

**Government Response to Standing Committee on
Education, Employment and Youth Affairs Report 6 –
Inquiry into management and minimisation of
bullying and violence in schools**

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The ACT Government welcomes the Standing Committee on Education, Employment and Youth Affairs report on its *Inquiry into the management and minimisation of bullying and violence in ACT schools*.

The government thanks Committee members and secretariat for the work that has gone into the preparation of the Committee's report.

Importantly, the government also thanks the parents, carers, teachers, school leaders, schools and stakeholders who have contributed to the inquiry in a range of ways: by hosting school visits, answering questions, writing submissions and appearing before hearings. The government particularly thanks those who undertook the difficult task of sharing personal experiences of bullying and violence to inform the Committee's work.

The government also appreciated the opportunity to make a submission to the inquiry and provide input through the hearings.

The Committee found that incidents of bullying, cyberbullying and violence in ACT schools are not frequent, and that schools experience the same challenges as other parts of society in relation to bullying and violence.

However, any instance of bullying or violence in a school is unacceptable and must be managed appropriately.

The government is working to create safe and supportive school environments for all students, teachers and staff through the *Safe and Supportive Schools* policy and the implementation of the Positive Behaviours for Learning framework in all ACT Government schools.

ACT Government schools are inclusive places, with a key principle of the *Education Act 2004* (ACT) being that government schools are free and open to everyone.

The *Schools for All* program has strengthened the capacity of schools to support students with complex needs and challenging behaviours. Targeted support is available when students need it in a range of ways including sensory spaces, access to school psychologists, social workers and allied health professionals, and referrals to Network Student Engagement Teams.

The government has funded a major investment in education data with the School Administration System. The \$10 million upgrade is providing both school-level and system-level data to respond to emerging concerns and improve practice.

The government is also specifically targeting occupational violence in education through the establishment of an occupational violence and complex case management team, the provision of professional learning for school staff and the hosting of an intergovernmental forum to share lessons and experiences that occurred in March this year.

Importantly, the ACT Government has developed the *Future of Education Strategy* to guide the ACT's education system – including both government and non-government schools – over the next 10 years.

The strategy was developed through broad consultation with the ACT community over 18 months, with input from more than 5,000 people received – more than half of them students. The four principles for implementing the strategy are equity, student agency, access and inclusion.

The four foundations of the strategy are to:

- Place students at the centre of their learning
- Empower teachers, school leaders and other professionals to meet the learning needs of all students
- Build strong communities for learning
- Strengthen systems to focus on equity with quality.

The government is already pursuing initiatives aligned with a number of the Committee's recommendations under the *Future of Education Strategy*.

The Committee made 23 recommendations. Of these, the government agrees to 12 recommendations; agrees in principle to nine recommendations; and notes two recommendations.

Government response

Recommendation	Response and notes
1. The Committee recommends that the ACT Government partner with community agencies to provide independent support and guidance to students and their families when preparing for a formal restorative conference following incidents of bullying or violence.	Agreed The ACT Government will continue to strengthen the use of restorative practices in ACT schools as a means of supporting positive school culture based on positive relationships, safety and wellbeing. The Education Directorate will work with other agencies to support schools, students and families in effectively employing restorative practices such as restorative conferences following incidents of bullying and violence.
2. The Committee recommends that the ACT Government publish a timetable for Positive Behaviour Learning implementation in all ACT schools before 28 November 2019.	Agreed The Positive Behaviours for Learning approach is being implemented in all ACT Government schools and 51 schools are applying the approach. A timetable for implementation in the remaining schools will be published before 28 November 2019.
3. The Committee recommends that the ACT Government endorse a small range of Social Emotional Learning programs to operate in conjunction with Positive Behaviour Learning that support schools respond to childhood trauma, behaviour management and violence in schools. Following this endorsement activity, all ACT public schools are required to implement Directorate nominated programs.	Agreed The ACT Government supports evidence-informed practice and will build on the suite of evidence-based Social Emotional Learning programs that already exist. <i>The Future of Education Strategy</i> includes an initiative to enhance the role of the Teacher Quality Institute to share excellent practice and contemporary research evidence across the ACT; and explore the creation of an ACT teaching evidence clearing house, possibly as an extension of the Teacher Quality Institute.
4. The Committee recommends that the ACT Government employ full time social workers and youth workers in every ACT school.	Agreed in principle The ACT Government has invested significantly in student wellbeing and allied health supports for students over the past four years and further supports are a key element of the ACT Government's Future of Education ambition. The government has enabled schools to employ professionals to meet the needs of their school communities and ACT public schools currently employ a range of professionals to meet the needs of their school communities. This can include, for example, a school youth health nurse, a student wellbeing support worker, a youth worker or a social worker. Every school has access to a school psychologist. The ACT Government has already been considering expanding access to social and youth workers in schools, subject to budgetary constraints.

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5. The Committee recommends that the ACT Government continue to recruit additional school psychologists and provide psychological support services outside school hours and in school holidays.	Agreed in principle All ACT public schools have access to a school psychologist. As at 2019, schools are supported by 76.6 FTE of psychology services. In 2016 the ACT Government committed to an additional 20 school psychologists to be delivered by 2020, with 15 already employed and the remaining five staff will commence in January 2020. The Parliamentary Agreement for the 9th Legislative Assembly of the Australian Capital Territory includes a commitment to strengthen mental health referral pathways and the Education Directorate is working closely with ACT Health and Community Services Directorate to map services for children and young people. This information will be available to be easily accessed on the Education Directorate website in the coming months. As part of the public mental health system, after-hours support is available through Access Mental Health for children and young people. This service is available 24 hours a day, seven days a week by calling 1800 629 354 or 6205 1065. Information-sharing and linkages between Child and Adolescent Mental Health Services and school youth health nurses are currently being strengthened.
6. The Committee recommends that the ACT Government provide exceptions to the Priority Enrolment Area policy for students who have been subject to bullying or violence.	Agreed ACT public schools already accept applications from out of area students based on a number of criteria, including student wellbeing. The existing procedure will be reviewed to ensure it is appropriately accessible for families. Schools and families will also be supported to ensure issues are resolved early at existing schools where possible, to help children continue to stay in their local school community where possible.
7. The Committee recommends that the ACT Government investigate the increased use of support workers to provide structured play options at breaks for students with complex needs and challenging behaviours.	Agreed Existing resourcing to schools provides capacity for provision of structured play options at breaks for students and schools offer many structured options such as lunchtime clubs. The Education Directorate will provide further advice and guidance to all schools about structured play, its impact and mechanisms for delivery.
8. The Committee recommends that the ACT Government ensure there is a requirement to involve Network Student Engagement Teams when bullying or violence involves children with complex needs.	Agreed in principle All schools respond to bullying or violence for all children and are able to refer to Network Student Engagement Teams using clearly defined escalation pathways. The Education Directorate is improving data capability through the implementation of the School Administration System. This supports schools and the Education Support Office to better manage and respond to incidents of bullying and violence and facilitates early identification of schools and students requiring support. The School Administration System will allow the Network Student Engagement Team to be more proactive in offering support to schools for students with complex needs.

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9. The Committee recommends that the ACT Government provide exceptions to Priority Enrolment Area policy in order to ensure a child can enrol at a learning support unit relevant to the students need.	Agreed in principle The ACT Government will continue to strengthen inclusion in all ACT public schools so that all students can attend their local priority enrolment area school and have their individual needs met. There are a range of programs and supports available for students with disabilities. Schools work closely in partnership with students, parents, carers and other professionals to make reasonable adjustments and support students to access and participate in education on the same basis as their peers. Small group programs, such as a Learning Support Unit are one option for families and are currently offered in 57 public schools throughout the ACT and including in primary and high schools, colleges and combined schools. The Education Directorate is continuing to increase the number of schools that offer small group programs in order to support students attending schools in their local community. The Directorate will review the availability of information relating to the range of options available to support students with disability on its website.
10. The Committee recommends that the ACT Government ensure all schools have a sensory space available for children with complex needs, distinct to a breakout area for all students.	Agreed All schools have spaces that can be used as sensory spaces. Sensory spaces will continue to be enhanced as required to meet the needs of individual students, in consultation with the Education Directorate.
11. The Committee recommends that the ACT Government expand the current flexible offsite education program and ensure availability on the northside.	Agreed in principle The Flexible Education Offsite Learning Program is accessible to young people from across the ACT, including the northside, and transport assistance is available. The ACT Government's <i>Future of Education Strategy</i> commits to implement evidence-based transition processes, and evaluate and refine existing models such as the Continuum of Education Support Framework.
12. The Committee recommends that the ACT Government investigate mechanisms that ensure Personal Protection Orders are drafted in a way that can be enforced within educational settings.	Agreed Schools already adhere to any order of a court, including Personal Protection Orders. It is important to note schools are not a party to the Personal Protection Orders. It is not unusual for the Court to include conditions designed to allow parties to operate safely in a shared space such as a school, for example by including a condition preventing the respondent from coming within a particular distance of the affected person and reducing this distance when they are at school. When serving and enforcing Personal Protection Orders, police consider the terms of the order, the enforceability of the order, and the best interests of the involved children and young persons as required by the <i>Children and Young People Act 2008</i> (ACT).
13. The Committee recommends that the ACT Government develop tools schools can use to draft enforcement plans for any Personal Protection Orders that apply within educational settings.	Agreed in principle Information on Personal Protection Orders is already in the School Legal Information Manual, a governance handbook for all schools readily available on the Education Directorate intranet.

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14. The Committee recommends that the ACT Government consider amending the ACT Crimes Act 1900 to include a section clarifying that intimidating, harassing or violent behaviours on school grounds are subject to legal enforcement.	Noted The ACT Government notes that an act of violence against a student or teacher on school grounds should be treated in the same way as an act of violence that occurs in public space and should be subject to the same laws. While the ACT Government notes the view of the committee to confirm this through legislation, this is not consistent with usual drafting practice and is not required to make the law apply to violence on school grounds.
15. The Committee recommends that the ACT Government publish the updated Suspension Guidelines as a matter of priority and review its operation after two years.	Agreed Final changes are being made to the suspension policy and procedures after extensive consultation and collaboration with several stakeholders. Updated documents will be published as soon as possible.
16. The Committee recommends that the ACT Government ensure all written communication tools that explain complaint options, including the referral of concerns to the ACT Human Rights Commissioner, is easy to understand and clearly outlines the internal and external complaint avenues available to students or parents. Any posters should be large and placed in a prominent part of the school entrance.	Agreed The Education Directorate is redesigning its complaints process and will include updated policies, procedures and associated documents including posters, checklists, improved online content and targeted information for teachers and parents and carers.
17. The Committee recommends that the ACT Government review existing internal and external complaints handling processes for all incidents of bullying and violence in schools to ensure there are appropriate avenues for parents and students to escalate concerns and have external consideration of matters if required.	Agreed Schools and the Education Directorate encourage parents to raise incidents of bullying, school-based violence and occupational violence with their school. However, there are processes in place that give parents the opportunity to raise complaints or concerns regardless of their nature with the Education Directorate. This is currently through the Families, Students, Complaints and Feedback team. The ACT Government understands that this process needs to be enhanced. The Education Directorate is currently redesigning its complaints management and case coordination process.
18. The Committee recommends that the ACT Government introduce a parent self-reporting portal for incidents relating to bullying, violence and occupational violence.	Agreed in principle Schools and the Education Directorate encourage parents to raise incidents of bullying, school-based violence and occupational violence with their school. However, there are processes in place that give parents the opportunity to raise complaints or concerns regardless of their nature with the Education Directorate. This is currently through the Families, Students, Complaints and Feedback team. The ACT Government understands that this process needs to be enhanced. The Education Directorate is currently redesigning its complaints management and case coordination process. It is intended that this will include an online solution that would seek to provide not only an online lodgement mechanism, but the ability to keep families up to date on actions being undertaken.

Recommendation	Response and notes
19. The Committee recommends that the ACT Government introduce a student self-reporting portal for incidents relating to bullying, violence and occupational violence.	Agreed in principle Schools and the Education Directorate encourage students to raise incidents of bullying, school-based violence and occupational violence with their school, which may include reporting to their teacher, a school counsellor or a school psychologist. However, there are processes in place that give students the opportunity to raise complaints or concerns regardless of their nature with the Education Directorate. This is currently through the Families, Students, Complaints and Feedback team. The ACT Government understands that this process needs to be enhanced. The Education Directorate is currently redesigning its complaints management and case coordination process. It is intended that this will include an online solution that would seek to provide not only an online lodgement mechanism, but the ability to keep families up to date on actions being undertaken.
20. The Committee recommends that the ACT Government provide increased support to principals to ensure consistency in reporting of bullying and violence.	Agreed Work is in progress to support principals and school leaders and teachers to consistently report positive and negative student incidents through the upgraded School Administration System.
21. The Committee recommends that the ACT Government make the rollout of the new data collection and reporting program a priority; and publish a project timeline before 28 November 2019.	Agreed The Education Directorate has already implemented a number of improvements to the collection and analysis of student incident data. A project timeline will be published before 28 November 2019.
22. The Committee recommends that the ACT Government ensure all teachers and teaching support staff, receive specialist training in childhood anxiety and trauma in order to correctly identify and support students.	Agreed in principle All school leaders and teachers have access to relevant professional learning in a range of areas, including Trauma Informed Practice. As part of the ACT Government's <i>Future of Education Strategy</i>, the Education Directorate will provide appropriate programs to ensure consistency of approach in supporting children experiencing anxiety and trauma. Teachers receive training in Trauma Informed Practice through the implementation of Positive Behaviours for Learning. Positive Behaviours for Learning is aligned with trauma informed practice because of the emphasis on creating a consistent, predictable, positive and safe environment, and the flexible nature of the support it provides.
23. The Committee recommends that the ACT Government ensure all teachers and teaching support staff can receive training in personal protection strategies if requested.	Noted The Education Directorate has a range of strategies to prevent and reduce occupational violence in our schools utilising the hierarchy of controls to mitigate the risks associated with responding to challenging behaviours, such as de-escalation strategies. Consistent with its legal obligations, the Education Directorate will continue to train its workforce in relation to work health and safety.