

2019

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

Government Response to Assembly Resolution of 24 October 2018
– Teacher and Student Safety

Presented by Ms Yvette Berry MLA
Minister for Education and Early Childhood Development
November 2019

Update from the Minister for Education and Early Childhood Development on the Enforceable Undertaking on 18 November 2019

On 24 October 2018 the Legislative Assembly passed a motion calling on the ACT Government to update the Assembly following completion of all strategies in the enforceable undertaking, which the Education Directorate entered into on behalf of the ACT Government with Access Canberra (WorkSafe ACT).

The motion noted the Education Directorate's complex operating environment, that school-based staff deserve to work in a safe environment and that the Education Directorate is sensitively and comprehensively implementing its Occupational Violence Policy and Management Plan.

The motion also acknowledged that on 28 September 2018 the Directorate entered into an enforceable undertaking on behalf of the Territory with Access Canberra (WorkSafe ACT). The terms of the enforceable undertaking include its three strategies to:

1. fully implement the Education Directorate's Occupational Violence Policy and Management Plan;
2. share learnings and resources with other Education jurisdictions within Australia; and
3. work with the ACT Council of Parent's and Citizens Associations to deliver workshops that contribute to the building of strong and safe communities for learning.

The enforceable undertaking's requirements for audit and public reporting and compliance monitoring by WorkSafe were also acknowledged. The enforceable undertaking requires that its terms are completed at the latest, two years from the date the Territory entered the undertaking (28 September 2020).

The motion called on the ACT Government to:

- reaffirm its commitment to the safety and wellbeing of staff across the ACT education system;
- report on progress implementation of the strategies in the enforceable undertaking in the Education Directorate Annual Report, as required by the undertaking; and
- update the Assembly following completion of all strategies in the enforceable undertaking.

The ACT Government is investing in an equitable, inclusive, universally accessible and safe public education system. The ACT Education Directorate understands and meets its work health and safety obligations, including:

- aiming for the highest work health and safety standards for workers and other persons;
- providing a clear policy framework that supports setting health and safety objectives;
- satisfying applicable legal requirements related to work health and safety;
- fostering accountable, effective and supportive leadership;
- taking all reasonably practicable measures to eliminate or, where that is not possible, minimise risks to the health, safety and welfare of workers using a

hierarchy of controls;

- driving continuous improvement of health and safety management to enhance the health and safety of its workplaces, support those workers who do become injured/ill and reduce the human and financial costs of injury;
- involving workers at all levels in health and safety decision-making processes;
- ensuring workers and other persons understand their health and safety obligations; and
- implementing an appropriate and coordinated response if an incident does occur, including providing work- based rehabilitation opportunities where required.

To develop, implement and maintain a safe and supportive learning and teaching environment requires a comprehensive and robust Safety Management System Framework supported by governance mechanisms, systems of training, assessment, reporting, response and prevention. The Directorate has worked hard to deeply embed a comprehensive and robust Safety Management System Framework. In a live and dynamic environment, the Education Directorate recognises the need for constant vigilance and continuous improvement of policies, practices and processes to support strong and safe teaching and learning environments.

The Directorate has briefed WorkSafe on its progress against the key milestones of the enforceable undertaking. Given the Safety Management System Framework is operating in a live and dynamic environment, the Directorate is confident about the broad and deep approach it has taken to strengthen this system and meet the terms of the enforceable undertaking

The Directorate has demonstrated its continuing obligation to staff, students and the broader community that it seeks to prevent, minimise and sensitively respond to occurrences of occupational violence. This was shown in the Directorate's Annual Report released on 11 October 2019. It is also confirmed through the following overview of the Directorate's response to the strategies contained in the enforcement undertaking.

The Education Directorate's actions to address violence in schools for staff and students has been multi-faceted - addressing people capability, information, technology and process:

- > People: Building the capacity of schools and the Education support office to support students with complex needs and challenging behaviour, and fostering positive cultural change and a focus on respect, integrity, innovation and collaboration
- > Information: Providing timely and transparent access to information for schools and families
- > Technology: Having the systems to enable the work and allow the Directorate to evaluate the effectiveness of the work; and
- > Process: Providing school staff with access to clear policies, procedures and resources that support development of safe, supportive and inclusive learning environments and guide schools in responding to incidents of bullying and violence

Our Occupational Violence Journey



The enforceable undertaking contains general terms and three strategies that seek benefits to workers, industry and the community. The Directorate has complied with the general terms of the enforceable undertaking conducting a management-initiated audit against AS4801 which was finalised in October 2019. Recommendations from the audit have either been complied with prior to the completion of the audit or are in the process of being completed. This is being done through the Directorate’s Executive Governance Committee and its Work Health and Safety sub-committee.

The Directorate has also consistently engaged in a broad campaign of communicating to staff, it’s stakeholders and the community that it does not accept or condone violence anywhere in society and is committed to prevention and early support to reduce the incidence and impact of violence in the ACT community. This commitment is reflected in the protective and proactive policies and procedures that drive and guide practice in schools to support safe, supportive and inclusive environments. This Safety Management System Framework brings together a commitment to strengthening safe and supportive school culture in every ACT public school. Here is a small sample of the information the Directorate has shared.

SAFETY AT WORK IS EVERYONE'S RIGHT AND RESPONSIBILITY.
The ACT Education Directorate is here to support you and help prevent incidents from happening.

IF AN INCIDENT OCCURS:

1. Make calls, involve yourself and others from general forms
2. Inform your executive teacher or principal
3. Implement your planned response

AFTER THE INCIDENT:

1. Access support available from your executive teacher, principal and the Longterm Assistance Program
2. Support the incident on incident in **ISSUE/RESOLUTION**
3. Work with your principal to review staff employment

YOUR SAFETY IS OUR PRIORITY
We listen and we act. We are the ACT Education Directorate's Health, Safety and Wellbeing Team on duty 24/7.

Safety in schools is a team effort.
The ACT Education Directorate is here to support you and help prevent incidents from happening.

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YOUR SAFETY IS OUR PRIORITY
We listen and we act. We are the ACT Education Directorate's Health, Safety and Wellbeing Team on duty 24/7.

We respect our staff, we respect our school.
Violent or abusive behaviour will not be tolerated in our school.

YOUR SAFETY IS OUR PRIORITY.
FOR MORE INFORMATION CONTACT THE HEALTH, SAFETY AND WELLBEING TEAM ON 6227 0616.

START THE CONVERSATION
As a school leader, you play an important role in the prevention and reduction of Occupational Violence. Here are some warning signs to keep an eye out for, and some conversation starters that may defuse the situation.

Warning Signs

1. Children, carers or staff exhibit unusual or violent behaviour, verbal or physical
2. Children, carers or staff seem to be angry or aggressive
3. Carers, staff or students exhibit unusual or violent behaviour
4. Carers, staff or students exhibit unusual or violent behaviour
5. Carers, staff or students exhibit unusual or violent behaviour

Conversation Starters

"I'm not sure, but I've noticed some unusual behaviour from your child. Can you help me understand what's going on?"

"I've noticed some unusual behaviour from your child. Can you help me understand what's going on?"

"I've noticed some unusual behaviour from your child. Can you help me understand what's going on?"

FOR MORE INFORMATION OR ADVICE CONTACT THE HEALTH, SAFETY AND WELLBEING TEAM ON 6227 0616.

Do you need help with TALKING WITH YOUR SCHOOL?

WHERE DO YOU START?

Step 1. Make an appointment with your school via phone or email.

Step 2. Discuss your enquiry or concern with the class or executive teacher.

Step 3. Discuss your enquiry or concern with the principal.

SAFE WORKPLACES: MANAGING UNREASONABLE PARENT/CARER BEHAVIOUR
Procedures to assist school staff in dealing with parent behaviour

ADDRESSING COMPLAINTS EFFECTIVELY
Complaints are an important way for the community to provide information and feedback to a school. Complaints, as well as praise, provide valuable feedback about how well you and the school are meeting parental needs. The complaint is inviting the school to enter into a problem-solving process to find a solution. Often if the complainant's emotional investment is high, the complaint can come across as a demand.

OCCUPATIONAL VIOLENCE RESPONSE GUIDE
This document outlines for staff the immediate steps for management of an occupational violence incident in ACT Public Schools.

Occupational Violence is any action, incident or behaviour that departs from reasonable conduct for which a person is assaulted, threatened, harmed, injured in the course of or as a direct result of, his or her work.

How to RESPOND:

- Stand Back
- Assess Threat
- Find Help
- Evaluate Options
- Respond

SPEAK OUT
OCCUPATIONAL VIOLENCE HOTLINE 6227 0616

Students, teachers and parents have joined the government through the *Future of Education Strategy*¹ in committing to place students at the centre of their learning, empowering teachers, school leaders and other professionals to meet the learning needs of all students, building strong communities for learning and strengthening systems to focus on equity with quality. The Strategy builds on the simple but important principle that school leaders and staff are committed to nurturing and developing people to make a positive, constructive contribution to the ACT community. It is important that the ACT community recognise and value this commitment and the effort it requires.

The Directorate wants principals, teachers, learning support assistants and school staff to have safe and supportive workplaces. It is committed to eliminating the risk of occupational violence to staff so far as is reasonably practicable; and where this is not possible, to minimise the risk. The Directorate is also committed to minimising the impact, including psychological impact, of

¹ <https://www.education.act.gov.au/our-priorities/future-of-education/resources/The-Future-of-Education-An-ACT-Education-Strategy-for-the-Next-Ten-Years>

any exposure to occupational violence, providing rapid response to incidents and providing appropriate support following any incident.

Strategy 1 of the enforceable undertaking required the Directorate to fully implement its Occupational Violence Policy and Management Plan. This strategy focuses on delivering worker benefits and ensuring the strength of the Directorate's Safety Management System Framework given it operates in a live and dynamic environment.

The Directorate has developed and implemented a holistic and multidisciplinary case management system. Work health and safety plans are informed by a multi-disciplinary team of allied health professionals and case management practices that ensure school-based staff understand risks, the necessary and appropriate controls and are supported to respond to occupational violence. The Directorate's analysis of occupational violence data is providing them with a staff, student, school and regional view which allows the Directorate to deliver a more comprehensive response to occupational violence. Alongside the strengthening data capability is improvements to the Directorate's training and induction program. In addition to the schools-based training program the Directorate has been training staff specifically in occupational violence management, incident reporting and use of the school administration system. The Directorate also continues to do targeted school-based training and mandatory online training models in work health and safety and occupational violence were rolled out in mid-2019.

As part of the journey the ACT Government as continued to ensure that all ACT public schools have a space available to be used as a sensory space.



These include:

- sensory gardens
- outdoor courtyards and playgrounds
- classroom modifications to support sensory play and accommodate appropriate withdrawal spaces; and
- the establishment of spaces for small group learning

Another part of this journey has been developing clear standards of conduct and guidelines, including standard operating procedures on:

- Triaging occupational violence incidents
- Completing a risk assessment
- Completing an action plan
- Responding to an occupational violence incident by a parent/community member

All of these standards and guidelines have been about protecting staff and students from occupational violence .

The next step is to work with WorkSafe to review the comprehensive program of work undertaken and seek confirmation that the enforceable undertaking terms have been addressed.

Strategy 2 of the enforceable undertaking involved the Directorate sharing learnings and resources with other education jurisdictions within Australia. On 21 March 2019 the Directorate hosted a highly successful cross-jurisdictional Forum at the National Museum of Australia. Delegates representing state and territory, education departments, work health and safety regulators, education unions, ACT Council of Parents and Citizens Associations, Australian Primary Principals Association and the Australian Secondary Principals Association, came together to examine the ACT occupational violence management approach and share work health and safety insights and practice. The purpose of the forum was to share work safety learnings across jurisdictions and collectively identify best practice strategies to support safe and inclusive school communities for staff and students.

The forum highlighted that occupational violence in schools is a national and international issue, impacting education systems around the world. The safety of staff and students in schools is paramount, occupational violence is a complex issue and there was a shared commitment from participants to tackle this societal issue. Keynote speaker Clare Amies, Chief Executive, Worksafe Victoria, highlighted the shared responsibility that education systems, regulators and communities have in addressing occupational violence. At the conclusion of the forum the Directorate released a communique about what has been discussed and learnt².

Strategy 3 involved the Directorate collaborating with the ACT Council of Parents and Citizens Associations in an innovative partnership to design and deliver a series of community workshops focussed on ensuring the safety of staff, students and families and meeting the diverse range of student academic and wellbeing needs. The focus of this work has been about building strong and safe communities for learning.

The workshops were held from November 2018 to June 2019 and brought together stakeholders from across the ACT including those within the public school system (teachers,

² https://www.education.act.gov.au/_data/assets/pdf_file/0011/1347293/Occupational-Violence-National-Forum-Communique.pdf

parents, carers, principals, psychologists, counsellors, students, Education Support Office staff); the community sector and the ACT Council of Parents and Citizens Associations.

Through the workshops the community shared a vision of what strong and safe communities for learning can do including:

- provide strong support, collaboration and a great environment for learning.
- integrate community services into schools to support families
- build a culture of readiness in schools so they can respond to violence, and
- create education policy that reflects the community

Throughout the workshops four themes were identified (response, communication, culture and collaboration) and these themes shape the five priority areas:

- Wellbeing: the importance of taking a holistic approach that considers the needs and wellbeing of individuals and families.
- Family focus: schools becoming “community hubs” where services work together to support families and maintain a focus on family need throughout decision making.
- Service response: the importance of visibility, sensitivity and consistency in response, the system learning from previous mistakes and placing the needs of individuals and families at the centre of decision making.
- System navigation: making the system easier for people to use.
- Shared language: the importance of building a shared language and understanding of violence as a form of communication within the community and working as partners in solutions.

The Directorate will continue to work with its stakeholders to address its commitment to prevent, reduce, report and respond to occupational violence. This will occur alongside implementing the ACT Government’s response commitment to respond to the recommendations from 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* and the observations from the Safe and Supportive Schools Advisory Committee.