

Student suspension and expulsion procedures need improvement

April 13, 2019

The Department is conducting a review of the suspension and expulsion procedures and the discipline policy but at this stage there are no terms of reference.

Given the concerns raised by members about the current procedures Federation's March Council meeting considered an appropriate course of action.

Following an engaging debate, Council unanimously endorsed an initial submission to the Department's review of the "Suspension and Expulsion of School Students Procedures".

Three key issues were identified as essential in improving the efficacy of current procedures:

- additional funding and systemwide specialist teacher support for students with additional needs
- reinforcement of the concept that suspension is not a punishment
- utilising suspension as a risk-management strategy.



Lack of systemwide support

Cuts to specialist teacher support for students with additional needs has reduced the ability of schools to take action to address individual student needs. The lack of appropriate support can result in a range of behaviours that lead to suspension. Ineffective schemes for the recruitment and retention of school counsellors have created shortages, thus removing further essential support for students and schools.

Members report that despite completing extensive documentation for assistance for students, the response is frequently neither timely nor adequate.

Suspension is not a punishment

If suspension is deemed to be a punishment then it apports blame to the student for their behaviour rather than addressing the issues that give rise to the behaviour. Violent and aggressive behaviours may physically and/or psychologically harm the student displaying the behaviour, other students and staff. There may be no intent or desire to cause harm but this does not prevent the harm or injury from occurring.

Providing a period of "time out" for short or long suspension serves a range of purposes. For some students, it

is a period to reflect on behaviour and take responsibility to change it. For others, it can ensure that a range of school and system level support can be provided for the individual student displaying the behaviour as well as other students and staff.

The current procedures place too much emphasis on suspended students re-entering school quickly. The focus must be successful re-entry or placement for the suspended student in a safe and supportive teaching and learning environment for all students and staff.

Suspension is a risk-management strategy

The present procedures refer to an inappropriate behaviours or misbehaviours but do not adequately identify specific behaviours as risk factors in terms of the potential for physical and/or psychological harm or injury. A range of behaviours in addition to “physical violence” need to be identified as risks including self-harm, discriminatory behaviours such as harassment and vilification.

It is important that the procedures are considered in the context of the Work Health and Safety Act as well as other legislative provisions and that the provisions operate concurrently. The Department has responsibility to staff and students to provide a safe workplace and should provide effective support for students to minimise risks associated with behaviours that may cause injury to staff or students. There is no conflict between the Department meeting health and safety requirements and providing the support necessary to meet disability standards or provisions of the Education Act.

Clauses 7.3.7 of the procedures point to the need for risk assessment in relation to violence and weapons but does not address the full range of behaviours that may result in harm to the student displaying the behaviour, other students and staff.

Clause 7.3.8 indicates the student should not return to school “until the issues identified in the risk assessment have been addressed”.

These provisions should be strengthened by referencing the requirements under the Work Health and Safety Act for consultation in terms of identifying, assessing and developing strategies to minimise risks.

The procedures should identify that if additional support is required to assist schools in minimising these risks the Department’s Work Health and Safety Issue Resolution Procedures should be utilised.

Federation has developed material in the form of [Frequently Asked Questions](#) regarding aggressive and violent behaviour to assist members. Advice has also been developed regarding the use of the Work Health and Safety Issue Resolution procedures ([Work Health and Safety, Bulletin 3](#)).

If members have concerns about the suspension and expulsion procedures, they should raise them with the Federation Representative and/or Workplace Committee, who may contact Federation organiser for further assistance.