



## **ETASC Discipline and Anti-Bullying Policy & Procedure**

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## ETASC Discipline Policy & Procedure

### Policy Statement

ET Australia Secondary College offers students a safe and nurturing school modelled on the contemporary Australian workplace. A strength of our independent school is our ability to deal with disciplinary matters quickly and effectively to ensure that a positive and productive learning environment is maintained for all students.

This policy adheres to the following extract from the NESA Registered and Accredited Individual Non-government Schools (NSW) Manual:

‘Procedural fairness is a basic right of all when dealing with authorities.’

Procedural fairness refers to what is sometimes described as the ‘hearing rule’ and the ‘right to an unbiased decision’.

The ‘hearing rule’ includes the right of the person against whom an allegation has been made to, these rights can include:

- Knowing the allegations related to a specific matter and any other information which will be taken into account in considering the matter and the consequences
- Knowing the process by which the matter and the outcomes will be considered
- The ability to respond to the allegations made
- Knowing how to seek a review of the decision made in response to the allegations

The ‘right to an unbiased decision’ includes the right to:

- Impartiality in an investigation and decision making
- An absence of bias by the decision-maker
- A review mechanism that adds to the fairness of the process

For further details see the Manual. [Registered and Accredited Individual Non-government Schools \(NSW\) Manual](#)

### Purpose

To promote the ongoing formation of student’s self-discipline and responsibility.

To encourage ethical and responsible behaviour from all students and staff.

To provide a safe, supportive and productive work environment, a healthy workplace and an anti-bullying ethos.

To ensure that disciplinary matters are dealt within a context of justice, compassion, and forgiveness, promoting the dignity and responsibility of each person while ensuring respect for the rights of all students and staff.

## **Scope**

### **Student Responsibilities**

All students who attend ETASC are expected to have a high standard of behaviour and:

- Abide by the College Rules and Codes of Conduct.
- Always behave courteously and considerately to each other and to staff
- Not do anything that may bring the College into disrepute, including in print and electronic media
- Support the goals and values of the College
- Attend and, if required, participate in assemblies, the College sport program, important College events such as School Celebration Days or other events determined by the Principal, and camps and excursions that are an integral part of the College curriculum
- Attend the College during school hours, except in the case of sickness or where leave has been given or an exemption from attendance has been granted

### **Staff Responsibilities**

ETASC Staff will adhere to the school's policies and procedures at all times and:

- Affirm, reward and encourage positive behaviour
- Be consistent and fair in dealing with all students, taking into account their age and stage of development and their family circumstances
- Explore the causes of problems and work to minimise these. Thorough investigation must always precede any action, especially major sanctions. Parents/carers are encouraged to be actively involved in discipline processes
- Discourage undesirable behaviour by providing sanctions that are appropriate
- Explain rules and consequences clearly and concisely so that the students understand them
- Work with parents/carers in helping to form good character and build self-esteem in the student
- Develop appropriate conflict resolution skills
- Keep all written records of relevant interviews with the student and/or parents/carers regarding exclusions and or expulsion
- Ensure that there is no corporal punishment of students at ETASC
- Keep in mind the duty of care of students, the legal rights and responsibilities of Teachers, and the legal rights and responsibilities of students

## **Executive Responsibilities**

The ETASC Executive will adhere to the School's policies and procedures at all times and:

- Affirm, reward and encourage positive behaviour
- Be consistent and fair in dealing with all students, taking into account their age and stage of development and their family circumstances
- Ensure that all staff and student time spent together is only ever for school activities and that staff and student relationships remain professional and within expected societal norms
- Ensure that contact by staff with any student away from the school should only ever occur with prior permission from the Deputy Principal or Principal. Staff contact, interaction and communication with students should be transparent, with supervision and in the company of trusted others to protect all concerned. A record of contact should always occur
- Explore the causes of problems and work to minimise these. Thorough investigation must always precede any action, especially major sanctions. Parents/carers are encouraged to be actively involved in discipline processes
- Discourage undesirable behaviour by providing sanctions that are appropriate
- Explain rules and consequences clearly and concisely so that the students understand them
- Work with parents/carers in helping to form good character and build self-esteem in the student
- Develop appropriate conflict resolution skills
- Provide Teacher supervision when a student is detained as part of our school discipline practices. Detention of students during lunch or for a period of time must still allow them reasonable time to eat and to attend to the needs of health and hygiene
- Keep all written records of relevant interviews with the student and/or parents/carers regarding exclusions and or expulsion
- Ensure that there is no corporal punishment of students at ETASC
- Keep in mind the duty of care of students, the legal rights and responsibilities of Teachers, and the legal rights and responsibilities of students
- Ensure that all staff are up to date with current School Policies, Child Protection training and Working with Children Checks

## **Principal Responsibilities**

The Principal will adhere to the school's policies and procedures at all times and:

- Affirm, reward and encourage positive behaviour
- Be consistent and fair in dealing with all students, taking into account their age and stage of development and their family circumstances
- Ensure that all staff and student time spent together is only ever for school activities and that staff and student relationships remain professional and within expected societal norms
- Ensure that contact by staff with any student away from the school should only ever occur with prior permission from the Deputy Principal or Principal. Staff contact,

interaction and communication with students should be transparent, with supervision and in the company of trusted others to protect all concerned. A record of contact should always occur

- Explore the causes of problems and work to minimise these. Thorough investigation must always precede any action, especially major sanctions. Parents/carers are encouraged to be actively involved in discipline processes and policy
- Discourage undesirable behaviour by providing sanctions that are appropriate;
- Explain rules and consequences clearly and concisely so that the students understand them
- Work with parents/carers in helping to form good character and build self-esteem in the student
- Utilise appropriate conflict resolution skills
- Provide Teacher supervision when a student is detained as part of our school discipline practices. Detention of students during lunch or for a period of time must still allow them reasonable time to eat and to attend to the needs of health and hygiene
- Keep all written records of relevant interviews with the student and/or parents/carers regarding exclusions and or expulsion
- Ensure that there is no corporal punishment of students at ETASC
- Keep in mind the duty of care of students, the legal rights and responsibilities of Teachers, and the legal rights and responsibilities of students
- Ensure that all staff are up to date with current School Policies, Child Protection training and Working with Children Checks

### **Behaviour Management Procedure**

The implementation processes for major disciplinary sanctions, such as expulsions, will always be conducted by the Principal or by delegation, by the Deputy Principal or Assistant Principal. A serious breach is understood generally as activities or behaviours of a student which consistently and deliberately fails to comply with the reasonable directions of the Principal, Deputy Principal, Assistant Principal or a Teacher or ETASC staff; or are offensive, or dangerous, to the physical, emotional or mental health of any student or staff member (e.g. illicit possession and use of drugs, illicit use of prohibited weapons, aggressive, abusive or inappropriate behaviour); dishonesty; or consistently and deliberately interfering with the educational opportunities and endeavours of other students.

Students are required to abide by ETASC's rules and to follow the directions of Teachers and other people with authority delegated by ETASC.

- Where a student disregards rules, disobeys instructions or otherwise engages in conduct that causes or may cause harm, inconvenience or embarrassment to ETASC, staff members or other students, the students will be subject to disciplinary action
- The disciplinary procedures undertaken by ETASC vary according to the seriousness of the alleged offence. Where the allegation, if proved, may result in expulsion, the student and parents/carers will be informed of the allegations and of the procedural steps to be followed in dealing with the matter. In relation to all matters to be

investigated, students will be informed of the nature of the allegation and given an opportunity to respond to the allegations

- The penalties imposed vary according to the behaviour and the prior record of the student. At the lower end of the scale, an admonition or detention may be appropriate. At the upper end of the scale, the behaviour could result in expulsion
- ETASC prohibits the use of corporal punishment in disciplining students attending the school
- ETASC does not explicitly or implicitly sanction the administering of corporal punishment by non-school persons, including parents/carers, to enforce discipline at ETASC

Where the offending behaviour is of such a nature that it may result in expulsion, the student will be:

- Informed of the alleged infringement
- Informed as to who will make the decision on the penalty
- Informed of the procedures to be followed which will include an opportunity to have parents/carers present when responding to the allegation
- Afforded a right of review of appeal

ETASC utilises two review options to satisfy the legislative requirements. These include the following:

**Option 1** The Principal will reach a preliminary decision in relation to the allegation and any proposed penalty and advise the student and parents/carers of the view. The student and parents/carers will be advised that if they wish this preliminary decision to be reviewed they may make an application for a review to the Principal and submit any information they want to be considered during the review process. The Principal will then either confirm the preliminary decision as final decision or amend the preliminary decision based on the additional information provided; or

**Option 2** The Deputy Principal or Assistant Principal will reach a decision in relation to the allegation and recommend the penalty to be imposed to the Principal. The parent(s) or carer(s) will be informed of the finding and recommendation and may make representations to the Principal in respect of the finding and recommendation. The Principal then makes a final decision.

## **Managing Inappropriate or Challenging Behaviour**

ETASC has a behaviour management process that is applied appropriately to the range of behaviours encountered in the school. All infractions are recorded in the student data system as an event, with details of time, date and a detailed description. Actions may include:

- Verbal warning
- Parent meeting
- Written warning (School Contract, undertaken in the presence of a parent/carer)
- Expulsion
- The right of appeal

## **Classroom Management**

In ETASC classrooms, a three-step warning system for managing behaviour is used. It is known as the “Going, Going, Gone system”. Students receive two in class warnings; the third step is being sent to the Teacher on Duty (TOD) or the Assistant Principal or Deputy Principal for resolution. The TOD or the Assistant Principal or Deputy Principal provides Pastoral Care, investigates the matter, gives the student a hearing, and may:

- Send the student back to class
- Place the student in a supervised area to work independently
- Refer the student for to the Assistant Principal for further support

The Deputy Principal or Assistant Principal may, in consultation with parents/carers:

- Ask the student to leave for the day
- Require the student to enter a school contract
- Expel the student (in consultation with the Principal)

## **Merit**

Where a student’s behaviour or performance in class is exemplary, the Teacher or Student Learning Assistant can enter in a positive behaviour report in the school’s data system. This information is reported to parents/carers during parent teacher interviews and is taken into consideration when applying the Positive Behaviour Management and Rewards Policy – see policy.



## **Disciplinary Classifications**

Corporal punishment is neither carried out nor endorsed as a method of discipline at ETASC or outside of the school.

## **Suspensions**

ETASC does not use student suspensions. Our strong stance on anti-bullying and providing a safe school environment places an onus on ETASC to provide continued safety for all students. School students should never be subject to threats, harassment or violence and should not have to be apprehensive about the return of a perpetrator to the school. The school's focus on providing a safe place for students and the fact that the school does not use suspensions as a sanction for students, and the resultant ramifications, is clearly outlined at enrolment, repeatedly reinforced at assemblies, in newsletters, on the school's website and in marketing and promotional literature.

ETASC may send a student home for the day (recorded as a partial suspension on the roll) for a minor breach in the student code of conduct. These breaches can range from being continually disrupting or defiant in lessons, or for being rude and offensive towards staff and other students.

Before a student is sent home for the day, the Deputy Principal, Assistant Principal, or delegate is required to contact parents/carers to discuss the matter and inform the parents/carer that the student is being sent home for the day. The student is then signed out by the School Administration Staff and their attendance record for the day must be changed to a partial suspension with the relevant attendance code recorded. The event details plus the details of the conversation with a parent/carer is to be recorded in Compass as a pastoral note to ensure ETASC maintains accurate records. It is the responsibility of the student remain up to date and ensure that any work or assessment tasks missed due to leaving early is complete.

## **Exclusions**

ETASC is an independent community based high school and is not part of a group of other schools. We do not practise Exclusion.

## **Minor Breaches**

Punishments for breaking rules may include:

- Having privileges taken away (such as stopping students attending excursions)
- Time out from class (being sent out of the classroom or to the Teacher on Duty's office, Assistant Principal's office or Deputy Principal's office)
- Working in a supervised area independently
- Being sent home for the day if behaviour is deemed to be inappropriate or uncontrollable. Parents/carers will be phoned to make arrangements for the student to be picked up

- Placed on a school contract for consistent minor breaches of the school rules after attempts have been made to provide the student access to the school's consulting psychologist.

### **Major Breaches**

Major disciplinary sanctions are last resort actions that are only invoked with due process in the event of serious or consistent breaches of school discipline policy. These sanctions are not to be confused with routine disciplinary sanctions such as 'time-out' from class. A serious breach is understood generally as activities or behaviours of a student which:

- Consistently and deliberately fail to comply with the reasonable directions of the Deputy Principal, Assistant Principal or Teacher; or are offensive, or dangerous, to the physical or emotional and mental health of any student or staff member (e.g. illicit possession and use of drugs, illicit use of prohibited weapons, theft, major dishonesty including cheating, abusive or aggressive behaviour); or consistently and deliberately interfere with the educational opportunities and endeavours of other students

Thorough investigation must always precede any action. Parents/carers always must be actively involved in the process unless the circumstances require urgent intervention. Counselling of a student may be offered.

The safety, protection and care of all students requires that the school clearly explains serious breaches of student conduct and reinforces student awareness of them on a regular basis.

Before major sanctions are implemented, the school will usually adopt a graduated process of other disciplinary measures and will have had ongoing discussions with the student and parents/carers. This may involve the issuing of a formal written warning in the form of a school contract that will outline the pending exercise of major sanctions.

The responsibility for the implementation of the policy rests with the Principal including the determination of expulsion. In every instance of serious breach, the Principal, Deputy Principal and Assistant Principal are primarily responsible for procedural fairness and appropriate support of student and family members before expulsion. The Principal shall confer with the Deputy Principal and Assistant Principal as the nature of the case demands.

When incidents occur, the Principal, Deputy Principal and the Assistant Principal will confer. The Deputy Principal or Assistant Principal will make contact with the appropriate services as required.

Where expulsion is the course of action to be implemented, the parents/carers is contacted and where practical an Exit Interview is arranged. The HSLO and DEC Gosford School District Office is informed in writing.

## **Bullying**

Bullying is a form of unreasonable psychological and/or physical behaviour that may intimidate, degrade or humiliate another person or a group of people and creates a risk to health and safety. This behaviour is based on the misuse of power. It is repetitive or occurs as a pattern of behaviour aimed to 'torment, wear down, or frustrate a person'. (Einarsen 1999, p16).

Examples of bullying include:

- Physical – hitting, pushing, tripping, kicking, spitting on others
- Verbal – teasing, using offensive names, ridiculing, spreading rumours
- Non-Verbal – writing offensive notes or graffiti about others, using e-mail, social media or text messaging to hurt others, rude gestures
- Exclusion – deliberately excluding others from the group, refusing to sit next to someone
- Extortion – threatening to take someone's possessions, food or money
- Property – stealing, hiding, damaging or destroying property

Students and staff who experience or witness workplace bullying are encouraged to report such behaviour to the Teacher on Duty, Assistant Principal, or Deputy Principal.

Bullying allegations raised by staff and students will be treated seriously, investigated promptly, confidentially and impartially.

All employees and Teachers have a legal responsibility to direct and control how work is done and managers have a responsibility to monitor workflow and to provide feedback on performance. Therefore when a Teacher or an employee exercises their rights and responsibilities, in a professional and appropriate manner, this does not constitute workplace bullying.

All students and employees will:

- Be made aware of and given information and skills to assist them to identify and address bullying
- Have available an appropriate mechanism for prompt investigation and resolution of any alleged bullying
- Have allegations of bullying taken seriously, managed promptly and appropriately and confidentially
- Have allegations of bullying responded to in a manner that respects and recognises the innate dignity of each person

- Be provided with training programs relevant to their area of responsibility to assist them to develop a workplace/school culture that discourages bullying

Disciplinary action will be taken against an employee or student who:

- Bullies an employee or student
- Victimises someone who has made a complaint
- Makes malicious, frivolous or vexatious complaints

To achieve this:

- This policy and procedure will be published and promoted to staff, parents/carers on the college website, and as appropriate to the wider community
- All members of the school will respect the rights of others and refrain from any form of bullying of any other person
- All members of the school will actively promote a bullying free environment
- The Principal will respond to any report of workplace bullying promptly and in a manner consistent with the procedures outlined in the ET Australia Employee Handbook for addressing allegations of bullying

The Deputy Principal, Assistant Principal and/or delegate will investigate all allegations of bullying made by a student, parents/carers or staff member. If the Deputy Principal or Assistant Principal is able to substantiate the allegation with reliable evidence (witness accounts, digital evidence, CCTV footage), the matter will be referred to the Principal for consultation and a decision on the students continued enrolment in the school will be communicated to parents/carers and the student.

## Procedural Fairness Statement

ET Australia will ensure that all students and parents/carers, Teachers, ET Australia employees and other stakeholders are treated with respect, dignity and procedural fairness in all school actions and activities.

The Discipline and Anti-Bullying Policy and Procedure and the Code of Conduct are provided to ensure that all stakeholders are aware of the procedures for managing student behaviour and issues. All stakeholders are informed at every opportunity of their rights and responsibilities. ETASC's expected behaviour and consequences policy is addressed at enrolment Interviews. Students and parents/carers sign the Enrolment Contract to acknowledge the expected behaviour and consequences has been addressed.

Students and parents/carers have the right to address their concerns about a Teacher to the Deputy Principal or Assistant Principal. Students and parents/carers have the right to address their concerns about the Assistant Principal to the Deputy Principal. Students and parents/carers have the right to address their concerns about the Deputy Principal to the Principal.

Students and parents/carers have the right of appeal to decisions made by the Assistant Principal or Deputy Principal.

<b>ETASC Discipline and Anti-Bullying Policy &amp; Procedure</b>			
<b>Version Number</b>	<b>Purpose / Change</b>	<b>Author</b>	<b>Date</b>
0.1	Policy reviewed and updated with new version control policy.	Jessica Pitscheider	9 July 2021
1.0 APPROVED BY:	Tony Mylan		9 July 2021
0.2	Inclusion of the Deputy Principal Removal of Daily Monitoring Sheets Inclusion of school contracts for continuous minor breaches of the school rules Update to additional information	Lachlan Scott	31 May 2024
2.0 APPROVED BY:	Tony Mylan		27 June 2024
2.1	Removed reference to obsolete policies and procedures. Renamed document to include Anit-Bullying in the title.	Jessica Pitscheider	3 December 2024
3.0 APPROVED BY	Tony Mylan		9 December 2024

## **Additional Information**

### **Note for Students and Parents/Carers**

#### **Supporting Positive Classroom Management Practice**

ETASC exists to provide a new opportunity for learning for young people who were unable to cope with mainstream school. ETASC provides a safe and nurturing environment where all students have the opportunity to make a “fresh” start. The intention is to create a place where negative behaviour, thoughts and attitudes to school can be left behind. Students are assisted to focus on achieving their potential through attaining their academic goals.

To ensure that all students are provided with a positive work environment, free of distractions, poor behaviour and disrupting learning is not tolerated, especially if it is adversely affecting the ability of others to succeed.

Our classroom management approach is reflected in our behaviour management system where both positive and negative student behaviour is recorded.

Our classroom management approach is open and transparent and presumes that students will respond to and comply with the Teacher’s directions at all times.

Students identified as:

- Not working
- Being disruptive
- Swearing
- Absent from class without permission
- Making inappropriately frequent trips to the toilets
- Refusing to cooperate with class or lesson requirements

will be subject to the warning system procedure known as “Going, Going, Gone”, where the Teacher will write the student’s name on the board the first time they are asked to behave, again the second time they are asked and on the third occasion, the student will be sent to the Deputy Principal, Assistant Principal or the Teacher on Duty (TOD).

The student will be given the opportunity by the Deputy Principal, Assistant Principal or TOD to have a “short time-out” under supervision, before the behaviour is discussed and the student agrees to go back to class and re-focus on their learning without disturbing the other students or the Teacher. If a student is unable to re-focus and display acceptable self-control, unless there are extenuating circumstances, the Deputy Principal or Assistant Principal will send the student home for the day. Parents/carers will be advised that the student is going home, the reason and whether or not they are invited to return the next day. Records will be kept.

When a student is sent home, procedural fairness will be used to manage this behaviour. The first time the student is sent home they will be issued with a verbal warning. If the student is sent home a second time, a meeting is required between the Deputy Principal or Assistant Principal to discuss the student's behaviour and consequences. During the meeting the following will be considered:

- Nature of the behaviour
- Previous behaviour reports
- Academic performance
- Teacher's feedback
- Student's previous school history and current personal circumstances
- A school contract will be put in place outlining the required behaviour to ensure the student's enrolment continues.

If the student has not or cannot modify their behaviour after these measures and they are sent home a third time, they may be expelled from the school.

This approach is aimed to assist all students, those who are here to learn and those who find it difficult to adopt appropriate behaviour in a learning environment.

## References