



Bray Park State School

# Student Code of Conduct 2020-2023

## ***Every student succeeding***

***Every student succeeding is the shared vision of Queensland state schools. Our vision shapes regional and school planning to ensure every student receives the support needed to belong to the school community, engage purposefully in learning and experience academic success.***

Queensland Department of Education  
State Schools Strategy 2020-2024

## Contact Information

Postal address:	PO Box 181 LAWNTON QLD 4501
Phone:	(07) 3480 7333
Email:	<a href="mailto:principal@brayparkss.eq.edu.au">principal@brayparkss.eq.edu.au</a>
School website address:	<a href="https://brayparkss.eq.edu.au">https://brayparkss.eq.edu.au</a>
Contact Person:	Mr Michael Hoey, Principal

## Endorsement

Principal Name:	Mr Michael Hoey
Principal Signature:	<i>m. hoey</i>
Date:	22/1/2021
P/C President and-or School Council Chair Name:	Mrs Cathy Foxe
P/C President and-or School Council Chair Signature:	<i>C. Foxe</i>
Date:	22/1/2021

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## Purpose

Bray Park State School is committed to providing a safe, respectful and disciplined learning environment for students and staff, where students have opportunities to engage in quality learning experiences and acquire values supportive of their lifelong wellbeing.

All members of our school community are expected to uphold the responsibilities defined in the Student Code of Conduct and Universal School Rule to ensure the best possible outcomes for students, staff and parents.

Bray Park State School's Student Code of Conduct is designed to facilitate positive support for high standards of achievement and behaviour combined with clear responses and consequences to inappropriate behaviour so that the learning and teaching in our school can be most effective and students can participate positively within our school community.

## Principal's Foreword

Bray Park State School staff take an educative approach to discipline, that behaviour can be taught and that mistakes are opportunities for everyone to learn. Our Student Code of Conduct provides an overview of the school's local policies on use of mobile phones and other technology, removal of student property and the approach to preventing and addressing incidents of bullying. It also details the steps school staff take to educate students about these policies and how students are explicitly taught the expected behaviours. Finally, it details the consequences that may apply when students breach the expected standards of behaviour, including the use of suspension or exclusion.

I thank the students, teachers, parents and other members of the community for their work in bringing this Bray Park State School Student Code of Conduct together over the last six months. Your interest and views shared through the process of developing this document have been invaluable. It provides a clear explanation of what we expect from students and how we will support them to meet those expectations.

## P&C Statement of Support

As president of the Bray Park State School P&C Committee, I am proud to support the new Student Code of Conduct.

We encourage all parents to familiarise themselves with the Bray Park State School Student Code of Conduct, and to take time to talk with their children about the expectations and discuss any support they may need. In particular, we want to emphasise the systems in place to help students affected by bullying.

Bullying is a community-wide issue in which we all have a role to play in combating; however, it can have particularly devastating impacts on our young people. It is important that every parent and child of Bray Park State School knows what to do if subjected to bullying, regardless of where it occurs. This includes cyberbullying, through the misuse of social media or text messaging. It is important that

parents and children know that schools provide support and advice to help address problems of bullying, and the flowchart on page 19 provides an excellent starting point to understand how to approach the school about these types of problems.

Any parents who wish to discuss the Bray Park State School Student Code of Conduct and the role of families in supporting the behavioural expectations of students are welcome to contact myself or to join the Bray Park State School P&C Association. It is with your support that we can work collaboratively with school staff to ensure all students are safe and appropriately supported to meet their individual social and learning needs.

## Consultation





Bray Park State School developed this Student Code of Conduct in collaboration with our school community. Consultation and collaboration occurs through the Positive Behaviour for Learning (PBL) Team comprised of staff representatives, school leaders, District Positive Behaviour for Learning School Based Coordinator, and parents.

## Data Overview

Data gathered from the One School database, internal school surveys of students and staff and annual School Opinion Surveys is used to inform decisions and actions, which are then endorsed through the Positive Behaviour for Learning Team.

Each term, thorough analysis and review of data (regarding attendance, absenteeism, behaviour patterns, school disciplinary absences, positive and incident behaviour recording) occurs at an **individual, class, cohort, or whole school student basis**. Whole school behaviour data is shared with the school and community at assemblies and in newsletters. The Student Code of Conduct has been endorsed by the Principal and P & C President and is reviewed annually as required in legislation.

### School Disciplinary Absences (SDAs)

Incident Type	Count of SDA Incidents					Rate per Term per 1000		
	School					School		State*
	2015	2016	2017	2018	2019	2015 - 2019	2019	2019
Short	41	84	12	30	41	22.8 	24.6	20.5
Long	1	0	0	0	0	0.6 	0.0	0.3
Excl #	1	1	0	0	0	0.6 	0.0	0.1
Cancel	0	0	0	0	0	0.0 	0.0	0.0

## School Opinion Survey

Staff		This School					Like Schools Group <sup>A</sup>			State: Primary		
		% Agreement			Distribution		% Agreement			% Agreement		
		2017	2018	2019	2018	2019	2017	2018	2019	2017	2018	2019
Teaching Staff	S2122/S3241: I feel that students receive a good education at this/my school *	91.7	100.0	100.0			18	97.5	97.4	97.1	97.5	97.4
	S2118/S3239: I feel confident engaging all of my students in learning at this/my school *	100.0	100.0	100.0			18	98.0	97.6	97.9	97.9	97.9
	S2116/S3238: I feel confident using student assessment data to improve student achievement at this/my school *	100.0	100.0	100.0			18	98.8	98.6	99.1	98.6	98.8
All Staff	S2108: This is a good school	87.8	95.6	100.0			38	94.7	93.8	94.2	94.5	94.4
	S2107: I would recommend this school to others. S3231: I would recommend my school as a good place to work #	84.0	91.1	94.7			38	91.3	89.3	91.3	91.1	90.8
	S2074: Student behaviour is well managed at this school	80.0	95.6	78.4			37	86.3	83.5	87.3	87.2	86.5
	S2072: Students are encouraged to do their best at this school	95.7	97.8	100.0			38	98.6	98.2	98.3	98.2	98.3
	S2086: I have access to quality professional development.	95.9	95.3	97.4			38	86.9	86.5	88.8	88.7	88.4
	S2084/S3222: I feel that staff morale is positive at this/my school *	65.3	87.0	81.6			38	79.7	78.2	81.2	80.9	80.9
	Overall rating for "All Staff" survey items :	87.7	92.2	94.6			N/A	91.4	90.6	90.7	91.7	91.5

Parent		This School					Like Schools Group <sup>A</sup>			State: Primary		
		% Agreement			Distribution		% Agreement			% Agreement		
		2017	2018	2019	2018	2019	2017	2018	2019	2017	2018	2019
Parent	S2035 This is a good school	91.1	87.2	100.0			42	95.1	94.2	93.5	94.3	94.6
	S2034 I would recommend this school to others	91.1	85.1	100.0			41	93.6	92.7	92.3	92.8	93.2
	S2016 My child is getting a good education at this school	86.7	87.2	97.6			41	94.9	94.8	94.0	94.6	95.3
	S2012 Student behaviour is well managed at this school	81.8	78.7	88.1			42	87.0	85.6	85.5	86.9	87.5
	S2021 Teachers at this school are interested in my child's wellbeing	93.3	89.4	100.0			41	95.2	94.9	94.7	94.8	95.0
	S2017 My child's (Literacy) English skills are being developed at this school	86.7	85.1	95.2			42	94.6	94.7	94.3	94.7	94.8
	S2018 My child's (Numeracy) Mathematics skills are being developed at this school	88.9	85.1	100.0			41	94.4	93.8	94.1	94.0	94.8
	S2006 Teachers at this school provide my child with useful feedback about his or her school work	93.3	93.6	90.5			42	92.5	92.6	91.7	92.6	92.4
	S2028 This school provides me with useful feedback about my child's progress	91.1	80.9	88.1			42	89.8	90.0	89.2	90.1	90.5
	Overall rating for all survey items	90.1	87.3	95.0			N/A	92.7	92.2	91.8	92.4	92.9

Student		This School					Like Schools Group <sup>A</sup>			State: Primary		
		% Agreement			Distribution		% Agreement			% Agreement		
		2017	2018	2019	2018	2019	2017	2018	2019	2017	2018	2019
Student	S2068 This is a good school	86.8	98.3	96.7			90	93.6	92.7	91.9	93.0	92.6
	S2067 I would recommend my school to others	88.1	96.6	96.6			87	92.6	92.0	92.8	92.3	92.0
	S2048 I am getting a good education at my school	87.6	100.0	97.9			94	96.0	95.2	95.7	95.8	96.2
	S2044 Student behaviour is well managed at my school	71.1	98.2	84.4			90	84.5	79.6	81.4	83.4	82.5
	S2063 My teachers care about me	88.2	94.7	97.8			90	93.1	93.7	93.6	93.1	93.2
	S2049 My English skills are being developed at my school	91.2	98.3	93.6			94	95.0	94.3	94.5	94.6	94.4
	S2050 My Maths skills are being developed at my school	91.2	98.3	93.6			94	95.0	94.0	94.4	94.5	94.1
	S2040 My teachers provide me with useful feedback about my school work	86.5	100.0	96.8			94	94.6	94.9	95.3	94.9	94.9
	S2059 My teachers encourage me to do my best	94.8	98.3	98.9			91	97.0	97.1	97.4	97.2	97.2
	Overall rating for all survey items	87.5	97.0	94.4			N/A	93.7	93.1	93.3	93.5	93.4

In 2017, a review of School Opinion Survey staff items resulted in the removal and addition of some items and minor changes to other items. This has resulted in a time series break for some items. Four of the staff items reported on the profile have minor wording changes and one deleted item has been replaced by a similar item. Refer to the School Data Profile Handbook for additional information about the reported SOS results. DW = Data Withheld. \* Minor change to item from 2017. # New item from 2017. † Timeseries break from 2017

% Agreement = percentage of positive responses ("Somewhat Agree", "Agree" and "Strongly Agree"); N = minimum number of respondents for item's

Distribution Legend:

	% Strongly Disagree		% Disagree		% Somewhat Disagree		% Somewhat Agree		% Agree		% Strongly Agree
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<sup>A</sup> Like School Groups: 2017 P-XVI, 2018 P-XV, 2019 P-XI

## Learning and Behaviour Statement

Bray Park State School is committed to providing a safe, respectful, and supportive learning environment for all students and staff where students have opportunities to engage in quality learning experiences, and to acquire values and skills which will promote lifelong wellbeing.

The Bray Park State School community recognises that learning is the central function of this school. Essential to effective learning is a safe, supportive, and disciplined environment that respects the rights of all students to learn, the rights of teachers to teach and the rights of all to be safe.

Bray Park State School uses the 'Positive Behaviour for Learning'(PBL) framework, 'You Can Do It - Keys to Success' and 'Zones of Regulation' to achieve identified social behaviour and academic outcomes. Core elements of the school's learning approach to behaviour include:

1. Principal leadership of a team approach to behaviour
2. Parent and Community engagement
3. Data informed decision making
4. Clear consistent expectations for behaviour and
5. Explicit teaching of appropriate behaviour to all students

### Consideration of Individual Circumstances

Staff at Bray Park State School consider students' individual circumstances, such as their behaviour history, disability, mental health and wellbeing, religious and cultural considerations, home environment and care arrangements when teaching expectations, responding to inappropriate behaviour or applying a disciplinary consequence.

In considering the individual circumstances of each student, we recognise that the way we teach, the support we provide and the way we respond to students will differ. This reflects the principle of equality, where every student is given the support they need to be successful. This also means that not everyone will be treated the same, because treating everyone the same is not fair. For example, some students need additional support to interpret or understand an expectation. Others may benefit from more opportunities to practise a required skill or behaviour. For a small number of students, the use of certain disciplinary consequences may be considered inappropriate or ineffective due to complex trauma or family circumstances. These are all matters that our teachers and principal consider with each individual student in both the instruction of behaviour and the response to behaviour.

Our teachers are also obliged by law to respect and protect the privacy of individual students, so while we understand the interest of other students, staff and parents to know what punishment another student might have received, we will not disclose or discuss this information with anyone but the student's family. This applies even if the behavioural incident, such as bullying, involves your child. You can be assured that school staff take all matters, such as bullying, very seriously and will address them appropriately. We expect that parents and students will respect the privacy of other students and families.

If you have concerns about the behaviour of another student at the school, or the way our staff have responded to their behaviour, please make an appointment with the principal to discuss the matter.



## Student Wellbeing and Support Network

Student well-being and emotional health is addressed through a number of ways at the school. The school works closely with Education Queensland Occupational Therapists, Physiotherapists, Guidance Officers and psychologists to ensure that children have positive mental health.

Other activities to encourage positive mindsets include:

- Teaching children the 5 foundation skills to be successful (organisation, confidence, getting along, persistence and emotional resilience) and the associated positive habits of the mind with each skill
- Engaging children in a variety of programs at lunch breaks (dance groups, tap dance, table tennis, ukulele all aimed at developing confidence in children)
- Fun Friends programs (run through the Guidance Officer)
- Mindfulness approaches are taught to children with high anxiety
- Relaxation music is used in some classes.

Students at Bray Park State School are supported through positive reinforcement and a system of universal, targeted, and intensive behaviour supports by:

- Administrators/class teachers and teacher-aides
- District Behaviour – Guidance Officer Student Engagement and Well Being
- School Chaplain
- The student themselves/other students-buddies
- Guidance Officer/School Chaplain/parents/carers
- Cultural and Community Liaison Police Officers School Based Police officers/Community Police and the Police Citizens Youth Club.
- School Support Services Team staff
- External Agencies – e.g. Community Health, Child and Young Persons Mental Health; Department of Child Safety, Red Cross, Intercept, Family and Child Connect, Intensive Family Support Service.
- Disability Services Queensland; QLD Health; Department of Communities, (Child Safety Services)/Local Council & Neighbourhood Centre.

## Whole School Approach to Discipline

We respect that not everyone will share the same sets of beliefs about behaviour, and this contributes to a richly diverse social environment. It can also contribute to differences in expectations and force us to reflect on our own understanding of what we consider acceptable and unacceptable. We encourage any student or parent to make an appointment with the principal to discuss the model of behaviour support and discipline used at this school.

Our shared expectations for student behaviour are outlined in a Behaviour Expectation Matrix which has been discussed and endorsed through the P & C. Underpinning the behaviour expectations is the universal school rule of **'Safe Responsible and Respectful Always'**. The 3 foundation pillars of safety, responsibility, and respectfulness promote high standards of responsible behaviour.



## PBL Expectations

All members of our school community must respect for the rights of others in all school related activities, whether they be on or off campus. Responsibilities are actions that are displayed when people take ownership of their behaviour.

<b>RIGHTS OF STAFF</b>	<b>RESPONSIBILITIES OF STAFF</b>
To be treated with respect	To respect others
To be treated professionally and courteously by colleagues, students and parents.	To act professionally by providing positive role models for parents and students.
To receive support from parents/caregivers	To respect the rights of parents/ caregivers.
To work in a safe and healthy environment	To promote a safe and healthy environment.
To teach without undue interruption from students.	To provide a sound educational environment for all students.

<b>RIGHTS OF STUDENTS</b>	<b>RESPONSIBILITIES OF STUDENTS</b>
To earn trust.	To act in a trustworthy manner.
To earn respect.	To respect others.
To express an opinion in a relevant and appropriate manner.	To allow others to express their opinion.
To have a safe and happy school.	To follow all rules and routines.
To receive a sound education	To do the best of which you are capable.
To learn without interruption.	To allow others to learn without interruption.
To have relevant decision explained.	To abide by decisions made by the staff.

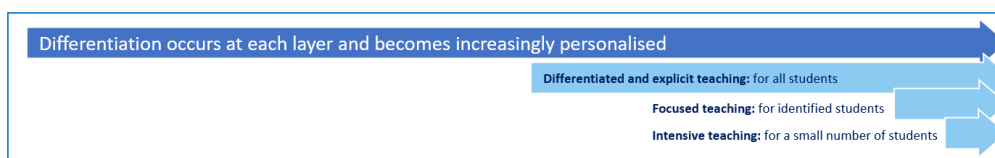
<b>RIGHTS OF PARENTS</b>	<b>RESPONSIBILITIES OF PARENTS</b>
To have your child taught in a professional manner	To support and assist teachers in academic and social development.
To be informed of your child's academic and social development	To advise staff of relevant information regarding your child.
To be informed of the school's policies and expectations.	To support the school's policies and expectations.
To expect that each child will be treated fairly and safely.	To support the rules and routines outlined in the Responsible Behaviour Plan for Students.
To be treated with respect by members of the school community.	To respect and support school community members.

## Differentiated and Explicit Teaching

Bray Park State School uses a multi-tiered system of support as the foundation for our integrated approach to learning and behaviour. Practical strategies including the use of Zones of Regulation, targeted planning and data-informed decision-making are core elements of this approach. This multi-tiered approach is aligned with the practice of PBL.

### Tier 1 'Universal' support:

- Staff at Bray Park State School apply a differentiated, preventative approach to re-direction and make appropriate use of least to most intrusive redirection strategies based on the Essential Skills for Classroom Management.
- 'Pre-correction' and 'prompts' are examples of preventative strategies. 'Least intrusive' strategies may include selective attending, proximity and non-verbal cueing.
- When a student exhibits low-level (minor) and infrequent problem behaviour, the initial verbal response of school staff members is to remind the student of expected school behaviour, then, using Zones of Regulation, apply strategies to change their behaviour so that it aligns with our school's expectations.
- Most intrusive' strategies include re-directions, giving choices and following through, and removal to time out / buddy class, or reflection time with class teacher for repeated low-level problem behaviours.
- Our preferred way of re-directing low-level problem behaviour is to ask students to think of how they might be able to act more Safely, Responsibly and Respectfully. This encourages students to reflect on their own behaviour, evaluate it against expected school behaviour, and plan how their behaviour could be modified to align with the expectations of our school community.
- Should a student incur 3 minor behaviour infringements of the same type of behaviour, a major behaviour Incident is recorded. Major behaviours are referred to the Deputy Principal or Principal.



## Focused Teaching

### Tier 2 'Targeted' focused support:

Some students require positive, focused and differentiated intervention if not responding to the Tier 1 behaviour support processes and strategies. The frequency of their behaviours may put these students' learning and social success (and those of their peers) at risk if not addressed in a timely manner.

Features of these Tier 2 supports include:

- Use of behaviour data to accurately identify students requiring Tier 2 supports
- Personalised rewards that are appropriate
- Administration support
- Parental support when on excursions
- Mediation
- Time out ('buddy class'/classroom)

- Individual Behaviour Support Plans identifying short- and long-term learning and social goals, and curriculum adjustments for individual needs
- Use of research-validated program options for targeted support interventions such as:
  - adult mentoring
  - check in / check out
  - targeted / small group social skilling.

All staff members are provided with continuous professional development and support. Staff are provided with an overview of the program, the referral and response process, and the reporting responsibilities of staff and of the students being supported.

## Intensive Teaching

### **Tier 3 'Intensive' support:**

Some students require individualised intervention and adjustments to assist them in managing their highly complex and challenging behaviours. Intensive behaviour support allows for continued learning engagement. Strategies and programs utilised for these students are:

- Administration, parent, teacher, Guidance Officer, student consultation and conference
- Time Out (playground), Alternative Play Programs or Supported Play.
- Reflection time/suspension (short or long term); recommendations for exclusion.
- Conflict resolution skilling using Zones of Regulation
- Anger management strategies and skills
- Individual Behaviour Support Plans (IBSP)
- Flexible Learning Arrangements
- Social Skilling programs (internal)
- Referral to Managing Young Children's Program (MYCP), Child and Young Persons Mental Health Services (CHYMHS) & Behavioural Paediatricians etc.

The Student Services Team, comprising the Head of Inclusive Education, Deputy Principal, Guidance Officer, Support Teacher Literacy & Numeracy, meet throughout the term to co-ordinate, case manage and monitor the interventions/progress of students (academic needs and behavioural needs).

This team (and the Principal) also meet monthly with the District Senior Guidance Officer to manage and support families who require comprehensive Complex Case Management. This may also involve representatives from other agencies (Child Safety, Community Police, Child and Young Persons Mental Health Services) etc.

The Support Services Team at Bray Park State School:

- work with other staff members to develop appropriate behaviour support strategies
- monitor the impact of support for individual students through ongoing data collection
- make adjustments as required for the student
- work with the PBL Team to achieve continuity and consistency
- facilitate a Functional Behaviour Assessment for appropriate students to guide an individualised intervention plan
- identify flexible/alternative learning options
- organise referrals to regional behaviour support resources.

## Disciplinary Consequences

The Principal of the school is responsible for 'the good order and management of the school' under the Education Act. The universal rule at Bray Park State School, which all students are expected to comply with, is: "Safe, Responsible and Respectful always". This rule is in alignment with Education Queensland's Code of School Behaviour **which** expects students to:

- participate actively in the school's education program
- take responsibility for their own behaviour and learning
- demonstrate respect for themselves, other members of the school community and the school environment
- behave in a manner that respects the rights of others, including the right to learn
- cooperate with staff and others in authority.

Bray Park State School makes systematic efforts to prevent problem student behaviour by teaching and reinforcing expected behaviours on an ongoing basis. When unacceptable behaviour occurs, students experience predictable consequences depending upon the nature of the behaviour and whether it is classified as a major or minor behaviour.

In determining consequences, reference is made to a Flow Chart for in class and out of class behaviours.

### **Minor and major behaviours**

- **Minor** problem behaviour is handled by staff members at the time it happens
- **Major** problem behaviour is referred directly to the school Administration team

**Minor** behaviours are those that:

- are minor breaches of the school rules
- do not seriously harm others or cause you to suspect that the student may be harmed
- do not violate the rights of others in any other serious way
- are not part of a pattern of problem behaviours
- do not require involvement of specialist support staff or Administration.

When managing behaviour, staff will direct the student back on-task quickly, fairly and positively. A decisive approach entails strategies such as:

- establishing eye contact where appropriate
- speaking assertively and in a supportive manner
- addressing the primary behaviour
- de-escalation of behaviours (give 'cool down' time when needed)
- expecting co-operation
- re-establishing and re-building relationships as soon as possible.

**Major** behaviours are those that:

- significantly violate the rights of others
- put others / self at risk of harm
- require the involvement of school Administration.

### **Detention/Reflection Time Processes: (including Time-out)**

At Bray Park State School, 'detention' is referred to as 'reflection time' and is to be used to help students understand their social and personal responsibilities. Under the Education Act (2006),

schools determine procedures in relation to 'detention'. Reflection time is usually undertaken in the first session break. During any reflection period, staff will guide children to reflect on their behaviours, and in some cases, children may be required to complete a written form outlining the behaviour and self-improvement strategy which is sent home.

Under the Education Act, Principals have the authority to administer 'one half hour (30 minutes) of detention once the school day has finished if behaviour issues have been unresolved. In this situation, communication with the parent/carer shall occur to determine a suitable afternoon for the after-school detention. The Principal and/or Deputy Principal will be responsible for supervision during the after-school detention.

Staff at Bray Park State School take into account students' individual circumstances, such as their behaviour history, disability, mental health and wellbeing, religious and cultural considerations, home environment and care arrangements when teaching expectations, responding to inappropriate behaviour or applying a disciplinary consequence.

In considering the individual circumstances of each student, we recognise that the way we teach, the support we provide and the way we respond to students will differ. This reflects the principle of equality, where every student is given the support they need to be successful. This also means that not everyone will be treated the same, because treating everyone the same is not fair.

If you have concerns about the behaviour of another student at the school, or the way our staff have responded to their behaviour, please make an appointment with the Principal to discuss the matter.

## IN CLASS MINOR AND MAJOR MISBEHAVIOUR FLOWCHART



### Safe and Responsible and Respectful Always

#### MINOR

**Does not seriously impact the learning or well-being of others**

- Non-compliance with routine or expectations
- Disruptive
- Disrespectful behaviour towards people or property
- Physical misconduct with or without an object
- Disrespectful language
- Minor dishonesty
- IT misconduct

#### TEACHER MANAGED

#### STRATEGIES AND CONSEQUENCES

Apply strategies (including Essential Skills) appropriate for the situation e.g. :

- Tactically ignore behaviour or provide distraction
- Use of verbal or non-verbal gestures to redirect student
- Give choice or options for attending to task
- Remind student of school expectation
- Relocate student to specific space in classroom
- Logical and natural consequences (e.g. complete work at break)
- 2 warnings then 'Buddy Class' (then becomes a 'major')

#### Behaviour resolved?

**Yes** - Praise appropriate behaviour  
**No** – Detention and record on one school

#### MAJOR

**Serious disruption or threats to others' learning, well-being or property**

- 3<sup>rd</sup> recorded minor offence of the same behaviour
- Wilful non-compliance/arguing/disruption
- Verbal misconduct (swearing, threatening, inciting)
- Physical aggression with/without object - people/property
- Stealing/significant dishonesty
- Bullying, threatening or intimidation (repeated)
- Wilful exiting of classroom without permission
- Possession of and/or use of prohibited items
- Sexualised behaviour (report immediately)
- IT misconduct including cyber bullying

#### TEACHER/OFFICE MANAGED

#### STRATEGIES AND CONSEQUENCES

Apply strategies appropriate for the situation e.g.:

- Detention (with letter sent home— admin supervised)
- Parent/caregiver contacted
- Community service or natural consequence
- Restorative justice
- Loss of privileges/ withdrawal from activity
- Behaviour tracker and Personal Learning Record
- **Individual Behaviour Support Plan (teacher and admin)**
- **Managed Attendance Plan (Admin)**
- **Suspension or exclusion (Admin)**

#### Behaviour resolved?

**Yes** - Praise appropriate behaviour  
**No** – Referral to Student Services, Develop IBSP, Case conference, Suspensions, Exclusion

## School Policies

Bray Park State School has tailored school discipline policies designed to ensure students, staff and visitors work cooperatively to create and maintain a supportive and safe learning environment. Please ensure that you familiarise yourself with the responsibilities for students, staff and visitors outlined in the following policies:

- Temporary removal of student property
- Use of mobile phones and other devices by students
- Preventing and responding to bullying
- Appropriate use of social media

### Temporary removal of student property

The removal of any property in a student's possession may be necessary to promote the caring, safe and supportive learning environment of the school, to maintain and foster mutual respect between all state school staff and students. The **temporary removal of student property by school staff procedure** outlines the processes, conditions and responsibilities for state school principals and school staff when temporarily removing student property.

In determining what constitutes a reasonable time to retain student property, the principal or school staff will consider:

- the condition, nature or value of the property
- the circumstances in which the property was removed
- the safety of the student from whom the property was removed, other students or staff members
- good management, administration and control of the school.

The Principal or school staff determine when the temporarily removed student property can be returned, unless the property has been handed to the Queensland Police Service.

The following items are explicitly prohibited at Bray Park State School and will be removed if found in a student's possession:

- illegal items or weapons (e.g. guns, knives\*, throwing stars, brass knuckles, chains)
- imitation guns or weapons
- potentially dangerous items (e.g. blades, rope)
- drugs\*\* (including tobacco)
- alcohol
- aerosol deodorants or cans (including spray paint)
- explosives (e.g. fireworks, flares, sparklers)
- flammable solids or liquids (e.g. fire starters, mothballs, lighters)
- poisons (e.g. weed killer, insecticides)
- inappropriate or offensive material (e.g. racist literature, pornography, extremist propaganda).

\* No knives of any type are allowed at school, including flick knives, ballistic knives, sheath knives, push daggers, trench knives, butterfly knives, star knives, butter knives, fruit knives or craft knives, or any item that can be used as a weapon, for example a chisel. Knives needed for school activities will be provided by the school, and the use of them will be supervised by school staff.

\*\* The administration of medications to students by school staff is only considered when a prescribing health practitioner has determined that it is necessary or when there is no other alternative in relation to the treatment of a specific health need. Schools require medical authorisation to administer any



medication to students (**including over-the-counter medications such as paracetamol or alternative medicines**).

## **Responsibilities**

### **School staff** at Bray Park State School:

- do not require the student's consent to search school property such as lockers, desks or laptops that are supplied to the student through the school
- may seize a student's bag where there is suspicion that the student has a dangerous item (for example, a knife) in their school bag, prior to seeking consent to search from a parent or calling the police
- consent from the student or parent is required to examine or otherwise deal with the temporarily removed student property. For example, staff who temporarily remove a mobile phone from a student are not authorised to unlock the phone or to read, copy or delete messages stored on the phone
- there may, however, be emergency circumstances where it is necessary to search a student's property without the student's consent or the consent of the student's parents (e.g. to access an EpiPen for an anaphylactic emergency)
- consent from the student or parent is required to search the person of a student (e.g. pockets or shoes). If consent is not provided and a search is considered necessary, the police and the student's parents should be called to make such a determination.

### **Parents** of students at Bray Park State School:

- ensure your child/ren do not bring property onto school grounds or other settings used by the school (e.g. camp, sporting venues) that:
  - is prohibited according to the Bray Park State School's Student Code of Conduct
  - is illegal
  - puts the safety or wellbeing of others at risk
  - does not preserve a caring, safe, supportive or productive learning environment
  - does not maintain and foster mutual respect.
- collect temporarily removed student property as soon as possible after they have been notified by the Principal or school staff that the property is available for collection.

### **Students** of Bray Park State School:

- do not bring property onto school grounds or other settings used by the school (e.g. camp, sporting venues) that:
  - is prohibited according to the Bray Park State Schools Code of Conduct
  - is illegal
  - puts the safety or wellbeing of others at risk
  - does not preserve a caring, safe, supportive or productive learning environment
  - does not maintain and foster mutual respect.
- collect their property as soon as possible when advised by the Principal or school staff it is available for collection.

## **Use of mobile phones and other devices by students**

- Students must not bring valuable personal technology devices like cameras, digital video cameras or MP3 players to school as there is a risk of damage or theft, and inappropriate misuse of equipment. Such devices will be confiscated by school staff and may be collected at the end of the day from the school office, by a parent. Breaches of this prohibition may result in discipline.

- Devices potentially containing evidence of criminal offences may be reported to the police. In such cases police may take possession of such devices for investigation purposes and students and parents will be advised to contact Queensland Police Service (QPS) directly.
- Students who bring Personal Technology devices (phones) are to log these items at the school office upon the students' arrival on the school grounds. They are to do this immediately upon arrival, where the items can then be collected by that same student at the completion of the day.
- Students are not permitted to use Personal Technology devices during school hours or at any school related activity or event. At no stage throughout the day is a student to have such a device in their possession without permission from the school administration. Every member of the school community should feel confident about participating fully and frankly in all aspects of school life without concern that their personal privacy is being invaded by them being recorded without their knowledge or consent.
- A student at school who uses a personal technology device to record private conversations, ordinary school activities or violent, illegal or embarrassing matter capable of bringing the school into public disrepute is considered to be in breach of this policy. Students who breach these conditions are to be referred to school administration. The device will be confiscated by the school and collected by the child's parent at a later date *if deemed necessary or appropriate*.
- In instances where the device is being used inappropriately by the student, or in the event that the Principal is made aware that these devices have been used to capture and distribute images of vandalism, fighting, bullying, staged fighting or pranks etc, appropriate disciplinary action will be sanctioned against the student/students involved. In the interests of Child Safety, this disciplinary action may include suspension, exclusion and reporting of that incident to the Child Protection Investigation Police Unit.
- Students involved in recording and/or disseminating material (through text messaging, display, internet uploading etc) and/or knowingly being a subject of a recording will also face disciplinary action and may be subject to discipline measures (including suspension and recommendation for exclusion).

### **Text communication**

- The sending of text messages that contain obscene language and/or threats of violence may amount to bullying and or harassment or even stalking, and will subject the sender to discipline and possible referral to Queensland Police Service. Students receiving such text messages at school, should ensure they keep the message as evidence and bring the matter to the attention of the school Principal or Deputy Principal.

### **Recording Private Conversations and the *Invasion of Privacy Act 1971***

- It is important that all members of the school community understand that under the *Invasion of Privacy Act 1971*, 'a person is guilty of an offence against this Act if the person uses a listening device to overhear, record, monitor or listen to a private conversation'. It is also an offence under the Act for a person who has overheard, recorded, monitored or listened to a conversation to which s/he is not a party to publish or communicate the substance or meaning of the conversation to others.

### **Parents :**

Parents are advised that *inappropriate content about Bray Park staff, Bray Park students or Bray Park State School through any social media forum or personal technology device, and which brings the school into public disrepute, will be referred to the relevant Government and police authorities for legal advice and possible investigative action.* Similarly, parents and students are not permitted to use Bray Park State School images, banners, logos or the Bray Park State School crest.

**Note :** The Department of Education and Training supports schools to take a strong stance on the inappropriate use of social networking sites by students. Schools made aware of unacceptable content involving staff, students or representation of the school (including use of the school's logo, crest or image) on social networking sites, have the department's full support to take every reasonable action to have the content removed. Where a state school student is involved in this type of behaviour, principals will take disciplinary action in line with the school's Responsible Behaviour Plan for Students, and under the Education Act to ensure 'good order and management of the school'.

## Preventing and responding to bullying

Bray Park State School uses the [Australian Student Wellbeing Framework](#) to promote positive relationships and the wellbeing of all students, staff and visitors at the school.

Our staff know student learning is optimised when they feel connected to others and experience safe and trusting relationships. Students who feel secure are more likely to be active participants in their learning and to achieve better physical, emotional, social and educational outcomes. Teachers who feel valued and supported are more likely to engage positively with students and build stronger connections within the school community. Parents who are positively engaged with their child's education leads to improved student self-esteem, attendance and behaviour at school. Enhancing the wellbeing of students and their educators delivers overall long-term social, health and economic benefits to the Australian community.

### Bullying

The agreed national definition for Australian schools describes bullying as:

- ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm;
- involving an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening;
- happening in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records);
- having immediate, medium and long-term effects on those involved, including bystanders. Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

Behaviours that do not constitute bullying include:

- mutual arguments and disagreements (where there is no power imbalance)
- not liking someone or a single act of social rejection
- one-off acts of meanness or spite
- isolated incidents of aggression, intimidation or violence.

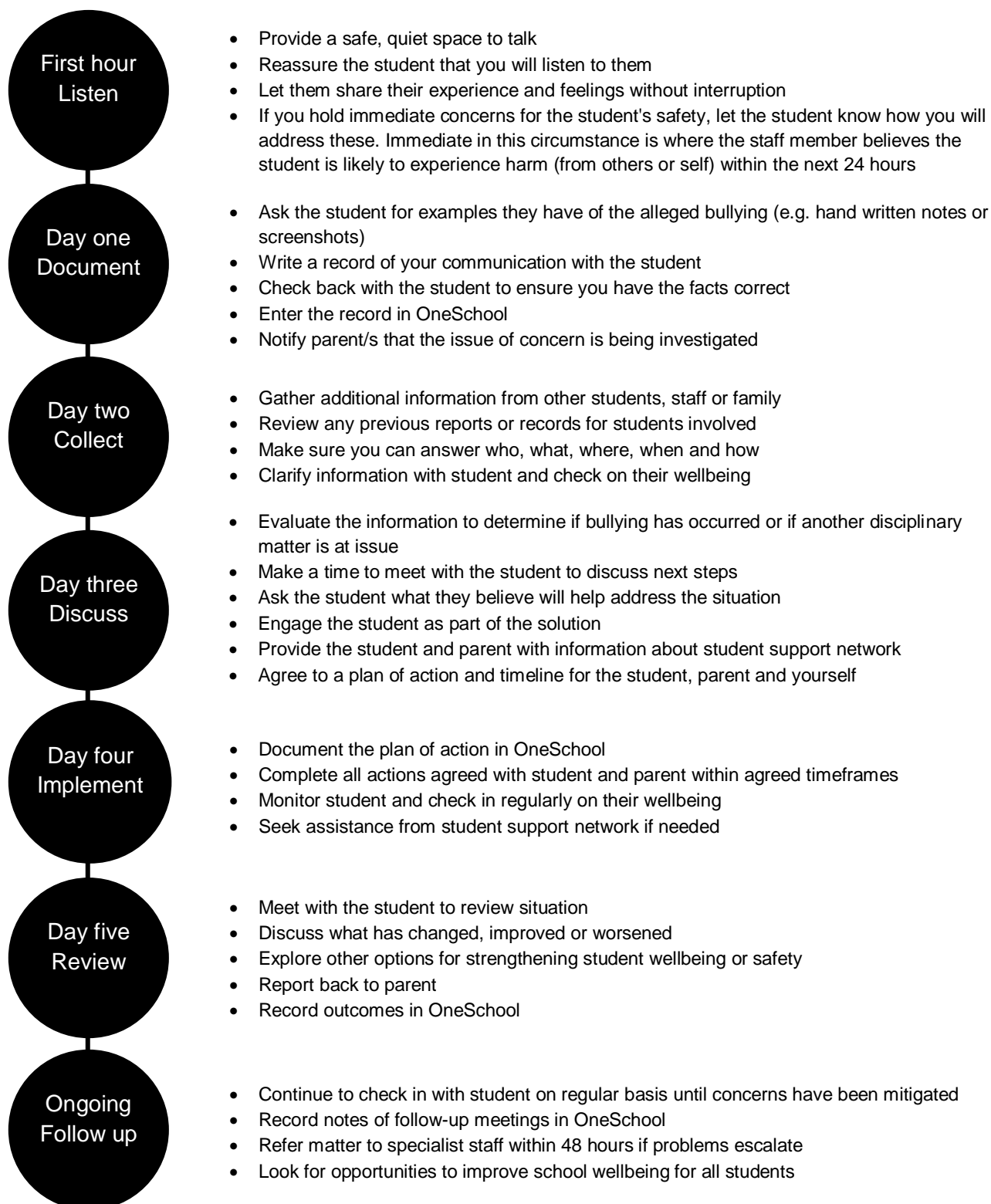
However, these conflicts are still considered serious and need to be addressed and resolved. At Bray Park State School our staff will work to quickly respond to any matters raised of this nature in collaboration with students and parents.

The following flowchart explains the actions Bray Park State School teachers will take when they receive a report about student bullying, including bullying which may have occurred online or outside of the school setting. Please note that the indicative timeframes will vary depending on the professional judgment of teachers who receive the bullying complaint and their assessment of immediate risk to student/s.

## Bray Park State School - Bullying response flowchart for teachers

Please note these timelines may be adjusted depending on the unique circumstances and risk associated with each situation. This is at the professional judgment of the staff involved. Timeframes should be clearly discussed and agreed with student and family.

**Key contacts for students and parents to report bullying is the class teacher.**



## **Cyberbullying**

Cyberbullying is treated at Bray Park State School with the same level of seriousness as in-person bullying. The major difference with cyberbullying however, is that unlike in-person bullying, cyberbullying follows students into their community, their homes and their bedrooms, giving them no opportunity to escape the harassment or abuse during the evening, weekends or holidays.

In the first instance, students or parents who wish to make a report about cyberbullying should approach the regular class teacher.

It is important for students, parents and staff to know that school principals have the authority to take disciplinary action to address student behaviours that occur outside of school hours or school grounds. This includes cyberbullying. Parents and students who have concerns about cyberbullying incidents occurring during school holidays should immediately seek assistance through the [Office of the e-Safety Commissioner](#) or the Queensland Police Service.

Students enrolled at Bray Park State School may face in-school disciplinary action, such as detention or removing of privileges, or more serious consequences such as suspension or exclusion from school for engaging in behaviour that adversely affects, or is likely to adversely affect, other students or the good order and management of the school. This includes behaviour such as cyberbullying which occurs outside of school hours or settings, for example on the weekend or during school holidays. It also applies to inappropriate online behaviour of enrolled students that is directed towards other community members or students from other school sites.

Parents or other stakeholders who engage in inappropriate online behaviour towards students, staff or other parents may be referred to the Office of the e-Safety Commissioner and/or the Queensland Police Service.

# Bray Park State School - Cyberbullying response flowchart for school staff

## How to manage online incidents that impact your school

### Student protection

If at any point the principal forms a reasonable suspicion that a student has been harmed or is at risk of harm, they have a responsibility to respond in accordance with the [Student protection procedure](#).

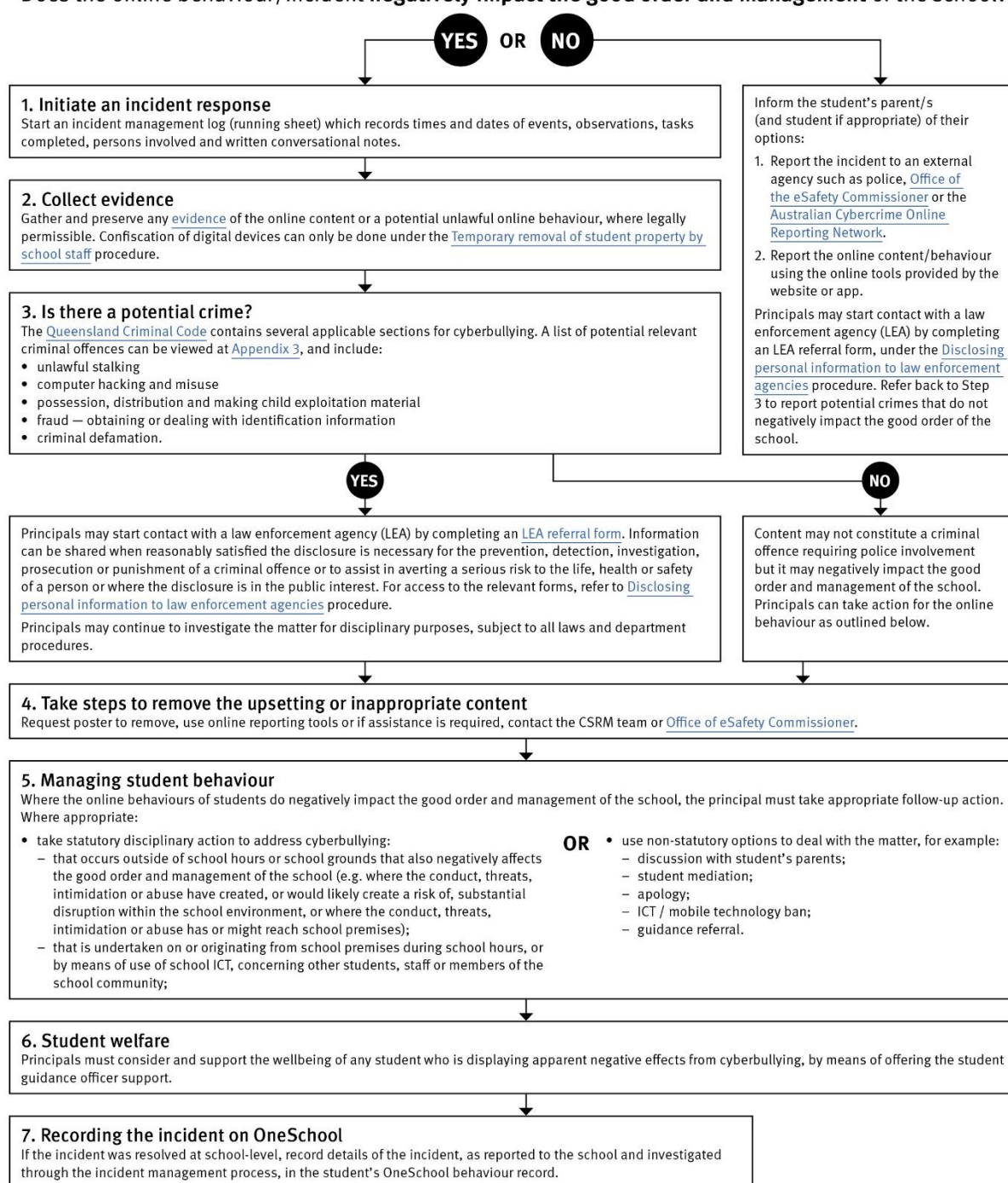
### Explicit images

If the investigation involves naked or explicit images of children, staff should not save, copy, forward or otherwise deal with the content, as per the [Temporary removal of student property by school staff procedure](#). This includes onto OneSchool records. Refer to the investigative process outlined in 'Responding to incidents involving naked or explicit images of children' from the [Online Incident management guidelines](#).

### Report

Refer to the [Online incident management guidelines](#) for more details, or if assistance is required, contact the Cybersafety and Reputation Management (CSRM) team on 3034 5035 or [Cybersafety.ReputationManagement@qed.qld.gov.au](mailto:Cybersafety.ReputationManagement@qed.qld.gov.au).

Does the online behaviour/incident negatively impact the good order and management of the school?



## Student Intervention and Support Services

Bray Park State School recognises the need to provide intervention and support to all students involved in incidents of bullying, including cyberbullying.

Students who have been subject or witness to bullying have access to a range of internal support staff. Students are, however, also encouraged to approach any staff member with whom they feel comfortable sharing their concerns, regardless of their role in the school. All staff at Bray Park State School are familiar with the response expectations to reports of bullying, and will act quickly to ensure students' concerns are addressed. Depending on the nature of the reported bullying incident, a formal plan of action may be developed and documented to support the implementation of strategies to assist the student.

Students who engage in bullying behaviours towards others will also be provided with support to assist them to use more socially acceptable and appropriate behaviours in their interactions. This includes counselling, social development programs, referral to mental health services or involvement in a restorative justice strategy. School disciplinary measures may also be used to reinforce the seriousness with which the community takes all incidents of bullying. These measures may include internal school suspension, withdrawal from social events or celebrations or more severe punishments such as suspension or exclusion from school.

## Appropriate use of social media

Bray Park State School acknowledges the growing popularity of social media both as a communication and educational tool and supports its appropriate use. It also acknowledges the potential for damage to be caused (either directly or indirectly) to students, families and staff through the inappropriate use of social media. Students must understand they are responsible for the content they publish on social media platforms so it is important they understand what is expected of them while using social media.

- Students must not bring valuable personal technology devices like cameras, digital video cameras or MP3 players to school as there is a risk of damage or theft, and inappropriate misuse of equipment. Such devices will be confiscated by school staff and may be collected at the end of the day from the school office, by a parent. Breaches of this prohibition may result in discipline.
- Devices potentially containing evidence of criminal offences may be reported to the police. In such cases police may take possession of such devices for investigation purposes and students and parents will be advised to contact Queensland Police Service (QPS) directly.
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sanctioned against the student/students involved. In the interests of Child Safety, this disciplinary action may include suspension, exclusion and reporting of that incident to the Child Protection Investigation Police Unit .

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## **Restrictive Practices**

In some very rare situations, where there is immediate risk of physical harm to the student or other people, and when all other alternative strategies have failed to reduce the risk, it may be necessary for staff to use restrictive practices.

The use of restrictive practices will always be as a last resort, when there is no other available option for reducing immediate risk to the student, staff or other people. Restrictive practices are not used for punishment or as a disciplinary measure.

The department's **Restrictive practices procedure** is written with consideration for the protection of everyone's human rights, health, safety and welfare. There are six fundamental principles:

1. Regard to the human rights of those students
2. Safeguards students, staff and others from harm
3. Ensures transparency and accountability
4. Places importance on communication and consultation with parents and carers
5. Maximises the opportunity for positive outcomes, and
6. Aims to reduce or eliminate the use of restrictive practices.

Very rarely restrictive practices will be planned and staff will employ, when necessary, pre-arranged strategies and methods (of physical restraint/ mechanical restraint/ clinical holding) which are based upon behaviour risk assessment or clinical health need and are recorded in advance. The use of

planned strategies will only be where there is foreseeable immediate risk consistent with the **Restrictive practices procedure**.

Seclusion will not be used as a planned response and will only be used in serious circumstances for managing an unforeseeable situation in an emergency. It will be used for the shortest time possible and in a safe area that presents no additional foreseeable risk to the student. In such emergencies, a staff member will observe the student at all times and seclusion will cease as soon as possible.

Following the use of any restrictive practice, a focused review will help staff to understand how they responded to the risk in any incident that involved the use of a restrictive practice. Staff will consider whether there are other options for managing a similar situation in the future. This strategy works well for reducing the use of restrictive practices.

All incidents of restrictive practices will be recorded and reported in line with departmental procedures.

## Critical Incidents

A critical incident is defined as an occurrence that is sudden, urgent, and usually unexpected, or an occasion requiring immediate action (e.g. in the community, on the road). The aim in these situations is to bring the behaviour of the student under rapid and safe control. It is not a time to try and to punish or discipline the student; it is a crisis management period only.

Staff should follow the documented plan for any student involved in regular critical incidents, which should be saved and available for staff to review in OneSchool.

For unexpected critical incidents, staff should use basic defusing techniques:

1. Avoid escalating the problem behaviour: Avoid shouting, cornering the student, moving into the student's space, touching or grabbing the student, sudden responses, sarcasm, becoming defensive, communicating anger and frustration through body language.
2. Maintain calmness, respect and detachment: Model the behaviour you want students to adopt, stay calm and controlled, use a serious measured tone, choose your language carefully, avoid humiliating the student, be matter of fact and avoid responding emotionally.
3. Approach the student in a non-threatening manner: Move slowly and deliberately toward the problem situation, speak privately to the student/s where possible, speak calmly and respectfully, minimise body language, keep a reasonable distance, establish eye level position, be brief, stay with the agenda, acknowledge cooperation, withdraw if the situation escalates.
4. Follow through: If the student starts displaying the appropriate behaviour briefly acknowledge their choice and re-direct other students' attention towards their usual work/activity. If the student continues with the problem behaviour, then remind them of the expected school behaviour and identify consequences of continued unacceptable behaviour.

Debrief: At an appropriate time when there is low risk of re-escalation, help the student to identify the sequence of events that led to the unacceptable behaviour, pinpoint decision moments during the sequence of events, evaluate decisions made, and identify acceptable decision options for future situations.

## Related Procedures and Guidelines



# Inclusive education

Implementation Date: 01/04/2020  
Version: 1.2

## Audience

The Inclusive education policy applies department-wide including all state schools and educational settings.

## Purpose

This policy sets out the Department of Education's (the department's) commitment to continue to work towards a more inclusive state education system and the principles, which will guide that work.

## Policy statement

The department commits to continuing our journey towards a more inclusive education system at policy and regional levels, and as part of our everyday practice in schools, educational settings and classrooms.

Inclusive education means that students can access and fully participate in learning, alongside their similar-aged peers, supported by reasonable adjustments and teaching strategies tailored to meet their individual needs. Inclusion is embedded in all aspects of school life, and is supported by culture, policies and every day practices.

Inclusive education differs from the following approaches and practices in significant ways:

- Integration — students are placed in schools or educational settings with their similar-aged peers but adjustments are not made to meet their individual needs. This limits their ability to fully access or participate in learning. Integration is not necessarily a step towards inclusion.
- Segregation — students learn in separate environments, designed or used to respond to their particular needs or impairment, in isolation from other students.
- Exclusion — students are unable to access any form of education.

## The department's commitment to inclusive education

We have high expectations of all students, recognising that, with the right support, all students can succeed.

Our commitment means that children and young people across Queensland, from all social, cultural, community and family backgrounds, and of all identities and all abilities can:

- attend their local state school and education centre and be welcomed
- access and participate in a high-quality education and fully engage in the curriculum alongside their similar-aged peers

- learn in a safe and supportive environment, free from bullying, discrimination or harassment
- achieve academically and socially with reasonable adjustments and supports tailored to meet their learning needs.

The department will continue to offer parents the choice of enrolling their child, who meets set criteria in highly individualised programs, including through special schools and academies.

## Principles

The department's work towards a more inclusive state education system will be guided by nine principles adapted from the United Nations' nine core features for inclusive education.

### A system-wide approach

Inclusive education is implemented systemically, based on evidence, across the department including in schools and other educational settings. We promote and develop policies, programs and practices to remove barriers and promote inclusive education across the department and within local school communities.

### Committed leaders

Leaders, at all levels within the department, across regions and local school communities, commit to and are accountable for implementing inclusive education. They promote a culture and shared values that remove barriers and support inclusion.

### Whole of school

Every member of the school community, including teachers, support staff, volunteers, families and students, works collaboratively to ensure students can access and participate in all aspects of school life. Curriculum is provided to all students in ways that are age appropriate and responsive to diverse learning needs.

### Collaboration with students, families and the community

We work with students, parents and caregivers, and other organisations, including teacher and professional associations, as respected and valued partners in inclusive education. We support students, parents, caregivers and families to have a voice and be heard. Their views are considered in decision making at all levels.

### Respecting and valuing diversity

All students and families feel and are welcome, respected, included and safe at our state schools. We embrace and make visible diversity as a strength and support respectful relationships within the school community, and between students. We address the different barriers experienced by students and develop strategies and plans to support inclusive education for our diverse student population.

### Confident, skilled and capable workforce

Our school leaders, teachers, department staff, support staff and volunteers build on their expertise to implement inclusive education practices. Good practice, based on evidence, is shared and cultural capability is strengthened. Continuous professional learning and mentorship is encouraged and supported.

### Accessible learning environments

Our schools, educational settings and classrooms will be designed to enable students of all backgrounds, identities and abilities to access and fully participate in learning. We ensure that students can access and participate in school activities and events.

### Effective transitions

The transition from early childhood and care settings to school, and from school to work, training and higher education are significant milestones in students' lives. Schools continue to work in partnership with students, families, community organisations, professional groups, and other government and educational organisations to plan and support successful transitions at all points in a learner's education.

### Monitoring and evaluation

Monitoring the progress and academic achievement of all students will continue to be a priority. Evaluation and reviews will occur at all levels – school, regional and system – to ensure the department is continuing on its journey and to build on good practice.

## Requirements

- This policy requires the department and all state schools to comply with the *Education (General Provisions) Act 2006* (Qld) and state and commonwealth discrimination laws.
- As different student groups experience different barriers to inclusion, the department will continue to implement strategies and policies, and support practices that address the unique needs of:
  - Aboriginal and Torres Strait Islander students
  - students from culturally and linguistically diverse backgrounds
  - students who identify as LGBTIQ
  - students living in out-of-home care
  - students from rural and remote communities
  - students with disability
  - students with mental health needs
  - gifted and talented students.

## Definitions

Discrimination	Discrimination can be both direct and indirect. Direct discrimination involves treating someone less favourably than another person in similar circumstances because they have a characteristic, for example a disability or impairment, their gender, age, race, parental status, sexuality or cultural background. Indirect discrimination occurs when everyone is treated in exactly the same way even though this unreasonably disadvantages someone because they, or their associate, have a characteristic.
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Inclusive education	Inclusive education means that all students can access and fully participate in learning alongside their similar-aged peers. Teaching and learning strategies are adjusted to meet students' individual needs. Inclusive education encompasses all aspects of school life and is supported by culture, policies, programs and practices.
Reasonable adjustment	An adjustment is a measure or action taken to assist a student with disability to participate in education on the same basis as other students. An adjustment is reasonable if it achieves this purpose while taking into account the student's learning needs and balancing the interests of all parties affected, including those of the student with disability, the education provider, staff and other students (definition from Disability Standards for Education 2005 (Cwlth)).

## Legislation

- [Age Discrimination Act 2004 \(Cwlth\)](#)
- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Australian Human Rights Commission Act 1986 \(Cwlth\)](#)
- [Disability Discrimination Act 1992 \(Cwlth\)](#)
- [Disability Standards for Education 2005 \(Cwlth\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Multicultural Recognition Act 2016 \(Qld\)](#)
- [Racial Discrimination Act 1975 \(Cwlth\)](#)
- [Sex Discrimination Act 1984 \(Cwlth\)](#)

## Delegations/Authorisations

- Nil

## Related policies

- [Advancing education – an action plan for education in Queensland](#)
- [Strategic Plan](#)
- [Every student with disability succeeding plan](#)
- [Every Queensland Succeeding – Disability Service Plan](#)
- [Minister's policy: Criteria to decide a person is a 'person with a disability' for the purpose of enrolment in state special schools](#)
- [Religious instruction policy statement](#)
- [Students in out-of-home care policy statement](#)
- [Supporting student health and wellbeing policy statement](#)



## Related procedures

- [Allocation of state education](#)
- [Enrolment in state primary, secondary and special schools](#)
- [Exemptions from compulsory schooling and compulsory participation](#)
- [Mature age student applications](#)
- [Refusal to enrol – Risk to safety or wellbeing](#)
- [Assistance animals and support animals at school](#)
- [Student discipline](#)
- [Restrictive practices](#)

## Guidelines

- [A whole school approach to differentiated teaching and learning](#)
- [P-12 curriculum, assessment and reporting framework](#)
- [Curriculum provision to gifted and talented students](#)
- [Students with disability](#)
- [English as an additional language or dialect \(EAL/D\) learners](#)
- [Global schools through languages supporting plan](#)
- [Parent and community engagement framework](#)
- [Student learning and wellbeing framework](#)

## Supporting information/websites

- [Inclusive education](#)
- [Students with diverse needs](#)
- [All Abilities Queensland: opportunities for all](#)

## Contact

For further information, please contact:

State Schools – Disability and Inclusion Branch

Email: [support.diversity@qed.qld.gov.au](mailto:support.diversity@qed.qld.gov.au)

## Review date

30 June 2021

## Superseded versions

1.0 Inclusive education

Uncontrolled copy. Refer to the Department of Education Policy and Procedure Register at <http://ppr.det.qld.gov.au> to ensure you have the most current version of this document.  
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## Procedure

# Hostile People on School Premises, Wilful Disturbance and Trespass

### Version Number

3.0

### Implementation Date

28/01/2015

### Scope

All state schools

### Purpose

This procedure outlines the options available under the *Education (General Provisions) Act 2006 (Qld)* (EGPA), to assist Principals and school staff in preventing and managing unsafe situations on the premises of state educational institutions (whether they have buildings on them or not, or whether or not the conduct occurs in school hours).

### Overview

The Department of Education, Training and Employment is committed to taking all reasonable steps to provide a safe environment for staff, volunteers, students, parents and visitors at State educational institutions. Section 5 of the [Education \(General Provisions\) Regulation 2006 \(Qld\)](#) makes a principal responsible for the safety and overall management of state instructional institutions.

This includes events such as wilful disturbance, trespassers, distribution of non-education documents, and also processes for obtaining information from the person/s and giving directions to the person/s regarding their conduct or movement at the school.

At all times, proportionate and graduated responses should be applied when managing difficult or dangerous situations, ensuring adherence to laws, and always acting reasonably and dispassionately. It is important to ensure, before exercising one of the below powers, that the person concerned is not an exempt person.

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**Queensland  
Government**

Queensland Police should be contacted immediately if the behaviour of a person is of a serious nature, such as if there is a threat of physical danger, and request the police to remove the person from the school in accordance with police powers. In some circumstances, and only when necessary, physical intervention may be required if there is a genuine threat to a safe school environment (see [Chief Executive's Guideline: No.01/2012](#))

If a form is required to be given to a person (see sections 337, 340 of the EGPA) the form may be given by:

- The principal, by handing it to the person concerned (the Principal must complete a [Record of Giving A Form](#))
- The principal, by sending it to the person's home address as recorded on school records by registered post (the Principal must complete a [Record of Giving A Form](#)). Please note that posting the form can delay its effectiveness;
- Where appropriate, engaging the Queensland Police Service or a process server to serve the form on the person (ensure that the police or process server complete an affidavit of service concerning the giving of the form);

A copy of the signed form must be kept as an official record and for evidentiary purposes

A number of checks and balances have been included in the EGPA to minimise misapplication of the powers such as appeal and review options relative to each section.

## Responsibilities

### Principals

Under the EGPA, Principals may complain to the Queensland Police Service and/or exercise one of the below powers (ensuring the person/s is not an exempt person for the section) where:

#### Dealing with wilful disturbance (s.333 EGPA) **Note: students are exempt**

- a person wilfully disturbs the good order or management of a state educational institution, or
  - a person insults an officer of a state educational institution in the presence or hearing of a student of the institution who is in or about the school premises, or assembled with others for educational purposes at, or in, any place.
- Principals should follow any complaint to Queensland Police with consideration of giving a s.337 direction, a s.339 direction or a s.340 direction or seeking a s.341 direction.

#### Dealing with trespassers (s.334 EGPA)

- A person is on the premises of a state educational institution without lawful authority or a reasonable excuse

Note: this may not apply to parents of a student at the school during school hours because they may have a reasonable excuse to be at the school in relation to the child.

- Principals and school staff when using physical force to restrain or eject from the premises a person who becomes abusive or violent must comply with the [Chief Executive's Guideline: No.01/2012](#).
- Principals should follow any complaint to Queensland Police with consideration of giving a s.337 direction, a s.339 direction or a s.340 direction or seeking a s.341 direction.

#### Dealing with distribution of non-education documents (s 67 EGPR)

- A person distributes a non-education document on the premises of a school, without the permission of the institution's principal (does not apply to documents lawfully distributed by a minister of religion or accredited representative in accordance with s.30(1) EGPR).
- Principals should follow any complaint to Queensland Police with consideration of giving a s.337 direction, a s.339 direction.

#### Giving a s.336 EGPA direction (requirement to state name and residential address)

- May:
  - require a person on state instructional institution premises to state their name and residential address only if intending to issue a direction under s.337 or s.339
  - require the person to give evidence of the correctness of their name and address, if they reasonably suspect the details supplied are false and warn the person that it may be an offence to fail to state their name and residential address
  - photograph or video the person if they refuse to give their name and address, being careful to use this record appropriately and making it available only to people who need to have the information for the purposes of prosecuting an offence.

#### Giving a s.337 EGPA direction (30 day 'good behaviour' direction)

- May give a person a [written direction](#) (Note: this direction may not be used to exclude a person from a state instructional institution's premises), for a period of up to 30 days after the direction is issued, about the person's conduct or movement at the state instructional institution, if the direction is necessary:
  - to ensure the safety and wellbeing of other persons lawfully at the premises
  - to prevent or minimise damage to the premises or to property at the premises;
  - to maintain good order at the premises
  - for the proper management of the institution
- Unacceptable behaviour not occurring on school premises may also be taken into account when considering a s.337 direction. Behaviour, such as threatening or nuisance telephone calls, e-mails and social media commentary/posts may be referred to external agencies, such as the police or a telecommunications provider for action, but may also be taken into account for the purposes of deciding if a direction is necessary to be given for the reasons outlined above.
- If a school principal is concerned for the health and wellbeing of a staff member/s as a consequence of hostile references in social media commentary/posts, the principal should consider [sending the template letter](#) prepared for this purpose

- Keep in mind that the direction applies for thirty ordinary days, not 30 school days AND does not prohibit the person from the school premises.

#### **Giving a s.339 EGPA direction (24 hour prohibition from school premises)**

- May give a person an [oral direction](#) requiring the person to immediately leave and not re-enter the state instructional institution for 24 hours after the time the direction is actually given to the person, if the person:
  - has committed or is about to commit an offence at the premises
  - has used or is about to use threatening, abusive or insulting language towards another person at the premises
  - has engaged in or is about to engage in threatening or violent behaviour towards another person at the premises
  - does not have a good and lawful reason to be at the premises
- The oral direction must include:
  - the terms of the direction; and
  - the ground for the direction; and
  - the time during which the person may not re-enter the premises (which must not exceed 24 hours).
- Principals may print out, laminate and carry with them a standard script for giving a [s.339 oral direction](#)
- **Principal actions**
- if a person is in breach of a direction, complain to the police immediately AND consider giving a s.340 direction to the person.
- notify the Regional Director of directions being issued under sections 337, 339 or 340
- Complete the Form Record of giving a [s.339 direction](#)
- ensure that in following any course of action they do not put themselves or their staff in a potentially harmful situation

#### **Giving a s.340 EGPA direction (60 day prohibition from school premises)**

- In general s.340 directions should be reserved for circumstances in which another less serious direction (s.337, s.339) is insufficient. This will usually arise in circumstances where the less serious directions have been breached, there have been multiple less serious directions (tending to establish that the person is incorrigible) or the circumstances of a person's behaviour are so serious that it merits immediate, serious consequences (for example, serious assault on school premises of any person, wilful damage to school property or serious threats of violence to persons or property at the school)
- Should the principal decide that behaviour would warrant the application of the power in s.340 OR if the behaviour amounts to a breach of an existing s.337 direction or would result in a further s.337 direction being given, use the [template letter](#) for completing a draft direction
- May contact LALB and seek advice on the making of the direction before issuing it. (Please note that s.340 directions are subject to internal review)

- Make every effort to ascertain the parent's name and address in cases involving a prohibition order on a child (not a student of the school) for up to 60 days. This is because in making the direction to prohibit the principal must make every effort to notify the child's parent of the decision.
- Use judgment as to whether a person is a child or not, which may involve asking students how they know the person or the person's history.
- Where a s.340 prohibition is imposed, consider carefully if the person's conduct also merits a s.341 direction (prohibition for up to 12 months). If so, then seek the s.341 prohibition at the commencement of the s.340 prohibition so that the Director-General or delegate can utilise the 60 day prohibition period to make a decision in respect of the request for a s.341 prohibition.
- If a school principal decides that it would not be appropriate for them to issue a s.340 direction personally (for example, the principal believes that it would be inappropriate if they acted themselves because it would be a breach of natural justice), then the principal may recommend that the Director-General or delegate make the direction instead.
- The Principal should have reference to the Request to issue s.340 direction briefing template and template Request s.340 letter for this purpose.

**Asking for a s.341 EGPA direction to be made (prohibition from school premises for more than 60 days, but not more than 12 months)**

- Where a case is serious enough (repeated breach of s.337 or breach of s.340 direction, actual or threatened serious violence to a staff member, student or other person) that it is appropriate to ask the Director-General or delegate to make a direction prohibiting a person from a state school for a period of 12 months.
- Regions will seek advice from the Office of the Director-General or delegate, should the principal decide that the level of severity of the disruption, abuse or violence would warrant the application of the power in s.341 of the EGPA, or other legal action
- Regions will use the [template briefing note](#) and template preliminary view letter for making this request.
- Where a person is already subject to a s.340 prohibition, Regions must provide the template briefing to the Office of the Director-General or delegate at the commencement of the 60 day prohibition to enable the decision maker to take advantage of the existing prohibition period to make their decision before the prohibition period runs out.
- Make every effort to ascertain the parent's name and address in cases involving a prohibition order on a child (not a student of the school) for more than 60 days. This is because the Director-General or delegate, in making the direction to prohibit must make every effort to notify the child's parent of the direction or application.
- Use judgment as to whether a person is a child or not, which may involve asking students who know the person or the person's history.



**Asking for a s.352 or 353 EGPA Order to be applied for (12 Month prohibition from all state and non-state school premises)**

- Where a case is serious enough (repeated breach of s.337 or s.340 direction, actual or threatened serious violence to a staff member or student at more than one state or non-state school) that it is appropriate to ask the Director-General or delegate to apply to QCAT for an order prohibiting a person from all state or non-state schools for a period of 12 months.
- Seek advice from the Office of the Director-General or delegate, should the principal and the Regional Director decide that the level of severity of the disruption, abuse or violence would warrant the application of the power in ss.352 or 353 of the EGPA, or other legal action
- Make every effort to ascertain the parent's name and address in cases involving a prohibition order on a child for more than 60 days. This is because the Director-General or delegate, in making the direction to prohibit must make every effort to notify the child's parent of the application.
- Use judgment as to whether a person is a child or not, which may involve asking students who know the person or the person's history.

**Regional Director:**

- Co-signs/approves requests for directions under ss.341, 352, 353 to the Director-General or delegate as the matter may require
- Compiles records of all s.337, 339 and 340 directions given by staff under their supervision for the purposes of the department's annual report.
- May consult with Legal and Administrative Law Branch (LALB) in respect of the drafting of s.341 directions and progress of such requests to the Director-General or delegate

**Director-General or delegate:**

- Upon the making of a submission against a s.337 direction, confirms or cancels the directions according to the timeline provided in s.338 of the EGPA
- Compiles records of all s.338 appeals for the purposes of the department's annual report.
- May consult with LALB in respect of [directions under s.341](#)
- Records details of the exercise of the powers conferred under the EGPA for inclusion in the department's annual report.

**Director-General:**

- May consult with LALB in respect of applications to QCAT under s.352
- May apply to QCAT for an order prohibiting a person from entering all state schools for up to one year under s.352
- May consult with LALB in respect of applications to QCAT under s.353
- May apply to QCAT for an order prohibiting a person from entering all state and non-state schools for up to one year under s.353

- Records details of the exercise of the powers conferred under the EGPA (including the direction to leave and not re-enter the premises for 24 hours) in the department's annual report.

## Process

See above in responsibilities.

## Online Resources

### Guidelines

- [Chief Executive's Guideline: No.01/2012](#)

### Forms

- [Form 337: Template Direction about conduct or movement on school premises](#)
- [Form 340: Template Direction Letter for 60 day prohibition](#)
- [Template DG or delegate GBN: Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Template preliminary view letter Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Template decision letter Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Template letter 341: Principal to RD—Request for action](#)
- [Template Record of Giving A Form](#)
- [Template Record of Giving a s.339 oral direction](#)
- [s.340a Template Decision Letter](#)
- [s.340A Template Briefing Note](#)
- [Region letter—Sections 340 and 340A](#)

### Script

- [Standard script for giving a s.339 oral direction](#)

## Review Date

15/07/2015





## Definitions

**Non-education document** means a document other than a document used in delivering an educational program to students of the institution.

**Premises of a State educational institution** means the building and/or lands that make up a state educational institution.

**State educational institution** means an educational institution established under section 13,14 or 15 of the EGPA, and includes State primary, secondary and special schools, environmental education centres and outdoor education centres, centres for the support and development of teachers and officers of the department, student hostels or student residential colleges.

**State instructional institution** means an educational institution established under sections 13 or 14 of the EGPA and includes State primary, secondary and special schools, environmental education centres and outdoor education centres.

**Exempt person** for the purposes of s.333 of the EGPA, means a person who was at the relevant time a student of the relevant State educational institution. For the purposes of sections 336, 337, 339-341, 352-353 of the EGPA, it means a student or pre-prep child of or an employee of the department engaged to perform work at the relevant State instructional institution premises.

## Authority

- [Education \(General Provisions\) Act 2006](#) (EGPA) Chapter 12, Parts 5, 6 and 8
- [Education \(General Provisions\) Regulation 2006](#) (EGPR)
- [Police Powers and Responsibilities Act 2000](#) Section 48(1)
- [Work Health and Safety Act 2011](#)

## Related Policy Instruments

- [School Security](#)

## Attachments

- [s.340A Template Decision Letter](#)
- [Form 340—Template direction letter for 60 day prohibition](#)
- [Chief Executive's Guideline No. 012012](#)
- [Template letter 341: Principal to RD—Request for action](#)
- [s.340A Template Briefing Note](#)
- [Template decision letter Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Form 337—Template direction about conduct or movement](#)

- [Template preliminary view letter Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Record of giving forms—s.337 or s.340](#)
- [Region letter—Sections 340 and 340A](#)
- [Template DG or delegate GBN: Section 341—Application to DG or delegate to prohibit entry to school premises for more than 60 days](#)
- [Standard script for giving a s.339 oral direction](#)
- [Template record of giving a s.339 oral direction](#)

## Contact

DETE employees, please contact:

In the first instance contact a Principal Advisor at the Regional Office.

For legal assistance, contact the Legal and Administrative Law Branch on (07) 3404 9330 or by email at [advicerequest.LEGAL@det.qld.gov.au](mailto:advicerequest.LEGAL@det.qld.gov.au)

**Persons subject to action in accordance with this procedure should obtain their own independent legal advice.**

