

Managing inappropriate and hostile conduct procedure — Flowchart

When a school principal (or deputy principal or nominated supervisor (s8 EGPR)) becomes aware of, or is the target of, hostile or unsafe conduct by a parent or visitor to the school or at a school activity:

Assess

Principal assesses the safety risk regarding the conduct

Decide

HIGHLY CRITICAL? CALL 000

If required, follow the lockdown process

Principal determines person's conduct presents a risk to safety and wellbeing, school property, good order and/or proper management of the school and must be managed.

Principal determines person's conduct can be managed informally.

No need to give a direction. For further action/s, refer to <u>Managing unreasonable complainant conduct</u> or the <u>Occupational violence prevention</u> procedure or giving a Warning Letter.

Identify

Identify **who** has engaged in the inappropriate or hostile conduct

Who

Directions cannot be given to an exempt person:

Student enrolled at the school Refer to Student discipline procedure.

Employee of the department on departmental business. Refer to the Code of Conduct and Standard of Practice.

Directions can be given to a parent/carer or visitor to the school (regardless of their age)

The principal may require the person to state their name and address and a warning must be given that providing false information is an offence.

If it is reasonably suspected the stated name or address is false, evidence can be requested.

Penalties may apply for non-compliance (\$336 of the Act).

Consider

Is it known or reasonably suspected, the person has or is about to engage in the conduct, or is at the school without a good and lawful reason? Consider requirements of a **\$339** direction.

Is it necessary to manage the person's conduct when at the school? Consider requirements of a **s337** direction.

Is it believed that, unless the person is prohibited from entering the school, they are likely to engaging in inappropriate or hostile conduct? Consider requirements of a **\$340** direction.

Is the principal the target of the conduct or is there a perception of bias? Consider a request to the Director-General (or delegate) to give a **s340** direction under s340A.

Has the person repeatedly breached earlier directions, committed or threatened serious violence to a staff member or student? Consider **escalating** the matter to the Director-General (or delegate).

Seriousness & Proportionality

The most restrictive directions are for conduct that creates a significant risk or reflects a pattern of inappropriate or hostile conduct. Only impose restrictions to the extent necessary.

Effectiveness

What direction will best address the person's conduct?

Impartiality

Is it possible to act dispassionately?

Human Rights

Have human rights been properly considered and is giving a direction <u>compatible</u> with human rights?



Select

Principal reasonably suspects the person:

- has committed, or is about to commit, an offence at the premises; or
- has used, or is about to use, threatening, abusive or insulting language towards another person at the premises; or
- has engaged, or is about to engage, in **threatening** or **violent behaviour** towards another person at the premises; or
- has otherwise disrupted, or is about to **disrupt**, **good order** at the premises; or
- does not have a good and lawful reason to be at the premises.

Section 339

Oral direction

to immediately leave

and not re-enter the school premises for **24 hours**

Give the direction

Oral direction s339

Tell the person:

- the terms of the direction
- the grounds for giving the direction
- the time during which they may not enter.

SCRIPT FOR GIVING A s339 DIRECTION

"Pursuant to s339 of the Education (General Provisions) Act 2006:

- I am directing you to immediately leave the premises of the school;
- You are not permitted to return to the premises of the school for a period of 24 hours from the giving of this direction, namely not before <XXXXX> tomorrow:
- I am giving you this direction because I reasonably suspect that choose one or more>:
- a. You have committed (or are about to commit) an offence at this school premises, namely (provide detail of facts and circumstances forming basis for the suspicion); AND / OR
- b. You have used (or are about to use) threatening, abusive or insulting language towards another person at this school premises, namely (provide particulars); AND / OR
- c. You have engaged (or are about to engage) in threatening or violent behaviour towards another person at the school premises, namely (provide particulars); AND / OR
- d. You have otherwise disrupted (or are about to disrupt) good order at this school premises, namely oprovide particulars; AND / OR
- e. You do not have a good and lawful reason to be at the school premises (provide particulars).

Complete and record a Record of Giving Form

Monitor and Record

OneSchool

Reports - School Management
- Hostile Persons

Employee Assistance Program MyHR Workplace Health and Safety

Employee wellbeing

Grounds

Principal is reasonably satisfied it is necessary to give a direction:

- to ensure the safety or wellbeing of others at the premises; or
- to prevent or minimise damage to the premises or property at the premises; or
- to maintain good order at the premises; or
- for proper **management** of the institution.

Principal is reasonably satisfied that, unless a direction is given, the person is likely to:

- cause physical harm to, or apprehension or fear of physical harm in, another person when the other person is at the premises
- damage the premises or property at the premises; or
- **disrupt** the **good order** or **management** of the institution.

Section 337

Written direction

manage conduct or movement at the school premises for up to 30 calendar days

Section 340

Written direction

not to enter the premises

of the school for **up to 60** calendar days

Written direction s337 or s340

Calculate the number of calendar days.

Use the template for <u>\$337</u> or <u>\$340</u> to indicate the:

- terms of the direction
- grounds for giving the direction (why it's being given), outlining the facts and circumstances that have formed the basis of the grounds
- time the direction is to remain in force; and
- · review options available to the person, including timeframes and processes for requesting a review.

Deliver:

- in person
- by registered post
- · using the Queensland Police Service.

Complete a Record of Giving Form

If the principal or the Director-General (DG) or <u>delegate</u> believe it would be appropriate for the DG or delegate to exercise the power under s340, the DG or delegate may do so.

or **Escalate** to the Director-General or delegate

Written direction s341

<u>s341</u> direction – prohibiting entry to state school premises

s352 / s353 Order

Director-General (or <u>delegate</u>): Follow the <u>Application for</u> <u>prohibition on entering premises of instructional institutions</u>

Submit with QCAT, and once approved, arrange service of the documents on the person against whom the order is sought.

For advice and assistance, contact:

- a Principal Advisor at your **Regional Office** (CM 15/18162)
- Statewide Operations at schoolpolicyandprojects@qed.qld.gov.au
- The **Principal Hotline and Conflict Resolution** service at 1800 313 042 or visit <u>Principal Hotline and Conflict Resolution</u>

Directed/ordered person's conduct

Compliant

No further action

Breach

Involve police and assess whether conduct requires further management