



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS  
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## Submission Cover Sheet

Inquiry into the management and minimisation of bullying  
and violence in ACT schools

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## **Inquiry into the management and minimization of bullying and violence in ACT schools**

*Submission from the Independent Education Union of Australia NSW/ACT Branch*

### Societal Context

There is an abundance of anecdotal evidence that the incidence of bullying, offensive behaviour, threats of violence and actual violence in school settings is increasing.

The current (2018) ACU survey<sup>1</sup> into Principals Health and Wellbeing records that the ACT now records the highest incidence of threats of violence against Principals and Assistant Principals at 65%<sup>2</sup>. Measured against the experience of threats of violence in the general population of 9%<sup>3</sup>, this is alarming.

That survey also records that the prevalence of violence is also highest in the ACT at 51%<sup>4</sup> and that the incidence of both threats and actual violence has increased significantly during the period 2011-2018.

The perpetrator of violent behaviour is more likely to be students than parents in a ratio of 5/1<sup>5</sup> and it is reasonable to assume that classroom teachers experience a similar trend in the incidences of offensive and violent behaviour.

Riley also indicates that “Many issues impacting negatively on the education system are entrenched in the wider Australian culture”.<sup>6</sup> On offensive behaviour he notes “this is not just happening in schools, with increases noted in all frontline professions and domestic violence rates that we should nationally be ashamed about.”<sup>7</sup>

Economic and social costs associated with bullying and violence in schools are likely incalculable and one report<sup>8</sup> estimates the direct and indirect costs associated with bullying among a single cohort of Australian students over 13 years of schooling at \$525m.

Of particular concern to our Union is the increasing fear our members feel towards their own career safety if they intervene in violent situations. One particular case (in NSW) merits mention. In this instance a school Principal and Assistant Principal intervened to restrain a violent student and were both physically injured in the process. Following the intervention, the parent of the restrained student made a complaint (to the Office of the Children’s Guardian) of physical abuse against those involved which triggered an investigation overseen by the NSW Ombudsman.

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<sup>1</sup> Riley, Philip The Australian Principal Occupational Health, Safety and Wellbeing Survey 2018 Data. ACU 2019 [https://www.principalhealth.org/au/2018\\_AU\\_Final\\_Report.pdf](https://www.principalhealth.org/au/2018_AU_Final_Report.pdf)

<sup>2</sup> Riley, Philip page 20

<sup>3</sup> Riley, Philip page 96

<sup>4</sup> Riley, Philip page 21

<sup>5</sup> Riley, Philip page 92

<sup>6</sup> Riley, Philip page 26

<sup>7</sup> Riley, Philip page 28

<sup>8</sup> Price Waterhouse Coopers *The economic cost of bullying in Australian schools March 2018* <https://www.ncab.org.au/media/2505/amf-report-280218-final.pdf>

Clem van der Weegen<sup>9</sup> in his paper discussing “reasonable force” in school settings provides examples of the of the Catch 22 situation teachers, school leaders and other staff frequently find themselves in when confronting violent situations in schools. He also points to the confusion and lack of certainty frontline school staff have in regard to their legal powers and protections.

Our own Union case files indicate threats of violence and incidences of actual violence remain steady however reports of various forms of bullying have increased.

### The Nature of Bullying and Violence in School Settings

It is not useful to attempt identifying every incident or cause of violence and bullying of which we are aware in a school setting nor point to all causes, triggers or apportion blame. Bullying however is a major issue among both students and staff.

The “Report on The Second Australian Child and Adolescent Survey of Mental Health and Wellbeing” (2015)<sup>10</sup> found that 34.3% of 12-17 year old’s had experienced bullying in the previous 12 months and 12.7% acknowledged that they had bullied others. Together with statistics that 10.9% of this age group reported self-harm and 7.5% had seriously considered suicide<sup>11</sup>, this presents a disturbing picture.

A La Trobe University study “Teacher Targeted Bullying and Harassment (TTBH) by Students and Parents” survey (2018)<sup>12</sup> reported that 71.4% of respondents had experienced bullying in the previous 12 months.

The above report details various types of TTBH from yelling, damaging personal property to physical violence.

The Union’s experience is that much of this behaviour by parents and students goes unreported by teachers and school leaders due to apprehension that they will be blamed for poor management or leadership. This fear is evidence based and the IEU is aware of cases where employers have accused teachers of causing or escalating issues.

It is worth noting that the Australian Institute for Teaching and School Leadership (AITSL) publishes material and advice regarding the role of teachers in preventing bullying of students by others but ignores the very real issue of students and parents bullying teachers. The implied message to teachers is that they are a service to others and should simply “suck it up” when they become victims.

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<sup>9</sup> Van der Weegen, Clem Defining Reasonable Force in the modern school environment  
<http://classic.austlii.edu.au/au/journals/IntJILawEdu/2013/6.pdf>

<sup>10</sup> Lawrence, David et al Report On The Second Australian Child And Adolescent Survey Of Mental Health And Wellbeing  
[http://www.health.gov.au/internet/main/publishing.nsf/Content/9DA8CA21306FE6EDCA257E2700016945/\\$File/child2.pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/9DA8CA21306FE6EDCA257E2700016945/$File/child2.pdf)

<sup>11</sup> Lawrence, David: pages 12 & 13

<sup>12</sup> Billette, Paulina et al: [final\\_ttbh\\_report\\_april\\_20\\_2019.pdf](#)

## Preventive Measures

Schools and school systems need a proactive approach to policy development, implementation and review with appropriate resourcing and support to ensure that policies and processes are clearly understood and actioned. It is these later elements which are sometimes lacking.

As a trade union, the IEUA is most concerned about the immediate and longer-term impact that violence and bullying have on the physical and mental wellbeing of our members. Our preference is that methods to prevent harm be at the forefront and that incidents of violence and bullying are avoided or at least minimised. Training which diminishes risk prior to or during an incident is imperative.

To this end we support the introduction of codes of conduct at individual schools and systems governing parents and their children's behaviour. These codes spell out expected and positive behaviors as well as identifying consequences for breaches. They cover expectations in regard to respect for individuals, for learning environments, for property as well as acceptable language (written and spoken) and sometimes dress and deportment.

In addition, best practice codes of conduct contain email (and telephone) protocols which address appropriate times to contact staff and expectations for responses. Too often teachers are harassed by parents (and students) who have unreasonable expectations regarding response times.

The Union is aware of abusive emails to teachers because they have not responded to emails from parents which were sent during the school day and in one case the complaint was received at 1.10pm because an email sent at 9.17am that same (school) day remained unanswered.

Such codes need to be widely publicised, understood and consistently reinforced to be effective. Schools using such practices have been extremely creative in how they do this and should be encouraged to share their methodology through a territory wide "best practice" program.

The IEUA also supports adopting formal risk assessments at all schools across a variety of factors. Our experience is that there continues to be occasions where risk assessments are either incomplete or ignored. Staffing ratios for out of school particularly overnight events, are frequently cited by our members as examples of inadequacy.

There is significant academic research and writing in the area of risk assessing for violent behaviour in schools although much is US based and concentrates on threats from weapons. Such assessments need to be based on the relevant Work Health and Safety legislation but need to pick up areas beyond merely assessing those risks associated with the known behaviours of individual students/parents.

In the case of known circumstances, the risk assessment must include the identification of specific behaviour problems and risks associated, development of individual risk management plans and allocation of adequate and appropriately qualified or experienced staffing.

It is imperative that all staff likely to be exposed to known violent offenders be aware of the circumstances and the risk management plan. It is insufficient for only the daily classroom teacher to be alerted as other staff will likely be exposed on bus lines, playground supervision and at other times.

Schools environments also present known but frequently underestimated opportunities for bullying in particular especially cyberbullying. School policies and processes must recognise this threat and ensure the awareness of the entire school community (staff, students and parents/caregivers) of respectful and appropriate use of cyberspace and are familiar with the signs of abuse of that space.

We consider that education, awareness and constant exposure to best practice in respectful behaviour is key to prevention. This exposure requires planning, resourcing and reiteration. Further we consider that further resourcing in specialist areas such as school counsellors, psychologists and therapists would further assist prevention.

### Intervention and Post-Incident Measures

Where incidents do occur, policy and procedure awareness are essential, and employers must demonstrate a commitment to awareness raising for staff in particular. Immediate and appropriate workplace level and system support must be readily available.

It is often the case that “intervention teams’, counselling and other assistances are available only during school hours or office hours or there are significant delays in dealing with incidents because reporting mechanisms are onerous.

Our early impression is that the introduction of the Senior Practitioner Act in September 2018 has been positive in supporting schools during critical incidents.

In cases where there is a high risk, there is a need for staff to be trained to deal with violent incidents while at the same time maintaining their own safety and policy and processes must be staff focused not merely student focused. This is also the case where workers compensation is accessed and return to work programs initiated.

The intervention policies in place in many ACT schools are referenced using restorative justice practices. Our experience of these is that are enormous consumers of resources particularly teacher time and training capital.