Secretary's Instruction

No 3 for Unacceptable Behaviour of Students and Volunteers at, and Visitors to, State Schools or School Activities

Statement

This Secretary's Instruction outlines the behaviour that constitutes unacceptable behaviour by students and volunteers at, and visitors to, State schools and school activities, the management of such behaviour by schools, and the processes that a Principal is to develop as the response to unacceptable behaviour, including the management of such behaviour.

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Department for Education,
Children and Young People

Tasmanian Government

Secretary's Instruction No 3 for Unacceptable Behaviour of Students and Volunteers at, and Visitors to, State Schools or School Activities

I, Ginna Webster, being the Secretary of the Department for Education, Children and Young People make the following instruction pursuant to section 128 of the *Education Act 2016*.

1 Purpose

The purpose of this Secretary's Instruction is to determine:

a. behaviour that constitutes unacceptable behaviour by students and volunteers at, and visitors to, State schools and school activities, and the management of such behaviour by State schools
b. processes that a Principal is to develop as the response by the school to unacceptable behaviour, including the management of such behaviour.

2 Scope

This Instruction applies to all State schools in relation to the unacceptable behaviour of students. This document should be read in conjunction with the *Secretary's Instruction No 4 for Suspension, Expulsion or Prohibition of State School Students.*

This Instruction is separate to the *Conduct and Behaviour Policy* that applies to employees, volunteers, contractors and sub-contractors, consultants, trainees and out-of-home carers engaged with the Department for Education, Children and Young People.

This Instruction came into effect on 10 July 2017.

3 Instructions

3.1 Development of a school policy on behaviour management

A Principal of a State school is to contribute to the development of a model policy that sets out:

a. what constitutes unacceptable behaviour for students
b. what constitutes unacceptable behaviour for volunteers at, and visitors to, a State school or school activity
c. processes for managing and responding to the unacceptable behaviour of students and volunteers at, and visitors to, State schools, including the removal of adults from a State school or school activity.

3.2 Behaviour that constitutes unacceptable behaviour by students

The following behaviour constitutes unacceptable behaviour of a student and is to be included in a State school's policy that sets out the management of student behaviour:

a. disobedience of instructions which regulate the conduct of students
b. contravening school rules and policies (e.g. a student's failure to comply with the school dress code where the Principal determines that the failure is taken to be unacceptable behaviour)
c. behaviour that is likely to impede significantly the learning of the other students of that school
d. behaviour that is detrimental to the health, safety or welfare of the staff or other students of that school
e. behaviour or actions that cause, or are likely to cause, injury to persons or damage to property
f. behaviour that is likely to bring that school into disrepute
g. behaviour that is likely to put a person at risk of harm
h. harassment or stalking
i. threatening behaviour
j. discrimination
k. bullying or cyberbullying
l. illegal behaviour
m. unsociable behaviour (e.g. offensive language)
n. sexualised behaviour
o. any other behaviour that a Principal determines to be unacceptable behaviour (e.g. behaviour relating to the driving or riding, parking and removal of a vehicle on or from a State school campus and unacceptable behaviour on an online forum such as social media).

3.3 Behaviour that constitutes unacceptable behaviour of volunteers at, and visitors to, State schools and school activities

The following behaviour constitutes unacceptable behaviour of a volunteer at, and visitors to State schools and school activities, and is to be included in a school policy on behaviour management:

a. disobedience of instructions which regulate the conduct of volunteers at, and visitors to, State schools and school activities
b. contravening school rules and policies
c. behaviour that is likely to impede the learning of students at that school
d. behaviour that is detrimental to the health, safety or welfare of the students or staff at that school
e. behaviour or actions that cause or are likely to cause injury to persons or damage to property
f. behaviour that is likely to bring that school into disrepute
g. behaviour that is likely to put a person at risk of harm
h. harassment or stalking
i. threatening behaviour
j. discrimination
k. bullying or cyberbullying
l. illegal behaviour
m. unsociable behaviour (e.g. offensive language)
n. sexualised behaviour

o. occupational violence
p. any other behaviour that a principal determines to be unacceptable behaviour (e.g. behaviour relating to the driving or riding, parking and removal of a vehicle on or from a State school campus and unacceptable behaviour on an online forum such as social media).

3.4 The processes for responding to and managing unacceptable behaviour of students

The Principal of a State school is to ensure that students and volunteers at, and visitors to a school or a school activity comply with the relevant policy of that school and that processes for managing unacceptable behaviour are managed by staff.

A State school's policy on behaviour management must apply to students enrolled at that school and must set out a process for managing unacceptable behaviour at the school and during school-related activities.

In developing the policy on behaviour management, a Principal may set out:

a. the rights and responsibilities of students
b. expectations of students, including about learning, communication, safety, privacy and care for the environment.

In setting out the school's processes for managing unacceptable behaviour, the policy should include a range of responses and strategies that first seek to address the underlying causes of the unacceptable behaviour of students and processes for escalating the management of the unacceptable behaviour, including:

a. developing an understanding of why the student is displaying such behaviour and responding to the behaviour without reprimand (where possible)
b. removing the student from the classroom or activity
c. detention of the student
d. as a last resort, the suspension, exclusion or expulsion of the student.

The response should be developmentally appropriate and delivered with consideration for how the safety and wellbeing of the student will be maintained at all times.

The processes developed by a Principal in managing the unacceptable behaviour of a student should be consistent with the *Secretary's Instruction No 4 for Suspension, Exclusion, Expulsion or Prohibition of a State School Student* and the *Department's Student Behaviour Management Procedure.*

3.4.1 Responding to and managing unsafe behaviour of students

A State school's policy on behaviour management must set out a process for responding to and managing unsafe behaviour at the school and during school-related activities.

The policy should include a range of responses and strategies to address the unsafe behaviour of students, including:

a. assessing the behaviour
b. proactively using knowledge of the student to employ appropriate de-escalation techniques

c. if necessary, employing a safety response proportionate to the risk of harm arising from the unsafe behaviour.

3.4.1.1 Physical intervention and containment as last resorts

In State schools, interventions that restrict the right to freedom of movement of a student must only be used as a last resort and within appropriate legal frameworks. A State school's policy must set out that physical interventions and containment are only to be employed in response to a serious risk of imminent harm, are not to be used at any other time, and are to be guided by the following principles:

1. **Necessity**: There is an imminent threat of physical harm or danger to a student or others.
2. **Proportionality**: There is no less restrictive measure available in the circumstances.
3. **Reasonableness**: The physical intervention is reasonable in the circumstances.

3.5 The processes for responding to and managing unacceptable behaviour of volunteers at, and visitors to, a State school or school activity

A State school's policy on behaviour management must apply to:

a. visitors to the school and visitors attending a school activity
b. volunteers volunteering at the school and volunteers volunteering at a school activity that takes place off site.

In developing the policy on behaviour management in relation to visitors and volunteers, a Principal may set out:

a. the rights and responsibilities of visitors and volunteers
b. expectations for visitors and volunteers at a school or school activity, as it relates to their own behaviour and, for parents or carers, their involvement in managing the behaviour of their child
c. how visitors or volunteers will be identified at a school and at a school activity (e.g. a sign-in process and issuing of identification)
d. processes to respond to escalating unacceptable behaviour.

If an adult person is behaving unacceptably within the meaning of the relevant policy for the State school, the Principal may require the person to leave the school premises or school activity.

A school may wish to issue guidelines for volunteers and visitors at a school to guide their behaviour on campus or at a school activity.

4 Definitions

TERM	DEFINITION
Act is	the *Education Act 2016*.

TERM	DEFINITION
Bullying	is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening. It can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.[1]
Containment	is the sole confinement of a child or young person in a setting from which they are physically unable to leave, or reasonably believe that they cannot leave, for any length of time and where there is no in-room supervision. Containment is not permitted except in response to an emergency or crisis where there is an immediate risk of harm to other children or young people, staff, or both, and must be used for the shortest length of time possible in the circumstances.
Discrimination	is less favourable treatment of a person because of personal characteristics, such as race, gender, sexual orientation or disability, or treating everyone the same way where doing so has a disadvantageous effect on a person or group of persons because of a shared personal characteristic.
Harassment	involves unwanted and one-sided words or actions towards another person (or persons) that offend, demean, annoy, alarm or abuse. If harassment is repeatedly directed towards the same person, and especially if it continues after the targeted person has asked them to stop, it is considered to be bullying.
Occupational violence	involves any incident, irrespective of the intent or harm, where an employee is verbally, physically or psychologically abused, harassed, or threatened.
Physical intervention	is the use or action of physical force in exceptional circumstances to prevent, restrict, or subdue movement of a student's body, or part of their body, for the primary purpose of influencing their behaviour. Physical intervention is **not** the use of a hands-on technique in a reflexive way to guide or redirect a student away from potential harm/injury, consistent with what could reasonably be considered the exercise of care towards a student or another person.

[1] National definition of bullying Education Council 2018 'Connected: A Community Approach to Bullying Prevention within the School Gates and Beyond' (accessed 6 July 2022)

TERM	DEFINITION
School activity	is a school-based activity held at the school or off-campus, including a swimming carnival, sports carnival or school camp.
Visitor	is any person visiting the school or school activity that is not a student or staff member. This includes parents, grandparents, carers, and other family members who are not staff members at the school.

5 Details

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Last significant review: 9 December 2025

6 History of changes

EFFECTIVE DATE	LAST UPDATE	VERSION NO.	NOTES
28 January 2026	December 2025	3	• at 3.1, insertion of 'is to contribute to the development of a model policy' for 'must develop a policy' • inclusion of new material on unsafe behaviour • inclusion of definition for 'containment' • inclusion of definition for 'physical intervention'
14 February 2023	December 2022	2	• 2 unacceptable behaviours removed from student behaviours • additional wording at 3.4.4 • new definition for 'bullying' inserted • various minor formatting edits • new DECYP template

EFFECTIVE DATE	LAST UPDATE	VERSION NO.	NOTES
			• change of nomenclature to reflect new Department