</sup>*

### On Forgiveness and Reconciliation

*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 (cf. 1 Jn 4: 7–12). 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 (cf. Ps 103 :3–4, 10–13). The followers of Christ, baptised 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.**<sup>6</sup>*

<sup>3</sup> [www.vatican.va/holy\\_father/francesco/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium\\_en.html](http://www.vatican.va/holy_father/francesco/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium_en.html)

<sup>4</sup> [www.vatican.va/holy\\_father/john\\_xxiii/encyclicals/documents/hf\\_j-xxiii\\_enc\\_11041963\\_pacem\\_en.html](http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html)

<sup>5</sup> [www.vatican.va/holy\\_father/john\\_xxiii/encyclicals/documents/hf\\_j-xxiii\\_enc\\_11041963\\_pacem\\_en.html](http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html)

<sup>6</sup> [www.vatican.va/holy\\_father/john\\_paul\\_ii/messages/peace/documents/hf\\_jp-ii\\_mes\\_20011211\\_xxxv-world-day-for-peace\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/messages/peace/documents/hf_jp-ii_mes_20011211_xxxv-world-day-for-peace_en.html)

## Section 2 Incident Minimisation Practices

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### 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 understandings 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 ‘raise the bar’ in improving the learning experiences that advance a student’s wellbeing and learning engagement.

#### SUPPORTING RESOURCES AND REFERENCES

- See the following elements of the *National Safe Schools Framework* (NSSF) 2011 edition: [www.education.gov.au/national-safe-schools-framework-0](http://www.education.gov.au/national-safe-schools-framework-0)
  - Element 2: A supportive and connected school culture
  - Element 6: Engagement, skill development and safe school curriculum
  - Element 7: A focus on student wellbeing and student ownership.
- Refer to the publications of Sue Roffey and Associates [www.sueroffey.com/sue-roffey](http://www.sueroffey.com/sue-roffey) regarding the promotion of social and emotional learning, the development of pro-social behaviour, initiatives for social inclusion and development of relational values in education and the wider community.
- Refer to the student learning and wellbeing initiatives/programs of diocesan CEOs as reported on their respective websites and on the Catholic Education Victoria Network (CEVN). <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 and/or repeated breaches of behaviour 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 behavior is triggered by or linked to some adverse health, social and/or economic difficulties 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 into 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 *National Safe Schools Framework*, 2011 edition, [www.education.gov.au/national-safe-schools-framework-0](http://www.education.gov.au/national-safe-schools-framework-0) in particular Element 9, 'Partnerships with Parents and the Community'.

See the Catholic Education Office Melbourne 2013 resource, *Parent Engagement in Action: A Guide and Toolkit*. <http://www.ceomelb.catholic.edu.au/learning-teaching/parents-as-partners/fsp>

**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 contested issues. It is important that principals 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 building 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.

**2.3.3 Expectations of Parents**

Some Catholic schools have adopted the practice of developing a Parent-School Relationships Code of Conduct or Charter. Others have chosen to issue Communications Protocols. Such statements usually specify 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.

Most schools prefer to express their expectations of parent behaviour in positive terms and to affirm the experience of partnership, goodwill, good faith and cooperation that the school already enjoys with the majority of its parent members. This has resulted in a general reluctance to specify unacceptable behaviours and the consequences. Following an increase in unacceptable behaviour from parents, albeit in a minority of schools by a small number of parent members, consideration ought to be given to incorporating descriptions of

unacceptable behaviour, along with specifications about the range of sanctions a school may need to impose for breaches of the policy or code. The descriptions and sanctions may not prevent or curtail unacceptable behaviour but, at the very least, will provide the school with greater leverage to enact sanctions in the aftermath of these unacceptable behaviours.

Any decision to proceed in this direction ought to be made in consultation with the school's Education Board and the employing authority. Consideration might also be given to appending the Code/Charter to the school's enrolment contract with parents, thus providing the school with leverage to terminate an enrolment contract in the event of repeated and/or serious breaches of the Code/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, 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 be proactive in this matter and include in their suite of policies one that addresses 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 and/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 include 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/about a staff member (emails/social media)
- swearing at a staff member
- pushing, hitting, punching or kicking a staff member (or attempting such actions)
- directing racist or sexist comments toward a staff member
- damaging or violating a staff member's possessions/property.

#### 2.3.6 Student Conflicts and Parent Interventions

A frequently reported problem in many schools is one wherein parents attempt to resolve problems that involve their children and other students by direct approach to these students or their parents. In such instances, tensions and issues can escalate and behaviours can become more threatening, abusive and/or damaging to all involved.

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 diocesan CEO has policy statements regarding pastoral care, student wellbeing and student behaviour management policies that are intended for adoption and adaption by schools. See:
  - CEO Melbourne Policy 2.26, *Pastoral Care of Students in Catholic Schools* and accompanying *Guidelines for Student Behaviour Management* [www.ceomelb.catholic.edu.au/publications-policies/policy/policy-2.26-pastoral-care-of-students-in-catholic-schools/](http://www.ceomelb.catholic.edu.au/publications-policies/policy/policy-2.26-pastoral-care-of-students-in-catholic-schools/)
  - CEO Ballarat Pastoral Care Policy [www.ceoballarat.catholic.edu.au/media/uploads/webdocuments/PastoralCare.pdf](http://www.ceoballarat.catholic.edu.au/media/uploads/webdocuments/PastoralCare.pdf)
- See the Social Media Policy Template on the web pages of the CECV IR Unit [www.cecv.catholic.edu.au/frameset.htm?page=industrial](http://www.cecv.catholic.edu.au/frameset.htm?page=industrial). The policy template has a specific focus on expectations of employees – rather than students or parents – in their use of social media. Nonetheless, it serves as a useful guide for schools that are developing or reviewing their policy position and management of social media risks and incidents.
- Appendix 1 of these Guidelines presents a sample Parent–School Relationships Code of Conduct. The Code includes an exposition of unacceptable behaviours and the range of sanctions that a school may impose in the event of repeated or serious breaches.
- See Elements 3, 5 and 9 of the *National Safe Schools Framework*, 2011 edition: [www.education.gov.au/national-safe-schools-framework-0](http://www.education.gov.au/national-safe-schools-framework-0)
  - Element 3: Policies and Procedures
  - Element 5: Positive Behaviour Management
  - Element 9: Partnerships with Parents and the Community.

## 2.4 EFFECTIVE COMPLAINTS POLICY AND PROCEDURES

A school's 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 grievance escalating to aggression and/or violence.

The policy and procedures ought to 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.
- Every complainant deserves to be treated with respect and have his/her complaint properly considered.
- All parties have rights, responsibilities and expectations that ought to be taken into account 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, are an antidote to escalation.
- Widespread promulgation and promotion of the policy and procedures, and periodic reviews of their efficacy, will contribute to shared commitments and compliance.

As noted in Section 2.3.6, 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. It is strongly recommended that the school's Complaints policy advise parents that conflicts and incidents between students that occur at the school are to be referred directly to the school for investigation and resolution.

#### 2.4.1 Mediation

The Complaints policy and procedures should make provision for the right of a parent to request external, third-party mediation if the complainant believes the complaint has not been fairly or satisfactorily resolved at the school level.

The selection of an appropriate mediation service is important, as well-developed skills are needed to facilitate constructive interactions and to objectively reframe and feed back the contested views.

School principals are advised to contact their diocesan CEO for advice about 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 CEO personnel. The final choice of a mediator/mediation service ought to have the endorsement of all parties involved in the complaint.

#### **SUPPORTING RESOURCES AND REFERENCES**

- Appendix 2 of these guidelines presents a sample Complaints Policy.
- See an article titled *When Things Go Wrong at School*, on the Parenting Ideas website. [www.parentingideas.com.au/Blog/March-2014/When-things-go-wrong-at-school](http://www.parentingideas.com.au/Blog/March-2014/When-things-go-wrong-at-school). The article offers advice to parents in the form of a six-point checklist 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 the Mediation Notes and Advice on DEECD'S Restorative Practices web pages. [www.education.vic.gov.au/about/programs/bullystoppers/Pages/methodmediation.aspx](http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/methodmediation.aspx)
- Refer to the 2009 DEECD resource, *Addressing Parents' Concerns and Complaints Effectively: Policy and Guides*. See particularly Section D, Item 10, 'Strategies for identifying and managing unreasonable complainant conduct'. [www.eduweb.vic.gov.au/edulibrary/public/commrel/contacts/POLICY\\_AND\\_GUIDES\\_Addressings\\_parents\\_concerns.pdf](http://www.eduweb.vic.gov.au/edulibrary/public/commrel/contacts/POLICY_AND_GUIDES_Addressings_parents_concerns.pdf)

## 2.5 ASSESSING, REDUCING AND MONITORING RISK

### 2.5.1 Risk Assessment

Principals have a non-delegatable duty under the OHS Act to institute measures to either eliminate the risk to employees or reduce the risk as far as is practicable. This requires the following steps to be followed to manage the risks associated with occupational violence:

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

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
- who might be affected by the incident.

An assessment of risk to staff caused by aggressive or violent students or parents usually involves raising a number of questions to which answers are required, after which appropriate risk-minimisation actions are implemented and/or strengthened. Some initial questions may include:

- Are there guidelines or a plan of action to help staff deal with aggressive students and parents?
- What monitoring arrangements are in place for ensuring staff personal safety? Do all staff know about these arrangements?
- Do members of the leadership team have advanced or higher-level skills to deal with distressed and aggressive students and parents?
- Have staff had training in personal safety and dealing with threatening or violent incidents?
- Is there a strategy for supporting staff who have been involved in a distressing incident?

Risk assessments should always incorporate a professional assessment of the physical school environment for safety-related risk factors. The areas for assessment ought to include parking lots, entryways, 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. proximity to colleagues, external visibility, adequate lighting, suitable access/exit doors, electronic emergency alert systems)
- convenient, accessible emergency escape and evacuation routes (for staff and students)
- the efficacy of mechanisms to summon assistance
- the efficacy of mechanisms to effect a lockdown and/or evacuation
- the provision and location of security cameras
- adequate lighting in all areas
- minimisation, where possible, of isolated staff and work areas
- the availability of first-aid kits.

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, but employers 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, 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 and/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 Plan may need to be enacted.

In Victorian schools, a **critical incident** is understood as one in which there is a high likelihood of traumatic effects. A critical incident evokes unusual or unexpectedly strong emotional reactions which have the potential to interfere with the ability of the individual, group or system to function either at the time or later. Examples of a critical incident include an on-site 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.

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.

Schools must have both an Emergency Management Plan and a Critical Incident Management Plan, both of which usually contain the four components of preparedness, prevention, response and recovery. School 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.

#### SUPPORTING RESOURCES AND REFERENCES

- The *National Safe Schools Framework*, 2011 edition, offers an Audit Tool that enables schools to assess themselves against the nine elements of the NSSF. See Fact Sheet 5. [www.education.gov.au/national-safe-schools-framework-0](http://www.education.gov.au/national-safe-schools-framework-0)
- Appendix 3 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.

- Other risk assessment instruments and checklists are available online. See particularly the *WorkSafe Victoria Occupational Violence Risk Assessment Checklist*.  
[www.vwa.vic.gov.au/\\_data/assets/pdf\\_file/0005/9554/WS\\_MIA\\_OCCUPATIONAL\\_VIOLENCE\\_WEB.pdf](http://www.vwa.vic.gov.au/_data/assets/pdf_file/0005/9554/WS_MIA_OCCUPATIONAL_VIOLENCE_WEB.pdf)
- Diocesan CEOs can suggest reputable companies for performing risk audits and developing risk management plans.
- Diocesan CEOs can assist with the development and assessment/review of a school's Emergency Management and Critical Incident Plans. See also the following online resources:
  - Catholic Schools Operational Guide, Emergency Management/*Catholic Schools Emergency Management Manual* (Revised Edition v1.3) [http://cevn.cecv.catholic.edu.au/legal/legalissues/health\\_emergency.htm#Emergency\\_Management\\_Plan](http://cevn.cecv.catholic.edu.au/legal/legalissues/health_emergency.htm#Emergency_Management_Plan)
  - DEECD School Policy Advisory Guide, Emergency Management Planning  
[www.education.vic.gov.au/school/principals/spag/management/Pages/mgtplanning.aspx#H2N1001F](http://www.education.vic.gov.au/school/principals/spag/management/Pages/mgtplanning.aspx#H2N1001F)

## 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:

### 1. 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

### 2. Understanding occupational violence

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

### 3. Emergency management

- Procedures for reporting circumstances or incidents of concern
- Knowing roles and responsibilities in violent or potentially violent situations
- Appropriate procedures in the event of a violent situation
- Ways to summon assistance from colleagues or internal security personnel
- How to activate alert systems, including local emergency services
- Ways to maximise safety and minimise risks in emergency situations

**4. Critical incident management plan**

- 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

**5. Understanding behavioural disorders and other behaviours associated with particular disabilities and/or mental health conditions**

- Awareness of behavioural issues
- Understanding behavioural disorders
- Understanding behaviours associated with particular disabilities and/or mental health conditions.

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/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**

- Diocesan CEO staff can provide assistance and referral information regarding appropriate and specialised training providers.
- See Section D of the 2009 DEECD resource, *Addressing Parents' Concerns and Complaints Effectively: Policy and Guides*, pp 22–50. The 14 skills-based guides serve as a key reference for professional reading and for assessing the skills capacity and training needs of staff. [www.eduweb.vic.gov.au/edulibrary/public/commrel/contacts/POLICY\\_AND\\_GUIDES\\_Address\\_parents\\_concerns.pdf](http://www.eduweb.vic.gov.au/edulibrary/public/commrel/contacts/POLICY_AND_GUIDES_Address_parents_concerns.pdf).

**2.7 INDIVIDUAL BEHAVIOUR SUPPORT PLANS**

An individual Behaviour Support Plan (BSP) is an agreement reached formally between the school, a student, and the student's 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
- 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 communications 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 his/her 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 diocesan CEO has staff to assist schools with the construction of Behaviour Support Plans.
- See the DEECD website for a comprehensive explanation of Behaviour Support Plans, inclusive of a video tutorial on their benefits, guidelines on how to construct them, and a number of sample templates from which plans can be adapted. [www.education.vic.gov.au/about/programs/bullystoppers/Pages/teachplans.aspx](http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/teachplans.aspx)
- 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

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### 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 him/her (e.g. counsellor/welfare officers, chaplain, student wellbeing coordinator). Schools ought to 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 occurs.

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.

### 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.<sup>7</sup>

#### 3.2.1 Face-to-Face Interactions with Students and/or 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. 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 re-statements.

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<sup>7</sup> The strategies are drawn from two sources: 1) Association of School and College Leaders 2006, 'Threatening Behaviour', *Educational Leader Magazine*, Issue 15, September; and 2) the UK-based Crisis Prevention Unit (CP1) 2005, *Creating a Safe and Caring School: Nonviolent Crisis Intervention Training Notes* [www.crisisprevention.com/Resources](http://www.crisisprevention.com/Resources), p. 4.

- **Permit some verbal venting.** Let the student or parent talk without interruption, as curtailing the flow can fuel his/her anger.
- **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 son/daughter 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/Abusive Telephone Conversations

Staff on the receiving end of aggressive, abusive behaviour over the telephone ought to be trained 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'; '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 the caller's aggression/abuse and what you believe the caller needs/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 staff'; 'I am not sure what we can do. I need to get advice from the principal'. '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 senior member of staff.

### 3.2.4 Aggressive/Abusive Written Communications

Staff on the receiving end of aggressive, abusive communications via email, SMS or social media ought to 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; or
- **Reply** with a simple concise message that the correspondence/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 are likely to increase the confidence of staff to use them effectively. As noted in Section 2.7, 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/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.

Diocesan Catholic 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 and/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 plan may need to be enacted.

Incident management advisors consistently advocate for procedures premised on teamwork. Attempting to manage a dangerous situation alone may increase danger. It is therefore important that staff be 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 shouting for help or using whatever is available to create a loud noise that calls 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 stop or desist 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/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
- 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 Victorian Department of Education and Early Childhood Development (DEECD), entitled *Restraint of Student*.<sup>8</sup> Drawing on regulation 15 of the *Education and Training Reform Regulations 2007* (Vic), the policy states that school staff may only use physical restraint when **all** of the following conditions are met:

- the situation is an emergency and the danger of harm to the student and/or others is imminent;
- the restraint is used to prevent the student from inflicting harm on him/herself and/or others;
- there is no reasonable alternative that can be taken to avoid the danger.

The DEECD policy emphasises that restraint should not be used to maintain good order or as a response to disruption; nor should it be used as a response to a student's refusal to comply, or his/her verbal threats or property destruction. The policy also stipulates that a staff member should:

- be trained in using restraint
- only use the minimum force required to avoid the danger of harm
- apply restraint for the minimum duration required and remove the restraint once the danger has passed
- talk with the student while enacting the intervention, explaining that the restraint will stop once it is no longer necessary to protect the student and/or others.

### 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/perpetrator of the offending material and request that the material be removed
- if appropriate to the circumstances, request a written retraction of comments/offending material
- confirm in writing the request
- seek legal advice if the material is not removed/retracted

<sup>8</sup> DEECD, School Policy and Advisory Guide, Student Restraint Policy, DEECD, School Policy and Advisory Guide, Student Restraint Policy, [www.education.vic.gov.au/school/principals/spag/governance/pages/restraint.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/pages/restraint.aspx)

- confirm in writing to the author/perpetrator of the offending material that legal advice is being/will be sought and acted upon
- if necessary, and within the limits of privacy and confidentiality, seek the support of the school's parent body.

### 3.4 EXTERNAL SUPPORT AND HELPLINE GUIDES

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 Resources Officers (Local Government/Victoria Police officers)
- Support staff in diocesan Catholic Education Offices (see Appendix 4)
- Health and welfare professionals
- Ambulance services.

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

#### Diocesan Helpline Guide

Each diocesan Catholic Education Office has varied procedures and personnel in place for providing emergency support, advice and/or 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 both) and the point at which assistance is sought, i.e. prior to, during or immediately after an incident.

Appendix 4 of these Guidelines provides External Support and Helpline Guides.

## Section 4 Post-Incident Responsibilities

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### 4.1 STAFF RECOVERY AND SUPPORT

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

- is advised of his/her entitlements under WorkCover;
- is made aware of, and is able to exercise, his/her legal rights regarding referral to the police if the incident is deemed to be a breach of the law (see Section 4.2 below);
- has a clear, adequately resourced program of healing, recovery and ongoing support provided by the employing authority. The program may include offering the staff member counselling support, reduced or changed duties for a negotiated period of time and compensation for damage to their 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). Principals may need to seek external assistance in facilitating debriefing sessions and arranging counselling services for those affected.

### 4.2 POLICE INVOLVEMENT

If there has been an alleged breach of the law by a student or parent, the matter should be referred to the police, unless it is considered a minor matter. This would normally be a principal's decision; 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/or staff members in discerning an appropriate way forward:<sup>9</sup>

- The principal and staff are usually not equipped nor skilled for carrying out investigations of an alleged crime: this should be handled by the police.
- Private inquiries beyond the minimum required in ascertaining the bare facts must be avoided. A private inquiry is not recommended as it may have consequences for the alleged victim, for the conduct of a proper inquiry and for innocent third parties.
- In Victoria, no citizen is compelled to report a crime as far as criminal law is concerned.
- Under Section 344 of the *Children, Youth and Families Act 2005 (Vic.)*, a child under the age of 10 is not considered capable of committing an offence and cannot be rendered criminally liable for her or his actions. Between the age 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 whom 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.

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<sup>9</sup> Catholic Schools Operational Guide, 'Alleged Criminal Offences', [http://cevn.cecv.catholic.edu.au/legal/legalissues/disputes\\_disputes.htm#Criminal\\_liability](http://cevn.cecv.catholic.edu.au/legal/legalissues/disputes_disputes.htm#Criminal_liability).

### 4.3 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 his/her 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 student community. Such actions will need to accord with:
  - the school's behaviour management policy
  - diocesan policies pertaining to the management of serious offences, in particular provisions relating to suspensions, in-school/out-of school withdrawals, and the convening of a Behaviour Management Support Group to explore short-term and longer-term options for the student.
- The student may require a Behaviour Support Plan (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

- CEO Melbourne Policy 2.26, *Pastoral Care of Students in Catholic Schools* and accompanying Guidelines for Student Behaviour Management [www.ceomelb.catholic.edu.au/publications-policies/policy/policy-2.26-pastoral-care-of-students-in-catholic-schools](http://www.ceomelb.catholic.edu.au/publications-policies/policy/policy-2.26-pastoral-care-of-students-in-catholic-schools)
- CEO Ballarat Pastoral Care Policy [www.ceoballarat.catholic.edu.au/media/uploads/webdocuments/PastoralCare.pdf](http://www.ceoballarat.catholic.edu.au/media/uploads/webdocuments/PastoralCare.pdf)

### 4.4 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/or related codes of conduct or charters;
  - 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).
- The parent must be given every opportunity to calm down and account for his/her 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 should be referred to the police. This action will have a bearing on whether the school undertakes its own investigation of the incident and the issues leading up to its occurrence (see Section 4.2).
  - An assessment in regard to the parent's continued presence in the school, short-term or longer-term, will need to be undertaken. Personnel from the diocesan CEO may need to be called in for assistance in determining this matter (see Section 3.4).
  - 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. Legal advice about parent exclusion options, including intervention orders and procedures, can be accessed through diocesan CEOs. Assistance can also be provided in drafting letters informing the parent of the school's position and its processes and timeline for reviewing the ban/intervention orders.
  - There may be instances where a parent requests external, third-party mediation if he/she believes that the school's response to the incident is unsatisfactory. Conversely, principals may require mediation assistance if interactions and negotiations with the parent fail to achieve satisfactory outcomes. Principals are advised to contact their diocesan CEO for advice about 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 CEO personnel.

#### **4.5 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 be reviewed. 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:

- a report of the incident has been made in the school's accident/incident register and has been forwarded to the appropriate diocesan CEO personnel;
- all aspects of the school's relevant risk assessment and management process are evaluated;
- the school's Health and Safety staff 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, the plant is upgraded and expanded.

# Appendices

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## Appendix 1: Sample Parent–School Relationships Code of Conduct

This sample Code of Conduct can be adjusted as required to fit a school’s policy and communications framework. Statements such as these could be considered as addendums to a school’s existing Complaints Policy or to its Enrolment contract with parents.

### Introduction

At [School Name] we are committed to nurturing respectful relationships and active partnerships with you as parents. We believe that our students’ learning journeys are enriched through positive and reciprocal home and school relationships.

As parents, you act as one of the most influential role models in your child’s life. We therefore seek your support in promoting and upholding the core values of the school community and its culture of respectful relationships.

This Code of Conduct is intended to guide you in your dealings with staff, other parents, students and the wider school community. It articulates the school’s key expectations of both staff and parents with regard to respectful relationships and behaviours. It also specifies the school’s position with regard to unacceptable behaviours that breach our culture of respect.

This Code of Conduct is to be read in conjunction with the school’s:

- [insert relevant/related policies]
- [insert relevant/related policies]

### Our Culture of Respectful Relationships

Among students, staff and parents we strive to develop the following:

- a respect for the innate dignity and worth of every person
- an ability to understand the situation of others
- a cooperative attitude in working with others
- open, positive and honest communication
- the ability to work respectfully with other people
- trusting relationships
- responsible actions.

### In promoting and upholding this culture, we expect that parents will:

- support the school’s Catholic ethos, traditions and practices
- support the school in its efforts to maintain a positive teaching and learning environment
- understand the importance of healthy parent/teacher/child relationships and strive to build the relationships
- adhere to the school’s policies, as outlined on the school website
- treat staff and other parents with respect and courtesy.

### **In promoting and upholding this culture, we expect that staff will:**

- communicate with you regularly regarding your child's learning, development and wellbeing
- provide opportunities for involvement in your child's learning
- maintain confidentiality over sensitive issues
- relate with and respond to you in a respectful and professional manner
- ensure a timely response to any concerns raised by you.

### **Raising Concerns and Resolving Conflict**

#### ***(Refer also to our Complaints Policy)***

In raising concerns on behalf of your child, or making a complaint about the school's practices or treatment of your child, **we expect that you will:**

- listen to your child, but remember that a different 'reality' may exist elsewhere;
- observe the school's stated procedures for raising and resolving a grievance/complaint;
- follow specified protocol for communication with staff members, including making appointments at a mutually convenient time and communicating your concerns in a constructive manner;
- refrain from approaching another child while in the care of the school to discuss or chastise them because of actions towards your child. Refer the matter directly to your child's teacher for follow-up and investigation by the school.

In responding to your concerns or a complaint, **we expect that staff will:**

- observe confidentiality and a respect for sensitive issues
- ensure your views and opinions are heard and understood
- communicate and respond in ways that are constructive, fair and respectful
- ensure a timely response to your concerns/complaint
- strive for resolutions and outcomes that are satisfactory to all parties.

### **Staff Safety and Wellbeing**

The school places high value and priority on maintaining a safe and respectful working environment for our staff. We regard certain behaviours as harmful and unacceptable insofar as they compromise the safety and professional wellbeing of our staff. These behaviours include, but are not limited to:

- shouting or swearing, either in person or on the telephone
- physical or verbal intimidation
- aggressive hand gestures
- writing rude, defamatory, aggressive or abusive comments to/about a staff member (emails/social media)
- racist or sexist comments
- damage or violation of possessions/property.

When a parent behaves in such unacceptable ways, the principal or a senior staff member will seek to resolve the situation and repair relationships through discussion and/or mediation.

Where a parent's behaviour is deemed likely to cause ongoing harm, distress or danger to the staff member and others, we may exercise our legal right to impose a temporary or permanent ban from the parent entering the school premises. In an extreme act of violence that causes physical harm to the staff member and his/her property, the matter may be reported to the police for investigation.

## Appendix 2: Sample Complaints Policy

This sample Complaints Policy can be adjusted as required to fit a school's policy and communications framework. The Procedures section in particular requires amendments that more closely reflect the school's structures, personnel and processes for receiving and responding to complaints.

### 1. INTRODUCTION

At [school name] we are committed to building a school culture that features positive and respectful relationships. As a Catholic school, these relationships are grounded in the values of the gospel, in particular the values of justice, compassion, reconciliation, truth and love. In keeping with Catholic social teaching, a respect for the innate dignity of each person shapes all our relationships.

In building and nurturing this culture, we acknowledge that students and parents can sometimes feel aggrieved about something that is happening at the school. Every member of our school community has a right to have their grievance or complaint addressed, and we will work positively and resolutely to achieve a satisfactory outcome for the people involved.

This policy outlines our principles and procedures for receiving and resolving complaints. It ought to be read in conjunction with related policies and core documents of the school, namely:

- [insert names of relevant policies/documents/guidelines]
- [insert name of relevant policy/document/guidelines].

### 2. COMPLAINTS RESOLUTION: GUIDING PRINCIPLES

In receiving and responding to complaints, the following guiding principles will direct and shape the school's actions:

- We will work with the complainant with respect, courtesy and openness and with a genuine desire to achieve fair and reasonable decisions.
- The complaint will be resolved as quickly as possible.
- Confidentiality, impartiality and the principles of natural justice will form the basis of our complaints resolution process.
- The person(s) facing the complaint will be provided with detailed information about the substance of the complaint and will have the opportunity to respond.
- Personal information disclosed will be treated as confidential.
- Our resolution process will be grounded in sound and fair procedures for information sharing, conciliation, investigation and decision making.
- If a satisfactory outcome cannot be achieved, the school will provide the complainant with options for having the decision reviewed or mediated via an external authority.
- The communal needs of the school community will in most instances exceed the needs of any individual.

### 3. EXPECTATIONS OF PEOPLE MAKING A COMPLAINT

In making a complaint, the school requests and expects that the complainant will:

- raise the concern or complaint as soon as possible after the issue has arisen
- communicate and respond in ways that are constructive, fair and respectful
- provide complete and factual information about the concern or complaint
- observe confidentiality and a respect for sensitive issues
- act in good faith to achieve an outcome acceptable to all parties
- have realistic and reasonable expectations about possible outcomes/remedies.

If as a complainant you are a parent, and your concern/complaint relates to your child's treatment by another student or students while at school, the school expects that you will refer your complaint directly to the school, via your child's class teacher, homeroom or year level coordinator. Under no circumstances should you approach another student while in the care of the school to discuss the issue or chastise him or her. Direct contact with parents to resolve the matter is also discouraged if the complaint pertains to issues or incidents that have arisen at the school.

### 4. PROCEDURES

#### 4.1 Key Referral People

Complainants are encouraged to make contact with members of the school staff who are most closely connected with the complaint/concern. For parents, this will be your child's class teacher, homeroom or year level coordinator. If there is any uncertainty about the most appropriate person to address a concern or complaint, you are encouraged to contact the school. Reception staff will refer you to the appropriate person.

#### 4.2 Email Communications and Teaching Staff

Due to teachers' classroom and supervision duties, a complainant's first contact is best made by email, with an appointment request for either a phone conference or face-to-face meeting. Complainants are asked to outline concerns or issues (e.g. learning program, discipline, student/peer incidents) so that the staff member can prepare for the meeting/phone conference. Complainants and staff are strongly discouraged from sending or discussing confidential, contentious and/or emotional information via email. These matters are best discussed face-to-face or over the phone.

#### 4.3 Informal and Formal Resolution Processes

If initial communication between the parties does not resolve the complaint (an 'informal' resolution process), then the complainant should:

- contact the principal or a senior member of staff to make an appointment for either a phone conference or a face-to-face meeting;
- outline the nature of the complaint, either verbally or in writing, and the steps taken to resolve it.

In moving to a more formal process, the principal or a senior member of staff will:

- organise a meeting/phone conference
- fully document the complaint, any actions taken to resolve it and outcomes of those actions
- further and fully investigate the matter
- ensure that no one is victimised as a result of a complaint being made

- if necessary, enable a complainant to be accompanied by another person of his/her choice as a support person
- enable the person against whom the complaint has been made to respond, and to be accompanied to any meeting by another person of his/her choice as a support person
- organise a process of mediation if a complaint cannot be satisfactorily resolved by the school.

#### **4.4 Serious or Repeated Complaints, or Allegations of Misconduct**

Where a complaint relates to an allegation of physical, emotional or sexual abuse, or when complaints are sufficiently serious or repeated, the principal will take action to report the matter to the appropriate authorities, ensure a comprehensive investigation, and work with all parties to facilitate a resolution.

#### **4.5 Avenues of Appeal**

If a complaint remains unresolved, or if the complainant is dissatisfied with the outcomes, the complainant has the right to seek other avenues of appeal through authorities such as the Catholic Education Office or [insert name of school's employer or governing authority].

## Appendix 3: 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 a tick option (✓) and the Comments cell for recording any qualifying statements, opinion, 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
<b>Aggressive Parent Behaviour – Prevention Measures</b>				
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.				
<b>Aggressive Student Behaviour – prevention measures</b>				
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/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 and collaboration with our behaviour management procedures are strong.				
Individual behaviour management plans for some students is a strategy that works well.				

Practice/Procedure	Yes	No	Unsure	Comment
<b>Training</b>				
We are aware of our professional responsibilities under the VIT Code of Conduct.				
Training in prevention and intervention strategies for managing a student's or parent's aggressive/potentially violent behaviour is made available to staff.				
Training in prevention and intervention strategies for managing aggressive/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.				
<b>Incident Response and Emergency Management Plan (EMP)</b>				
I am confident that I have sufficient defusing strategies and techniques to calm an aggressive/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/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.				

Practice/Procedure	Yes	No	Unsure	Comment
<b>Security – Plant, Systems, Procedures</b>				
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/security concerns.				
Follow-up is good on safety/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 4: External Support

External support is available via the diocese and applies where advice or back-up services might be required in different contexts, e.g.:

- when threats of violence have been made and/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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