

Purpose of this policy

The Bayview Student Code of Conduct clearly indicates that violence is not appropriate. This policy is designed to ensure that Bayview College responds appropriately to threats to student and staff safety. All students, staff and the wider Bayview community have a right to work in a safe and violence-free workplace.

In addition to its criminal law implications, violence in schools is a health and safety issue and it is the responsibility of Bayview College to provide a safe working environment. It is also a moral responsibility to provide learning environments which enable all students to reach their full potential.

Definition

Violence is present in any situation where a member of the school community (teacher, student, school support officer, parent or visitor) is intimidated, bullied, abused, threatened or assaulted; or their property is deliberately damaged by another member of the community or the public in circumstances arising out of their activities in the school.

Therefore, violence in schools may be:

- student(s) to student(s)
- student(s) to staff member
- staff member to student
- staff member to staff member
- caused by or involve a parent
- caused by "outside" forces not directly connected to the school

Forms of Violence

- sexual harassment specifically aimed at school students and teachers
- racial harassment
- student to student verbal and physical abuse, particularly in the school yard, but also occurring in the classroom
- student verbal and physical assault upon teachers
- verbal abuse of teachers by parents
- vandalism and theft of property

The Impact of Violence on the School Community

Student learning

Actual violence/harassment, or fear of violence, has a considerable negative effect on students' capacity to participate fully in learning, particularly related to reduced motivation, impaired academic functioning and, in some cases, such students exhibit behaviour problems themselves. There is evidence which indicates a clear correlation between the rise in teacher anxiety and a corresponding rise in students/staff anxiety, alienation and expression of behaviour and academic problems.

Teacher stress and diminished effectiveness

The fear of violence by students (parents or community members) is a significant source of stress for teachers and administration staff in a school setting where violence is prevalent. In cases of serious harm caused by violence, it is vital that Bayview College provides staff with effective counselling services and ongoing support.

Procedures and Strategies

The key to dealing with most problems around violence begins with the development and implementation of an effective school behaviour management policy (for parents and students alike). The desirable outcome of the process of management of student behaviour in the educational setting is students who are independent, self-reliant, and self-motivated learners who can intervene in their own education and exercise some control over their own learning situation. The Bayview College Student Code of Conduct and the Parent Code of Conduct clearly outlines that violent behaviour will not be tolerated. As with all breaches of the Code of Conduct matters will be dealt with using the principles and procedures of Restorative Practices.

When Bayview College agrees to enrol student(s) who have a known history of violence, or when students already enrolled exhibit continual violent/ behaviour, Bayview will provide a procedure which involves:

- initial and ongoing consultation with the classroom teacher(s) involved
- a "negotiated" contract with the student (and parent) which outlines behaviour and clear procedures for when such expectations are not met (including, where appropriate, suspension and exclusion)
- additional support being allocated to both teacher (s) and student(s)

Violence against staff - When a student inflicts violence upon a staff member:

- that student shall be immediately removed from the classroom and/or any contact with other staff
- the student shall not be allowed to return to the classroom and/or have any contact with staff until a plan and any necessary additional resourcing is in place which will guarantee safety for members of staff
- Staff are informed of any rights they may have under criminal and civil law when a student inflicts violence

Victims of violent behaviour - Teachers and students are able to exercise their legal rights and responsibilities in the area of assault. Teachers and students who are victims of violence and harassment will be provided with access to counselling and ongoing support.

Reporting - Staff members subjected to violence from students are made aware of their Work Cover entitlements and a report of the incident is made in the school's accident book.

Violence and threats of violence

Situations involving threatened or actual violence at Bayview require a consideration of the following, depending on the seriousness and urgency of the situation. They include:

- police intervention
- engagement of a security firm
- a trespass notice or warning

- application by an individual for an intervention order (under the Family Violence Protection Act 2008) or personal safety intervention order under the *Personal Safety Intervention Orders Act 2010*
- making a citizen's arrest under section 458 of *the Crimes Act 1958*; however this is not recommended

Related Legislation

- Charter of Human Rights and Responsibilities Act 2006(Vic)
- Disability Discrimination Act 1992 (Cth)
- Education and Training Reform Regulations 2017 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Occupational Health and Safety Act 2004(Vic)

Associated Documentation

Student Code of Conduct

Managing Violence Policy

Safe and Inclusive Learning Community Policy

Parent Code of Conduct

Child Safety Policy

Ministerial Order 87nbv 0