



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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

Submission Number: 23

Date Authorised for Publication: 28 May 2019

Management of bullying and violence in ACT schools



**ACT Council of
Parents & Citizens
Associations**

The parent voice on public education

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1. Executive Summary

The ACT Council of Parents & Citizens Associations (Council) is a non-profit, non-government representative organisation whose objectives are to foster a quality public education system, provide support services for affiliate parent & citizens associations (P&Cs) and make representations to government on behalf of parents and carers from 88 public schools.

This submission is a collation of feedback and insights provided by public school P&Cs, including direct feedback from individual parents and carers.

Should the committee require clarification or more information please contact our office on 6241 5759 or via email: contact@actparents.org.au

2. Introduction

2.1 Terms of Reference

Council's submission to the Standing Committee on Education, Employment and Youth Affairs meet the Inquiry's terms of reference.

2.2 Background

Council's inquiry submission provides detailed feedback on the experience of parents, carers and students of the management of violence in ACT public schools. This submission includes two parts; firstly, a report and secondly a collection of case studies outlining the real-life experiences of parents, carers and students.

Council makes regular representations to the ACT Government, the Minister for Education and the ACT Education Directorate on issues and concerns raised by P&Cs and their members, parents and carers. Council has regularly made representations and recommendations to improve the management and response to violence in schools.

In 2017 Council received specific feedback regarding the management of violence in a small number of ACT public schools. The consistency in this feedback raised Council concerns of potentially systemic issues occurring in some ACT public schools. These concerns are discussed in section 4 of this submission.

Since then, Council has consistently raised these concerns and advocated for change with the Minister for Education and Senior Executive Team of the ACT Education Directorate.

Council facilitated a self-managed parent support group on violence in schools, for parents and carers to support each other. This group meets on a needs basis and provide support to each other. Parents find this support invaluable especially when they feel their student safety concerns have not been heard.

The management and response to violence in ACT schools has also been influenced by the *Schools for all* report (2015) and an occupational violence campaign. Council strongly supported the *Schools for all* report with recommendations to assist the management of students with complex needs and challenging behaviours. Council is also supportive of the occupational violence policy and incident reporting.

In response to ACT Worksafe's enforceable undertaking (November 2018), Council is working in partnership with the Education Directorate on the *Building Strong and Safe Communities for Learning* project. To date, this project has delivered two of three collaborative workshops, focusing on how school communities working together can reduce and better respond to violence in schools. The recommendations of the *Building Strong and Safe Communities for Learning* project when implemented are expected to assist schools reduce and better respond to violence.

Recent media articles and the petition presented in the Assembly demonstrates the need for current responses to and management of violence in ACT schools to improve.

3. Councils position on violence in schools

Council strongly believes that violence is never OK. However, we recognise that violence is a whole of community issue, and schools will be impacted at some point by violence. Therefore, it is critical that schools have good strategies to reduce and respond to violence when it happens.

Council strongly believes that schools need to be safe places for all community members, specifically, staff and students. Principals, teachers and staff need a safe workplace and to feel supported while at work. Students also need to feel safe and supported at school.

Council understands that schools do work hard to keep everyone safe, but we need better strategies to reduce and better respond when violence occurs. Council has been listening to the experiences of parents and carers. As a result, we know that despite how hard schools work to keep everyone safe, we acknowledge that over time some staff, students and their families have been subjected to incidents of violence which have left some of these people traumatised by their experience.

Feedback from parents and carers, shows that in some cases, the school's response has been inadequate. In some cases, student safety plans were made to mitigate risks and then not implemented. In other cases, parents feel their concerns of student safety are not listened to. It is evident to Council that not all schools communicate clearly about what has happened and what is being done.

Council expects our public schools to be inclusive and for all students. However, staffing, resources, policies and procedures must be available to support and guide students who are still learning to do the right thing.

We strongly believe that trauma needs to be recognised and supported, with people having access to the right support at the right time. Unfortunately, feedback to Council shows that some of the current processes to respond and discuss incidents may perpetuate trauma and leave a lasting impact on both staff and families.

Feedback to Council also demonstrates the need for all members within school communities to be able to report violence (staff, students, parents and carers). Council strongly believes that irrespective of who has been hurt, all violence must be responded to with the same priority. Together as a community, we must recognise that the occurrence of violence has indirect affects for bystanders, family, friends and the broader community as repercussions unfold.

Council is committed to a future where school communities form strong partnerships and work together to reduce and respond effectively, talking openly and clearly when violence does occur.

4. What is happening in ACT public schools?

The following is a collation of feedback provided to Council, based on the experiences of parents, carers and students.

4.1 Policies and procedures

Council strongly supports the inclusive nature of ACT public schools, as per the *Education Act 2004*. ACT Education Directorate policies and procedures set expectations and provide staff with guidance for implementation, promoting consistent outcomes across public schools. However, the experience of students and families experiencing violence in some schools, shows that implementation of these policies and procedures leads to a wide range of outcomes for students and families.

Council is particularly concerned that policies and procedures create conflicting objectives with no guidance for staff as to which priority takes precedence. A good example of this was a high school student who was seriously assaulted at school, where the school strongly encouraged the victim participate in a restorative practice a short time later. This experience clearly fulfils the explicit objectives and purpose of the safe and supportive schools' policy. Meaning that the school followed the policy and procedure correctly. Yet, application of the policy did not require any consideration of the victim's needs or emotional wellbeing, resulting in the unintentional consequence of additional trauma for the victim. Council considers the policies and procedures rely heavily on the interpretation of individual staff, which may in part explain the variation in experience school by school.

Education Directorate policies and procedures often have multiple and conflicting objectives such as inclusion, safety, restorative practices and keeping students in school. In Council's opinion these conflicting objectives rely on the discretionary judgement of the individual staff at the time. For example, the suspension, transfer and exclusion policy favours keeping students engaged in school as opposed to suspension, yet the safe and supportive school's policy requires that students and staff are safe at school. It is Council's opinion that neither of these policies provide appropriate guidance to allow staff to identify which objective should take precedence?

Council recommends

All policies and procedures must explicitly and clearly express their purpose and objectives. This is particularly important where policies and procedures interact.

Policies and procedures must acknowledge serious and or repetitive violent or bullying incidents cause trauma to students' emotional wellbeing.

Policies and procedures need to articulate which of the competing objectives are to be given priority. The safe and supportive schools' policy and procedure must provide for explicit assessment of student victims emotional wellbeing by staff, with opportunity for feedback from parents and carers.

4.2 Positive behaviour for learning (PBL)

Positive behaviour for learning is currently in place in some ACT public schools. Council's understanding is that the framework relies on the key understanding that behaviour is a form of communication. With consideration of the function or purpose of the behaviour, staff can implement strategies and opportunities to encourage positive behaviours.

Council strongly supports extension of the PBL framework in all ACT public schools. Despite the increased number of schools adopting the PBL approach to behaviour management, parents and carers are reporting that staff within these schools lack functional understanding of the framework. Recent examples include: failing to analyse why students are behaving in certain ways, rewarding

unacceptable behaviours with technology time such as Ipads and labelling students of incapable of positive behaviours or behavioural change.

Council recommends

Council considers that increases in staff capabilities are required by the provision of access for more staff to participate in PBL training.

Council would like all public schools to adopt the PBL framework.

4.3 Recording, reporting incidents and data collection

Recording and reporting of incidents at a school level, and analysis of this data across this system would provide reliable statistics on the amount and nature of violence and bullying in ACT public schools. Council understands that all public schools are now using Sentral (or SAS) with capability to record behavioural incidents, however, Council understands this data is unable to be analysed across the system and publicly reported.

Furthermore, feedback to Council suggests that some schools are failing to record violent and bullying incidents at all. Without any capacity for students or parents and carers to self-report, no data is available to identify patterns of or escalation in behaviour. Council considers identification of bullying and violent incidents in schools is required to enable such behaviour to be addressed.

Council recommends

Council strongly believes that all members of school communities need to be able to report bullying and violence to ensure that all forms of violence is not considered acceptable.

4.4 Occupational violence policy and reporting

Council welcomes the occupational violence policy and reporting for staff affected by violence in public schools. Council believes the introduction of occupational violence measures reinforce that violence in schools is not ok. While we fully support this initiative, Council believes these measures create inconsistency in a schools' response to violence dependant on who is subjected to violence, a teacher or a student. Council submits that irrespective of who is subjected to violence, the response to and reporting of incidents should send a unilateral message that no form of violence is ok.

Council recommends

Council calls for equivalent reporting mechanisms for staff, students, parents and carers.

4.5 Isolated incidents or patterns of behaviour?

A number of parents report their students are subjected to bullying and violence from repeat offenders, with each response treated as an isolated incident. It critical that patterns of behaviour or escalating behaviours are recorded, and data used to inform strategies in behaviour support plans. Repeated behaviours indicate that current behaviour management strategies are unsuccessful, and the student may need additional support. Furthermore, students see repeated behaviours often without seeing the consequence, which may negatively impact on whole of school culture. Repeated behaviours also increase the trauma suffered by student victims and may decrease the reporting of incidences.

In addition, repeated behaviours reveal a reasonably foreseeable risk requiring the mitigation of student safety plans. Council is aware, that in some schools' student safety plans were developed to protect a student from a known offender, and yet plans were not implemented. Council considers that repeated behaviours are an identifiable risk which may be breach a school's duty of care.

Council recommends

Data collection informs the development and revision of behaviour management plans. Repetition of bullying and violent behaviours increases the trauma to students, and presents an identifiable risk requiring mitigation. Once developed student safety plans must be implemented.

4.6 Consequences of bullying and violent behaviour

Parents and carers identify concerns that consequences to bullying and violent behaviour are inadequate. In NSW, the *Crimes Act 1900* (NSW) was amended to include the offence of a school assault. In one case, a student was violently assaulted by three to four other students with a hammer during class. Council considers the school response to demand an apology or restrict attendance at the year 10 formal was inadequate in the circumstances.

Council recommends

Consequences to bullying and violent behaviour must be capable of reinforcing that violence and bullying within schools is not ok.

4.7 Support for victims

In some cases, victims of repeated bullying and serious violent assaults are left to their own devices. Victims, suffer from trauma and may go on to develop anxiety, not knowing what their next day at school will be like. In some cases, students are so anxious that they are physically sick before attending school. Access to supports such as school psychologists for all students is driven by demand and prioritisation of need. Accordingly, many students who need a little assistance are not eligible to access this support through school due to the high level of demand and lack of school psychologists. In some cases, students are left with unaddressed issues festering and increasing need. Furthermore, high school and presumably college students, have to jump the additional hurdle of self-referring to access the school psychologist. Council considers that self-referral is a barrier to meeting students' psychological and emotional wellbeing needs. Other parents and carers report being told to access a private psychologist for assistance, which is costly.

In one case, a private psychologist attended a student support plan meeting, where all personal medical recommendations for the student were lost. In another case, a student was violently assaulted at school in week 2 of term 1 and has not yet returned to school, now half way through term 2. Since then, no-one from the school has called to check in on the student and see how they are doing.

Council recommends

Victims of bullying and violence need access to support (school psychologists, counsellors and social workers) to ensure they can make a full recovery and reach their potential. Barriers to accessing school psychologists need to be removed. Students suffering trauma need to feel supported by their school community and not shunned. Restorative practices need to consider the potential impact on the victim and whether they are ready to participate in this process.

4.8 Organisational culture

Parents and carers report that some schools have exhibited defensive responses to reports of violence and bullying. Some parents and carers have reported 'gas-lighting' experiences by school executives denying the occurrence of violence or blaming the victim. In one case, a parent reported

to Council being 'gas-lighted' by senior staff within the Education Directorate. Ultimately, some parents and carers report being frozen out and responded to like they are crazy.

In other cases, parents and carers have reported their student safety concerns to schools, where plans were implemented and not addressed. Given the persistence of repeated bullying and violent behaviours, reports were also made to the Education Directorate. Despite these reports of increasing violence within this school community, and irrespective of the measures put in place to address violent behaviour students were still being hurt. The flow-on affect of unaddressed violence at school is that students developed anxiety, not knowing what their day would be like. For Council the question is, why is it ok for students to be hurt at school? This inability to address violence within the school community resulted in a number of parents and carers seeking media coverage in the hopes that the issues would be resolved. Instead, these previously unheard parents were accused of not following the complaints procedures. Council believes that media coverage of a school is a parents' last resort and would not have happened if they were listened to earlier.

Although Council appreciates that public school reputations are easily damaged, we understand that bullying and violence occur in every school. Council believes that parents and carers are looking for quality when schools are responding to and addressing bullying and violence.

Council recommends

The culture of ACT public schools is one which values all forms of feedback, including complaints. A strong organisational commitment to reducing and better responding to violence in public schools is given priority above reputational risk.

Parents and carers are supported to access all avenues of support, including advice to report some incidences to police.

4.9 Independent appeals authority

The Education Directorate operates as both the regulator and provider of public schools within the ACT. Where parents and carers raise complaints regarding educational decisions within schools, the Education Directorate faces conflicting duties.

Council recommends

Therefore, Council considers an independent appeals authority is required to provide students, parents and carers with an avenue of review, independent of the Education Directorate.

4.10 Accurate, open and timely communication

Parents and carers often report having no idea about student behaviour until a bigger issue arises. It is critical that schools engage with parents and carers early in the school year building robust relationships and promoting a partnership to support learning. Most parents and carers appreciate the provision of accurate, open and timely communication. Council believes this provides a foundation should the need for more difficult discussions arise.

Council recommends

A policy outlining expectations in terms of communication with parents and carers is developed.