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# Student Behaviour Management Procedure

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# 1 Purpose

This Procedure applies to all students enrolled in Tasmanian Government schools.

It provides schools with support and additional information on the process requirements for implementing the [Department for Education, Children and Young People \(DECYP\) Student Behaviour Management Policy](#), including:

- what constitutes unacceptable behaviours for students
- expectations/requirements for responding to unacceptable behaviour of students
- expectations/requirements for responding to unsafe behaviour
- minimum standards in preventing, responding to, and reporting on bullying.

The content of this Procedure aligns with [DECYP values](#) and reflects a commitment to ensure the values are reflected in all policy and processes.

## 2 Overview

DECYP is committed to providing high quality, inclusive education and a safe and supportive environment for all students, staff and visitors. The work of DECYP is underpinned by our goal for all Tasmanian children and young people to be *known, safe, well and learning*.

DECYP is further committed to developing and implementing whole-school, classroom, group and individual approaches to respectful behaviour and relationships through Inclusive Practice. These approaches are outlined in DECYP's [Respectful Schools Respectful Behaviour – Building Inclusive Practice in Schools](#).

The [Student Behaviour Management Policy](#) (the Policy) provides the broader policy context for this Procedure. It outlines a consistent approach to responding to unacceptable behaviour with appropriate prevention and intervention strategies, whilst maintaining a safe, inclusive, and supportive learning environment.

## 3 Responding to unacceptable behaviour

### 3.1 Unacceptable behaviour at school or school activities

In responding to behaviour, it must first be assessed whether the behaviour is unacceptable in the school environment.

[Secretary's Instruction No 3 for Unacceptable Behaviour of Students and Volunteers at, and Visitors to, State Schools or School Activities](#) outlines what constitutes unacceptable behaviour of a student at a Tasmanian Government school. What constitutes unacceptable behaviour is dependent on the context and should be considered on a case-by-case basis. We recognise that unacceptable behaviour may be associated with factors such as disability, trauma, abuse or learning difficulties.

## Applying behavioural responses

When responding to unacceptable behaviour, schools must:

- › consider that unacceptable behaviour may be associated with factors such as disability, trauma, abuse or learning difficulties (where the behaviour may signal that educational adjustments need to be reviewed)
- › consider the age and year level of the student
- › consider what the behaviour might be indicating (for example, an unmet need)
- › refer to Learning Plans and/or De-escalation Response Plans where these exist for the student(s)
- › consider the student's circumstances and whether they might be adversely impacted by a response
- › make all efforts to minimise disruption to the student's learning
- › provide responses that are proportionate to the nature of the unacceptable behaviour
- › consider the importance of establishing and maintaining strong positive relationships with students and parents through positive and effective interactions that consider any unique communication supports and strategies necessary to facilitate meaningful interaction and participation
- › where possible, consult and engage with members of multidisciplinary therapy and support teams around the student, including DECYP Professional Support Staff, to formulate collaborative and specialised approaches to behaviour support
- › provide alternative learning options tailored specifically to the needs of a student that reflect the Department for Education, Children and Young People's values.

## Responding to unacceptable behaviour

When responding to unacceptable behaviour, schools must:

- › ensure the safety of the student, teachers and other students
- › seek to de-escalate the unacceptable behaviour
- › gather information (for example, from the student and others. This may include seeking information about a student to assist in assessing the risk their behaviour may pose.)
- › notify relevant people (for example, parent or carer, school social worker or psychologist, police, or the Principal Executive Officer for international students)
- › discuss the unacceptable behaviour or incident with the student (where appropriate)
- › develop and apply school approaches/strategies to prevent such behaviour from occurring in future and address any risks to health and safety of persons at school
- › apply harm minimisation, restorative, or trauma-informed practices and principles
- › determine whether a risk assessment and risk management plan are necessary
- › hold a conference with the student (and other persons as appropriate)
- › determine appropriate response/s to the unacceptable behaviour.

If the behaviour is disruptive but not dangerous the following responses may be appropriate:

- Use break cards or support staff (such as Teacher Assistant) where appropriate.
- Use visual and information supports customised for the individual student (e.g. social stories, cue cards)
- Use proximity (by moving closer to the student), noting that in some cases this may escalate behaviour.
- Name the behaviour and the impact it is having.
- Provide a warning of what will occur if the behaviour continues.
- Separate the student from other students or relocate the student within the classroom, or to another class where appropriate.
- Use restorative practices and principles.
- Contact the student's parent or carer.
- Develop strategies to prevent this behaviour from occurring in future.

If the behaviour is dangerous to the student themselves, other persons at the school, or school equipment the following responses may be appropriate:

- Request that the student stop.
- Use break cards or support staff where appropriate.

If the behaviour continues, take steps to keep everyone safe (for example, requesting staff support, moving other students away from the student who is behaving dangerously):

- Where the behaviour poses a serious and imminent risk of harm to the student themselves or others, **and** all other de-escalation responses have been used, employ a safety response that is proportionate to the risk of harm. Refer to Section 4 below and to the [Responding to Unsafe Behaviour Guidelines for DECYP Education Settings](#).
- Refer to section 4.2 Preventing a reasonable foreseeable risk of injury of [Duty of Care for Students on Departmental Educational Sites Procedure](#).
- Contact their parent or carer.
- Develop strategies to prevent this behaviour from occurring in future.

Additional responses to unacceptable behaviour may include:

- withdrawing certain privileges\*
- applying a detention
- liaising with GETI regarding formal warnings for international students.

\* The withdrawing of privileges must not include items of activities that support a student's regulation.

## 3.2 Unacceptable behaviour outside of a school environment

- Unacceptable behaviour outside of school may include bullying, including cyberbullying, harmful sexual behaviour, discrimination and/or behaviour that is likely to bring a school into disrepute.
- If schools are made aware that unacceptable behaviour between students has taken place outside of school, and that behaviour is having a negative impact on student learning and/or wellbeing at school, the school is to use harm minimisation, restorative, or trauma-informed practices and principles to:
  - develop an understanding of why the behaviour occurred
  - support the student/s to understand the impact of their behaviour on others
  - repair and build relationships that have been affected by their behaviour
  - develop strategies to prevent such behaviour from occurring in future.
- Detention, suspension, exclusion, expulsion, or prohibition must only be applied when unacceptable behaviour of a student occurs at school in supervised duty locations and during supervised duty hours, or at a school activity.
- In serious cases it may be appropriate for the school to refer the matter to a relevant authority (for example, the police and/or the [Strong Families Safe Kids Advice and Referral Line \[ARL\]](#) as required). Any incidents, disclosures or suspicions of abuse between students (at school, a school activity or outside of school), including harmful sexual behaviour and grooming, must also be reported and actioned in accordance with the [Mandatory Reporting Procedure](#) and the [Flowchart - Responding to incidents, disclosures or suspicions of harmful sexual behaviour](#).

### UNACCEPTABLE BEHAVIOUR    EXAMPLES OUTSIDE OF SCHOOL

<b>Bullying, including cyberbullying</b>	Unacceptable behaviour that takes place outside of school such as the bus ride between home and school or in an online forum such as social media.
<b>Discrimination</b>	Ridicule of others because of their race, religion, gender identity or sexuality in an online forum or travelling to and from school.
<b>Behaviour that is likely to bring that school into disrepute</b>	Posting videos online of physical altercations that occurred outside of school between students who are wearing school uniform.

## 4 Responding to unsafe behaviour

A principal must develop and maintain strategies to remove or reduce the likelihood of a student from posing a health and safety risk to themselves or any other person at the school in line with [Ministerial Instruction No 7 for Eliminating or Ameliorating Risks to Health and Safety of Persons at School](#).

Schools must do what is reasonably practicable to assess and address the health and safety risks posed by a student's behaviour. This includes support for students with risk-related behaviours in accessing education, while also managing health and safety risks (including mental health impacts) to the student and other persons at the school. The scope of these potential responses, which may

include transfer of a student between classes or between schools, is set out in [Secretary's Instruction No 10 for Transfer of a State School Student](#).

## 4.1 Risk assessment

A school must complete a risk assessment whenever a student's behaviour is identified as likely to pose a risk to the physical or psychological health and safety of the student themselves, other students, or any other persons within the school.

Assessing the student's behaviour will assist in determining the level of risk to the safety or wellbeing of the individual student, members of the school community and the likelihood that the behaviour will have a negative impact. Understanding the risk associated with the behaviour allows the school to develop an appropriate de-escalation response plan and use that plan to implement control measures that are applicable to the level of risk, which should include measures to prevent harm to staff, other students, and persons at the school.

The risk assessment is also necessary to inform decisions about responses to unsafe behaviour to ensure that physical intervention and containment are considered only as last resorts. Schools can then monitor and review identified control measures to ensure that they are effectively managing the risks of the behaviour. Where there are changes to behaviour the risk assessment should be reviewed in consultation with staff, parents, and where appropriate the student.

Any significant behavioural incidents should be recorded in the Safety Reporting System (SRS). The incident should be reviewed to identify any improvements or if new controls are required. Staff should be aware of the control measures and strategies in place to manage the student's behaviour effectively and safely.

## 4.2 Psychosocial safety

Aggressive or violent student behaviour is a recognised psychosocial hazard that can cause psychological and physical harm to staff. To manage this risk, principals, in consultation with staff, should ensure the risk assessment has clearly identified situations where last-resort responses—such as physical intervention or containment—may be necessary. This process not only ensures that responses are proportionate and legally compliant but also helps staff anticipate and prepare for the emotional and physical impacts of such incidents. After any incident, staff should be supported to prioritise their wellbeing and access available supports, including [Wellbeing Connect](#). Review of incidents should also incorporate needed adjustments to controls that may strengthen staff safety, using resources provided through the [Psychosocial Hub](#).

## 4.3 Restrictive practices

The term 'restrictive practices' has a specific, legislated meaning in the context of disability support services. Under the *Disability Rights, Inclusion and Safeguarding Act 2024* (the Act), which commenced on 1 July 2025, disability services providers must seek authorisation from the Senior Practitioner to use restrictive practices in relation to people with disability, including children and young people. The Act defines a restrictive practice as a practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability and is a regulated restrictive practice within the meaning of the *National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018* (NDIS Rules). The NDIS Rules define a regulated

restrictive practice as seclusion, chemical restraint, mechanical restraint, physical restraint, and environmental restraint.

A disability services provider is a person or organisation who receives funding under the NDIS or the Act to provide a service specifically for the support of people with disability, or a person or body, or class of persons or bodies, prescribed as a disability services provider. Generally, schools do not fall within the definition of disability services providers. Given the specific legislative meaning given to the term 'restrictive practices' in a disability context, the term 'restrictive practice' is no longer used to describe acts of physical intervention, detention, or containment in schools.

## 4.4 Physical intervention and containment

### 4.4.1 Physical 'interaction' versus physical 'intervention'

For the purposes of clarity around identifying the type of response and the need to record and report it, we make a distinction between physical 'interactions' and physical 'interventions'.

#### Physical interaction

Physical interactions are low-level, supportive, and reasonable interactions for the primary purpose of caring, comforting, or guiding a child or young person. While they should be kept to a minimum, such interactions are appropriate in educational settings as part of commonplace human interconnection. No recording or reporting is required.

#### Physical intervention

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. Any use of physical intervention in a DECYP education setting must be appropriately recorded as per the guidance below.

Further guidance on the management of unsafe behaviour and appropriateness of physical intervention in education settings is covered in the [Responding to Unsafe Behaviour - Fact Sheet for DECYP Education Settings](#) and in the [Security and Emergency Management Procedures](#).

When responding to physical violence, the Security and Emergency Management Procedures make it clear that staff should only act within the limits of their capabilities and that their own protection is the priority.

### 4.4.2 Containment

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 students, staff, or both. Schools must ensure that detention, teacher-directed time-out, and self-directed time-out are used in line with the guidance set out in this Procedure and the Managing Unsafe Behaviour Fact Sheet for DECYP Education Settings, to ensure these strategies are not used in a way that may be considered containment.

Further guidance on the management of unsafe behaviour and appropriateness of containment in education settings is covered in the [Responding to Unsafe Behaviour - Fact Sheet for DECYP Education Settings](#).

#### 4.4.3 Minimising the need for physical intervention and containment

When a child or young person presents in an education setting with behaviour that is unsafe and likely to cause harm, we demonstrate our duty of care to them and others by avoiding reasonably foreseeable risk. This can be done by providing reasonable adjustments, de-escalation strategies, and regulation opportunities. These strategies need to:

- be evidence-based
- take account of the student's voice
- accommodate the range of communication modes that might be used by non-verbal students to express wants, needs, thoughts, and feelings
- be regularly reviewed in plans such as learning plans, de-escalation response plans or risk-management plans.

#### 4.4.4 Requirement to respond to a risk of imminent harm

DECYP staff have a duty of care to minimise the risk of harm and to intervene when children or young people may be at risk. However, this duty does not require staff to put themselves at risk; instead, they should take prompt and appropriate action, which may include intervening physically or using containment. However, if using physical intervention would increase the likelihood of injury, staff should guide others away from danger and seek immediate help from other staff or, in extreme cases, the police.

#### 4.4.5 Physical intervention and containment as last resorts and for the shortest time possible

It is important to recognise that children and young people may not have the capacity for choice or control in their behaviour. If, despite all the necessary planning and supports, a child or young person acts in a way that poses a serious risk of imminent harm to themselves or others, as a last resort staff may need to employ a safety response that is proportionate to the risk of harm.

There are key principles to consider in responding to this rare and serious risk. These principles can help staff to decide whether a response is safe, legal and ethical:

1. **Necessity:** Are there any additional preventative measures that can be employed? Is a safe physical intervention necessary, or are there alternatives?
2. **Proportionality:** Is the safety action proportionate to the perceived risk? What is the least intrusive action that will result in the greatest safety for all?
3. **Reasonableness:** Is physical intervention reasonable given the context for the behaviour? Is a physical intervention likely to keep a child or young person safer than any other available option?

Applying all three principles to any response to unsafe behaviour gives clarity to decision making both in the moment and when reviewing situations where unsafe behaviour has occurred in a school.

Examples of responses that might be 'necessary, proportionate, and reasonable' include:

- using manual guidance to prevent a student running onto a busy road
- holding a student's hand to prevent repetitive, serious self-injurious behaviour.

As well as being last resorts, physical intervention and containment must be used for the shortest time possible.

#### 4.4.6 Reporting and recording

After physical intervention or containment have been used:

- the staff member involved in the incident will immediately notify the principal or site manager.
- the principal or site manager, or a suitable delegate, will record the incident in:
  1. their workplace's approved format and location as soon as practicable. The report must include:
    - the name of the child or young person and adult(s) involved
    - the date, time, and location of the incident
    - names of witnesses
    - details of the incident
    - any action taken to de-escalate the situation
    - the nature of the physical intervention or containment used
    - why the physical intervention or containment was used
    - the duration of the physical intervention or containment
    - any injuries
    - immediate post-incident actions, such as administration of First Aid or contact with emergency services
    - details of any post-incident support provide or organised.
  2. the [Safety Reporting System](#).
- the principal or site manager will, as soon as practicable, notify the parents of the child or young person on whom the physical intervention or containment was used and record when the notification was made, to whom, and by what method.

#### 4.4.7 Reviewing and responding

After physical intervention or containment have been used:

- the principal or site manager, or their delegate, must conduct a review of the child or young person's De-Escalation Response Plan or Risk Management Plan (if they have one) or consider the need for one.
- the staff and principal or site manager of the education setting must consider the preventative and de-escalation strategies that might reduce the likelihood of a similar incident recurring with the student and amend the De-escalation Response Plan or Risk Management Plan as appropriate.
- the principal or site manager may offer further training to staff working closely with the child or young person.
- the principal or site manager will offer support to the following:

- the child or young person on whom the physical intervention or containment has been used and their parents (This may include inviting parents to participate in decisions involving the child or young person's ongoing support and planning.)
- other children and young people who were involved in or witnessed the incident (This may include a debriefing in relation to the incident and/or counselling support.).

#### 4.4.8 Witnessing an inappropriate physical intervention

Physical intervention must never be used as a behaviour-management technique, for convenience, as retaliation, or to discipline or punish a student. It must also never involve:

- restricting a child or young person's breathing by covering their mouth or nose
- applying pressure to the neck, back, chest, or joints
- deliberately causing pain to gain compliance
- intentionally causing a child or young person to fall
- having a person sit, lie, or kneel on a child or young person.

The use of physical intervention for any of the reasons or in any of the manners listed above may constitute reportable conduct.

If a staff member witnesses what they believe is an inappropriate physical intervention they should complete the online [Concern Notice](#), inform the principal or site manager, and record any additional information outside of the Concern Notice in their workplace's approved format and location. The principal or site manager must alert the child's or young person's parents as soon as practicable. A Concern Notice, once lodged, is sent to all relevant business units, including Legal Services and Workplace Relations, on the staff member's behalf. DECYP's Complaints Management Oversight Unit will notify the Office of the Independent Regulator if required as part of DECYP's reporting obligations under the *Child and Youth Safe Organisations Act 2023*.

#### 4.4.9 Witnessing inappropriate containment

Containment must never be used as a behaviour-management technique, for convenience, as retaliation, or to discipline or punish a student. The use of containment for any of the reasons or in any of the manners listed above may constitute reportable conduct.

If a staff member witnesses what they believe is containment they should complete the online [Concern Notice](#), inform the principal or site manager, and record any additional information outside of the Concern Notice in their workplace's approved format and location. The principal or site manager must alert the child's or young person's parents as soon as practicable. A Concern Notice, once lodged, is sent to all relevant business units, including Legal Services and Workplace Relations, on the staff member's behalf. DECYP's Complaints Management Oversight Unit will notify the Office of the Independent Regulator if required as part of DECYP's reporting obligations under the *Child and Youth Safe Organisations Act 2023*.

## 5 Processes for applying behavioural responses

Please note: The processes outlined in the table below may not be appropriate in all cases of unacceptable behaviour. For example, harmful sexual behaviour (refer to 16. 'Definitions') should be

addressed using the [Flowchart - Responding to incidents, disclosures or suspicions of harmful sexual behaviour](#).

## NON-URGENT AND IMMEDIATE SUSPENSIONS

1. Suspensions may be applied for any of the categories of unacceptable behaviour identified in the DECYP Student Behaviour Management Policy.
2. Once the principal has decided to suspend a student for up to 10 days, the school must verbally inform the student and make reasonable attempts to contact the student's parent or another primary contact person (for international students, the Principal Education Officer GETI) informing them of the suspension.
3. The principal must generate a suspension letter in the Student Support System (SSS) which is to be sent to the parent or independent student by Priority Mail.
4. The principal must ensure, as soon as practicable, that a full report detailing the circumstances underlying the suspension is recorded appropriately in SSS as a quick note/observation.
5. The principal must ensure that any associated support activities are recorded in SSS.
6. The principal must ensure that the student is provided with educational instruction for the period of the suspension.
7. During the period of suspension or on the day of re-entry, the school and student must participate in a re-entry conference to form a mutually agreed plan for the student's re-entry to school. Parents should be invited to attend.
8. Where the principal has complied with the Student Behaviour Management Policy **and** the response has not been effective in dealing with the unacceptable behaviour **and** the unacceptable behaviour of the student justifies a response greater than 10 days' suspension, the principal may either:

request a further behavioural response be imposed at the time of applying the initial suspension (suspension must be 10 days), or

if the initial suspension period was less than 10 days, request that the period of suspension be extended to 10 days **and** apply for a further behavioural response (This must occur within five days of the initial suspension being imposed.). This can only occur where additional information is received that was not available at the time of the initial suspension being applied.

## FURTHER BEHAVIOURAL RESPONSES TO UNACCEPTABLE BEHAVIOUR

9. The principal must have followed Point 8 for this process to apply.
10. Before the end of the student's 10-day suspension imposed by the principal, the relevant authority will review the request for a further behavioural response.
11. Before approving or rejecting any further behavioural response request, the relevant authority must ensure that a comment from the school social worker or psychologist has been recorded in SSS.
12. A Student Support Leader or the Director Student Support may:
  - further suspend the student from attending the school for a period not exceeding 10 days; or
  - exclude the student from attending the school for a period exceeding 10 days; or
  - reject the request for further behavioural response; or
  - recommend or apply an alternative response.The Deputy Secretary Schools and Early Years may:
  - expel the student from the school; or
  - expel and prohibit the student from enrolling at a specified Tasmanian Government school/s or at any Tasmanian Government school; or
  - reject the request for further behavioural response; or
  - apply an alternative response.
13. The relevant authority (from Point 12 above) must issue a letter which is to be sent by Priority Mail to the parent or independent student with their decision on the request for further behavioural response. A copy of this letter must be sent to the principal.
14. The principal must ensure that the student is provided with educational instruction for periods of further suspension or exclusion.
15. If a further suspension/exclusion is applied, the school and student must participate in a re-entry conference to form a mutually agreed plan for the student's re-entry to school. Parents should be invited to attend.

When determining whether to apply a behavioural response consideration will be given to how often the unacceptable behaviour occurs, its duration and any other patterns relevant to the unacceptable behaviour.

Suspension, further suspension and exclusion result in forced disengagement from the school environment. Alternative educational instruction must be made available for the student by the principal during a period of suspension, further suspension or exclusion to ensure continued learning and engagement and may provide the student with an opportunity to reflect on the unacceptable behaviour.

A re-entry to school process will follow a period of suspension, further suspension or exclusion to support the student to build and repair relationships that have been affected by their behaviour and develop any strategies that may be necessary to support the student to re-engage in learning.

The re-entry conference is an opportunity for the student to reflect on their behaviour in the context of the school's expectations and values. Parents must be invited to participate in the re-entry process.

## **6 Detention and in-school suspension**

### **6.1 Detention requirements**

The principal or teaching staff may determine that a detention, or its equivalent (noting that some schools do not use this terminology), is an appropriate response to unacceptable behaviour.

Detention may be applied by a principal or teaching staff.

#### **6.1.1 Considerations**

When applying a detention, the following should be taken into consideration:

- that the student must be treated with dignity and respect
- that detention is an opportunity for the student to reflect on their behaviour, how it has affected others, and what they can do to repair relationships with those involved
- that detention should be applied to the student/s who has/have demonstrated unacceptable behaviour (The administration of class or group detentions or sanctions is not best-practice classroom management.)
- the attitude of the student and the effectiveness of detention as a response
- the nature of the detention space, which must be:
  - safe and secure
  - observable by other staff (including when detention occurs outside of school timetable hours)
  - not so public that it draws the attention of other students.
- transport arrangements for the student to or from the school or after-school activity
- undue hardship on the parent (for example, a parent who does not drive may be unable to collect the student if the detention is outside school hours)
- the appropriateness of the length, timing, and method of detention
- whether the response is proportionate to the unacceptable behaviour.

### **6.1.2 Conducting detention**

The time spent in detention is an opportunity (with staff support) for the student to undertake learning activities, reflect upon the impact their behaviour had on others, and to consider things that they can do to make things right and what strategies they could use to prevent this behaviour from occurring in future.

Students in detention must be supervised by a member of the teaching staff at all times, and the area must be observable by other staff.

When detentions take place during recess or at lunch time, students must be given an opportunity to have something to eat.

### **6.1.3 Contact with parents**

If a student has received a detention, in most cases the principal or teacher will contact the student's parents to discuss the behaviour that led to this response and any steps that may need to be taken to support respectful behaviour in future.

Parents must always be notified in advance if a detention is to occur outside of regular school hours.

## **6.2 In-school suspension requirements**

In some cases, the principal may determine that an in-school suspension is appropriate.

An in-school (sometimes called internal) suspension is the withdrawal of a student from their regular class/classes for a period of time, determined by the principal.

In-school suspension should only be applied by the principal or their delegate.

### **6.2.1 Considerations**

When applying an in-school suspension, the following should be taken into consideration:

- that in-school suspension is an opportunity for the student to reflect on their behaviour, how it has affected others, and what they can do to repair relationships with those involved
- the attitude of the student and the effectiveness of an in-school suspension as a response
- the nature of the in-school suspension space, which must be:
  - safe and secure
  - observable by other staff (including when suspension occurs outside of school timetable hours)
  - not so public that it draws the attention of other students.
- the appropriateness of the length of the in-school suspension
- whether the response is proportionate to the unacceptable behaviour.

### **6.2.2 Conducting in-school suspension**

Students in in-school suspension must be supervised by a member of the teaching staff and be readily observable by other staff.

The student's teacher/s will supply work for the student to complete. This work should be as close as possible to the work being completed in class; however, this may not always be possible (for example, written tasks may be supplied when the class is doing sport in physical education).

### 6.2.3 Contact with parents

Parents must be notified if an in-school suspension is applied.

If a student has received an in-school suspension, the principal or their delegate will attempt to contact the parent by phone. If they are unable to reach them by phone they will use text message, email or a note home to ensure that parents are aware that their child has received an in-school suspension and understand the circumstances that led to the in-school suspension.

Parents will be invited to collaborate with the school to develop strategies to prevent the behaviour from occurring in future.

### 6.2.4 Record keeping and approvals

In-school suspensions must be recorded but should not be recorded as a suspension in Student Support System (SSS) as the student remains at the school.

## 7 Suspension

Principals must not consecutively impose suspensions in response to the same instance of unacceptable behaviour. This is known as a 'rolling suspension' and is contrary to the [Education Act 2016](#). If a student behaves unacceptably on the day that they return to school from a suspension, and the process and requirements in the [Student Behaviour Management Policy](#) section on responding to unacceptable behaviour of students have been followed, a principal may determine that another suspension is necessary.

A part-time student may only be suspended for a maximum of two weeks, irrespective of whether that student is to only attend for less than 10 days across that two-week period.

A period of suspension may be amended in SSS within five days of being issued, only where additional information is received that was not available at the time of the initial suspension being applied and to allow an application to be made for a further behavioural response (for instance, further suspension, exclusion, expulsion or prohibition).

Periods of suspension should be seen as a continuum. More serious instances of unacceptable behaviour might warrant a 10-day suspension, while the most serious instances might be referred to the relevant authority for a period of further suspension (up to 10 more days), exclusion, expulsion or prohibition.

If a principal is of the view that an incident of unacceptable behaviour requires a behavioural response beyond a 10-day suspension refer to 7.3 'Further suspension requirements'.

Where a student has been suspended for more than five days, the school is encouraged to contact the student and the student's parent(s) during the period of suspension in an effort to repair the relationship and support the re-engagement of the student.

### 7.1 Immediate vs non-urgent suspensions

#### IMMEDIATE SUSPENSION IMPOSED BY A PRINCIPAL

- A principal must only immediately suspend a student where the principal determines that:

#### NON-URGENT SUSPENSION IMPOSED BY A PRINCIPAL

- Non-urgent suspensions may be applied if the principal determines that:
  - the [Student Behaviour Management Policy](#) has been complied with

## IMMEDIATE SUSPENSION IMPOSED BY A PRINCIPAL

- a student has behaved or is behaving in an unacceptable manner in accordance with the [Student Behaviour Management Policy](#)
- the behaviour posed or poses a risk to the health or safety of the student themselves\*, another school student, a teacher or another person at the school
- that risk may be removed only by the immediate removal of the student from the school.
- Where each requirement is met the principal may immediately suspend the student for a period of up to 10 school days, as the principal considers appropriate.
- Under these circumstances, the school must provide supervision until the student can be collected or until the end of the school day.

\* Immediate suspension would not be an appropriate response to an incident where a student poses a risk to themselves via self-harm. In such a case, contact [Student.Support@decyp.tas.gov.au](mailto:Student.Support@decyp.tas.gov.au) for assistance.

## NON-URGENT SUSPENSION IMPOSED BY A PRINCIPAL

- compliance with the Policy has not been effective in dealing with the unacceptable behaviour.

The principal may suspend the student from the school for a period of up to 10 school days, as the principal considers appropriate.

## 7.2 Monitoring of suspension data

Upon a student incurring 15 days of suspension or three instances of suspension in a single year the Director Student Support will receive an alert notification from the SSS.

SSS does not allow suspensions to be applied across school terms. If a principal wishes to apply a suspension across school terms the principal must discuss this with the Director Student Support and gain approval before making a request to the Data, Systems and Insights (DSI) team via SSS.

The Director Student Support or a Student Support Leader may also generate an Educational Information Warehouse and Portal (edi) report showing which students have had more than 15 days suspension/three or more suspensions during the year.

The Director Student Support or a Student Support Leader may consider the suspension trends of the student and of the school before discussing the matter with the school and address any underlying issues for the student or school.

The Director Student Support and the Student Support Leaders must monitor and track suspension data for their schools and contact principals where appropriate.

## 7.3 Further suspension requirements

If a principal is of the view that an incident of unacceptable behaviour requires a further period of suspension the principal must select the maximum suspension period of two weeks AND select a further suspension in SSS for consideration by the Student Support Leaders or the Director Student Support. This can be done at either the time the suspension is applied or later amended in SSS (up to day five after the start of the suspension).

Requests for approval of further suspension will be forwarded to the Student Support Leaders and the Director Student Support. All relevant information must be recorded in SSS, including:

- any harm minimisation and restorative practices used
- timeframes for further suspension
- details of previous unacceptable behaviour
- the incident which led to suspension.

The Director Student Support or a Student Support Leader must advise the parent of the student of the outcome in writing. A copy of this letter must be provided to the principal.

## 7.4 Process for applying a further suspension

Before the end of the student's suspension period a Student Support Leader will review the request made by a principal for a further period of suspension (or exclusion) and consider:

- suspending the student from attending the school for a further period of up to 10 days
- applying an alternative period of further suspension for up to 10 days
- excluding the student from school for more than 10 days
- rejecting the application for further suspension and directing that the student return to school at the end of the suspension.

A further period of suspension must be applied where additional time is required to:

- investigate the unacceptable behaviour
- allow an external investigation to be conducted (for example, by Police)
- plan for the student's return to school (for example, to put appropriate supports in place, or to develop a learning plan or risk-management strategy).

Where a period of further suspension is applied a Student Support Leader may:

- negotiate with the principal regarding the re-entry of the student
- provide an opportunity for the student and the parent to be consulted
- establish a network of teachers, support staff, or officers from other agencies for wider discussion and risk management with a focus on educational outcomes
- coordinate with the school principal to determine the educational instruction for the period of the further period of suspension.

## 8 Exclusion

### 8.1 Exclusion requirements

If a principal is of the view that an incident of unacceptable behaviour requires an exclusion (the temporary withdrawal of a student's requirement to attend school for more than two weeks) the principal must select the maximum suspension period of two weeks AND select exclusion in the system for consideration by the Student Support Leaders or the Director Student Support. This can be done at either the time the suspension is applied or later amended in SSS (up to day five after the start of the suspension).

An exclusion must not exceed the end of the term in which the student is suspended, unless the Director Student Support deems there to be exceptional circumstances.

Requests for approval of exclusion will be forwarded to the Student Support Leaders and the Director Student Support. All relevant information including the requested timeframes for exclusion, details of previous unacceptable behaviour and the incident which led to suspension must be recorded in SSS.

The Director Student Support or Student Support Leaders must advise the parent of the student of the outcome in writing. A copy of this letter must be provided to the principal.

## 8.2 Process for applying an exclusion

A principal may refer the matter of an exclusion to the Director Student Support when the following has occurred:

- The principal has complied with the school's policy on managing behaviour, but the chosen response has not been effective in dealing with the unacceptable behaviour.
- The principal believes the unacceptable behaviour of the student justifies exclusion from the school for a period of more than 10 days.

Before the end of the student's suspension, a Student Support Leader or the Director Student Support will review the exclusion request. The Director Student Support or a Student Support Leader may then:

- exclude a student from attendance at a school for more than 10 days
- apply an alternative period of exclusion to that requested by the principal
- approve a period of further suspension for a maximum of 10 days only
- reject the request for exclusion and direct that the student return to school at the end of the suspension.

Where the student is excluded, the Director Student Support or a Student Support Leader may:

- negotiate with the principal regarding the student's re-entry
- provide an opportunity for the student and the parent to be consulted
- establish a network of teachers, support staff, or officers from other agencies for wider discussion and risk management with a focus on educational outcomes
- determine the educational instruction for the period of the exclusion.

## 9 Expulsion and prohibition

If the principal or the Director Student Support believe that the unacceptable behaviour is so serious that expulsion or prohibition may be more appropriate they should refer the matter to the Deputy Secretary Schools and Early Years. For more information on expulsion or prohibition from Tasmanian Government schools, see [Appendix 2 Expulsion and Prohibition](#).

## 10 Right to review

A parent or the student (including independent students) may apply in writing for a review, or periodic review, of a further suspension (more than 10 days), exclusion, expulsion, or prohibition decision. The relevant sanction letters and the [Student Behaviour](#) information for parents provide guidance on how to access the application forms. For more information on the right to review of a further suspension, exclusion, expulsion, or prohibition see [Appendix 3 Right to Review](#).

There is no process for appealing a school suspension. If a parent has any concerns about their child's suspension they should immediately discuss these concerns with the school principal.

## 11 Educational instruction

Principals must provide students who have been suspended, further suspended or excluded with appropriate educational instruction until they return to school.

Parents should support their child to complete the educational instruction provided (for example, this could include contacting the school for support or advice, or in the case of suspension of 6 days or more, a further suspension, or an exclusion, liaising with the member of the school leadership team [or their delegate] assigned as a contact point).

In determining appropriate educational instruction for the student, a principal or teacher (in the case of suspension, further suspension and exclusion) and the Student Support Leaders, Director Student Support, or the Deputy Secretary Schools and Early Years (in the case of expulsion and prohibition) may consider the appropriate educational instruction checklist ([Appendix 1](#)).

Educational instruction can be a learning task able to be independently completed by the student, or a reflective piece relevant to the unacceptable behaviour demonstrated. The type of educational instruction provided will depend on the needs of the student and the period of suspension, exclusion, expulsion, or prohibition.

The educational instruction may be an activity or program and may include:

- for a suspension of five days or fewer:
  - the completion of a re-entry/reflective piece focussing on the unacceptable behaviour that resulted in the suspension with questions framed around restorative processes to be reviewed on re-entry (for example, 'What were you thinking? Whom did your behaviour impact? What are other ways you could have dealt with the issue? What support do you need from your school or family to manage your behaviour better?')
  - worksheets that can be completed independently
  - generic online maths and reading programs
  - material that would usually be provided to a student as homework or independently completed as classroom work.
- for a suspension of six days or more (including a period of further suspension, exclusion, or expulsion):
  - a variety of work in a bid to maintain the student's engagement
  - assigning a member of the school leadership team (or their delegate) as a key point of contact for the student and their parent(s)

- a referral to a re-engagement program (particularly where a period of further suspension is imposed) and all school-based programs have been considered and exhausted.
- The principal will arrange for review of the educational instruction as part of the re-entry process.

## 12 Re-entry to school

Strategies employed upon re-entry must be tailored to the individual, staff and school requirements. Documented support strategies may include development of a learning plan, a behaviour support plan, school psychologist/social worker referral, restorative conferences, referral to an external agency or support staff, or a risk management plan for re-entry.

The re-entry process will also provide an opportunity for the review of educational instruction provided to the student during the period of suspension and should provide the student with an opportunity to reflect on their unacceptable behaviour.

The principal will organise a re-entry conference with the student before or on the day that the student returns to school. The student's parent(s) must be invited and should participate in the conference, unless the student is an independent student.

Students should participate in the re-entry conference.

Re-entry conferences should be tailored to the individuals involved, for example where a student and/or their parent has language or communication barriers.

Parents should collaborate with the school to address a student's unacceptable behaviour and participate in strategies to support a student's re-entry to school.

The re-entry conference is an opportunity for the student to reflect on their behaviour in the context of the school's expectations and values.

## 13 Bullying

Tasmania agreed to the following national definition of bullying through the Education Council in 2018:

- '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.
- Bullying 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.
- Bullying can happen in person or online, via various digital platforms and devices, and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).
- Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders.
- Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.'<sup>1</sup>

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<sup>1</sup> Bullying. No Way!

## 13.1 Early intervention

Early intervention involves the targeting of known or expected risk situations, specific risk factors, or groups and individuals who are at an increased risk of being involved in bullying.

In school contexts that have high racial diversity, students with social-emotional disadvantages, community conflict issues, student mental health issues and students with disability, schools should plan for and develop appropriate, tailored and protective structures and programs.

Whole-school approaches to early intervention and prevention may include:

- embedding school values
- social and emotional learning
- whole-school programs (such as, Respectful Relationships, Positive Behaviour for Learning, eSmart Schools)
- bullying prevention through the curriculum (such as, anti-bullying content, cybersafety education, social and emotional learning).

Early intervention strategies may include:

- pastoral care and risk-management systems (for example, teachers responsible for pastoral care)
- embedding of bullying, cyberbullying and cyber safety learning across the curriculum
- strategies for early intervention with individuals (for example, support from specialist staff, individual behaviour plans)
- strategies for early intervention with groups of students (for example, targeted delivery of social and emotional learning).

## 13.2 Responsibilities

Ensuring that students are safe and free from discrimination, harassment and bullying is a shared responsibility between school staff, parents, students, and the community.

Preventing and responding to bullying, including cyberbullying, is a shared responsibility of all departmental staff and students, as well as parents and the wider school community. All members of a school can contribute to the prevention of bullying by modelling and promoting appropriate behaviour and respectful relationships.

Whole-school approaches to bullying involve the development of a safe and supportive learning environment and a positive and respectful school culture that prevents bullying from occurring.

Schools have a responsibility to support students involved in bullying, including cyberbullying, which is affecting a student's learning and/or wellbeing at school, even when the unacceptable behaviour has occurred off school campus and/or outside of school hours.

School Leaders have a responsibility to:

- value diversity and appreciate the rich learning opportunities it brings to school life
- work with their school community to challenge bias and maintain inclusive school cultures
- implement DECYP's [Student Behaviour Management Policy](#)
- consistently reinforce the message that bullying is not acceptable

- develop a whole-school approach that is multi-faceted rather than focused on a single component
- promote awareness of bullying in the school community and communicate regularly using consistent language
- ensure teachers have effective classroom supports and resources
- promote a positive school environment that provides safety, security and support for students, staff and families
- actively engage with resources to develop and review whole school practices aimed at promoting respectful schools
- provide opportunities for developing social and emotional learning
- reinforce effective communication strategies and problem-solving skills for staff, students and families
- minimise the risk from all types of harm
- use data to inform whole-of-school response.

The annual [Student Wellbeing and Engagement Survey](#) provides schools with critical data in the voice of students on bullying (physical; verbal; social) and School Climate (culture of respect).

Teachers have a responsibility to:

- provide a model of appropriate behaviour and encourage empathy and respect
- respect, listen and understand students' feelings
- appreciate that individual students will respond and act differently to bullying
- understand that bullying behaviour arises from a power imbalance leading to distrust, fear, misunderstanding, lack of knowledge or jealousy
- encourage students to share problems and get helpful advice from their peers
- teach students ways to effectively respond to bullying behaviour
- explicitly teach students about healthy and unhealthy relationships
- teach students to understand that they have a responsibility to help fix bullying behaviours
- provide prompt language to empower students to say something supportive to someone being bullied and something to prevent someone using bullying behaviours
- teach students about not behaving in ways that make bullying problems worse.

### 13.3 Responding to bullying

When responding to bullying behaviour, schools should aim to:

- engage students as part of the solution to develop a plan of action/strategies to prevent the behaviour from occurring in the future
- restore the relationships and a positive learning environment for all students
- apply the processes of the whole-school approach to respectful behaviour.

Responding effectively when students have been impacted by bullying behaviour is vital for ensuring a safe and supportive environment for all students.

Schools should have strategies for intervening when bullying has occurred, including processes for students, parents and staff to report bullying that include:

- a problem-solving process for those involved in the bullying
- information to support parents and relevant staff
- monitoring and referring students to other services where necessary.

The steps below outline the process for schools to follow in preventing and responding to bullying.

### **13.3.1 Be alert to the signs**

There are a large number of signs that may indicate a student may be the target of or involved in bullying behaviour. These include:

- changes in personality
- appearing lonelier or distressed
- unexpected changes in friendship groups
- less interaction with other students at school
- peer rejection
- increase in absenteeism
- decline in physical health
- decline in academic achievement.

If school staff become aware of any of these signs they should check in with the student.

### **13.3.2 Identify concerns**

Ensure all students are safe, both physically and emotionally, by attending to the following:

- Ensure there are no immediate safety risks for any of the parties involved, including the student impacted, the student/s engaging in bullying behaviour and any bystanders. If there are immediate safety risks for the student being bullied, contact the appropriate support and inform key leadership within the school.
- Speak to all students involved (including the student impacted by the behaviour, the student/s engaging in bullying behaviour and any bystanders).
- Students' views on why bullying is happening can suggest ways the school can respond. School staff should:
  - provide a safe and quiet place for students to talk
  - provide reassurance and support
  - allow students to share their experience without interruption and provide the opportunity to describe/explain their behaviours
  - avoid the terms 'bully' or 'victim' and instead talk about the behaviour of everyone involved, including bystanders
  - not dismiss concerns or place blame.
- Contact parents:

- Advise the parents of students involved that the school is reviewing the situation and provide supporting information as appropriate.
- Record key information:
  - Detailed notes of all discussions should be taken, and a record must be entered into SSS. Comprehensive recording of information in SSS underpins a whole-school approach to respectful behaviour and relationships.
  - School staff should record the facts including who, what, where, when, how and why. Outcomes, parent contact and early-intervention strategies should be recorded. In recording information in SSS, notes should:
    - be clear
    - be brief and concise
    - be precise and accurate
    - be specific
    - be complete
    - be timely
    - describe relevant observed behaviours without having personal judgement or interpretation
    - document users’ verbal statements and questions without personal judgment or interpretation
    - record objective observations
    - confirm conclusions and decisions through the evidence and facts presented.

### 13.3.3 Make further inquiries into the behaviour

Allegations of bullying should be investigated as quickly as possible using the following strategies to allow for the behaviours to be addressed promptly:

- Speak to relevant staff, including School Support and Wellbeing Lead, school psychologist, grade co-ordinator, Learning Division:
  - A thorough understanding of the alleged bullying will inform staff about how to effectively implement an appropriate response to that behaviour.
- Review SSS for any previous reports or records for students involved.
- Determine whether bullying behaviour has occurred:
  - Bullying is defined as 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.
  - Cyberbullying is online bullying of a person or group. Cyberbullying can spread fast and be hard to delete.

#### WHAT IS BULLYING?

#### WHAT IS NOT BULLYING?

Social/ relational	Ostracising, making up or spreading rumours, social exclusion, rejection, purposeful misleading/lying to, sharing others personal information	Mutual arguments and disagreements (where there is no power imbalance)
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## WHAT IS BULLYING?

## WHAT IS NOT BULLYING?

Physical	Hitting, kicking, pinching, pushing, tripping, 'ganging-up', personal property damage and assault using objects	Isolated incidents of aggression, intimidation or violence
Emotional/psychological	Stalking, threats or implied threats, unwanted email or text messaging, threatening gestures, manipulation	Not liking someone or a single act of social rejection
Verbal	Put downs, name-calling, swearing, nasty notes and negative remarks about race, culture, family circumstances, gender, sexuality, disability, appearance, medical conditions	One-off acts of meanness or spite
Cyber	Sending mean texts, pranking someone's mobile phone, hacking into someone's gaming or social networking profile, pretending to be someone else to spread hurtful messages online	Ghosting; one-off instances of hate speech

Note - While the behaviours listed in the right column would not be considered bullying because they do not involve deliberate and repeated harm and a power imbalance they may need to be addressed by the school.

- If it is determined that bullying has occurred, schools must consider a developmentally appropriate behaviour management response. See Section 3 – [Applying responses to unacceptable behaviour](#). The following factors should be considered when determining the most appropriate response:
  - the age and maturity of the students involved
  - the severity and frequency of the bullying, and the impact it has had on the target student
  - whether the student/s engaging in bullying behaviour has/have displayed similar behaviour before
  - whether the bullying took place in a group or one-to-one context
  - whether the student/s engaging in bullying behaviour demonstrates/demonstrate insight or remorse for their behaviour
  - the alleged motive for the behaviour, including any element of provocation.
- Contact the appropriate support to develop necessary plans:
  - School Support and Wellbeing Team Lead
    - Supports the planning and implementation of school strategies and processes that support the wellbeing of all students, with a particular focus on students with diverse and complex needs requiring coordinated support.
    - Ensures the School Support and Wellbeing Team Lead is informed and specialist support has been offered to impacted students.
  - Inclusive Practice Team (IPT)  
The Inclusive Practice Team provides coaching and mentoring support for schools in:
    - developing and maintaining inclusive learning cultures
    - understanding and valuing of diversity (school climate and culture)
    - developing the plan of action to support the students involved (this may include risk management planning).

#### Intensive Student Support Co-ordinator

Provides oversight, advice, and support to school leaders regarding legislative and policy requirements, inclusive practice and student support, safety, and wellbeing matters.

#### Professional Support Staff

Professional Support Staff support the emotional wellbeing and overall development of students. This includes support teachers, school psychologists, speech and language pathologists, social workers and chaplains. Professional Support Staff assist schools to identify and support specific needs (for example, emotional, developmental) and refer to other professional help when required.

- Plans and practices that may be considered include the following:

#### Risk management plan

Leaders and educators understand duty of care to all students and ensure a risk management plan is in place to protect all students should the need arise.

#### Restorative practice

The restorative practice process assists teachers, students and parents to build, maintain and restore relationships using a 'no blame' approach. It also helps build capacity to enable students to self-regulate behaviour and contributes to the improvement of learning outcomes.

- Engage students as part of the solution to develop a plan of action/strategies to prevent the behaviour from occurring in the future:
  - Schools should work with the student/s concerned to develop strategies they believe will help address the situation. This may include referring the student to professional support staff and developing strategies for restoring and building relationships.
- If appropriate, involve the parents and other caregivers in developing a plan of action.

### **13.3.4 Follow up and monitor**

- Complete all actions agreed with student and parent within agreed timeframes.
- Continue to check in with students on a regular basis until concerns have been mitigated:
  - Check-ins should include a discussion on what has changed, improved or worsened and explore other options for strengthening student wellbeing or safety.
- Review and update response plans as appropriate:
  - Consider whether a different or more/less intensive response is required.
- Monitor the wellbeing of all students involved:
  - If situations are long standing, bullying can require a sustained effort to prevent ongoing incidents.
  - Reviews should be undertaken to check in with all students impacted by bullying. Reviews ensure the school's efforts have not caused other problems or created a problem elsewhere.
  - The ongoing behaviour of the students involved should be monitored for an appropriate time.
- Apply the processes of the whole-school approach to respectful behaviour:
  - Refer to page 46 of the [Respectful Schools Respectful Behaviour](#) resource.
- Incorporate student voice and agency:

- The annual [Student Wellbeing and Engagement Survey](#) (SWES) provides schools with critical data in the voice of students on bullying (physical; verbal; social) and school climate (culture of respect).
- The Child and Student Wellbeing Unit can provide schools with Get Going packs, which contain resources to unpack school's Student Wellbeing and Engagement Survey data to facilitate student thinking and action.

### 13.3.5 Criminal Offence

Severe cases of bullying or cyberbullying may justify a criminal-justice response owing to the very serious harm that bullying can cause. If a principal deems that a case requires progression through the criminal-justice system DECYP's [Legal Services](#) team should be contacted immediately.

## 13.4 Complaints handling

In the event that a student or parent believes a matter is not being dealt with effectively staff should follow the [Enquiries and Complaints Management Procedure](#).

## 13.5 Useful resources for schools, parents and students

RESOURCE	DESCRIPTION
<a href="#">Respectful Schools</a> <a href="#">Respectful Behaviour</a>	Resource for school leaders to support all learners in all school communities to build respectful, safe and inclusive learning environments.
<a href="#">Bullying No Way!</a>	Supporting school communities with evidence-informed resources and activities for a proactive approach to bullying education and prevention.
<a href="#">The Office of the eSafety Commissioner</a>	The eSafety Commissioner is responsible for promoting online safety for all Australians.
<a href="#">Kids Helpline</a>	Counselling for students, advice and articles for parents and free video-link sessions (such as wellbeing, personal safety, cybersafety) for primary schools run by a counsellor with content tailored for your class.
<a href="#">Think U Know</a>	Free, evidence-based cyber safety program that provides presentations to parents, teachers and students.
<a href="#">Youth Law Australia   Legal Services For All Young People</a>	Legal information on bullying and cyberbullying.
<a href="#">Student Wellbeing Hub</a>	Advice about important topics and resources to help make your child's school experience a positive one.

RESOURCE	DESCRIPTION
<a href="#"><u>Parents   eSafety Commissioner</u></a>	Where parents can learn about the digital environment and how to help their child have safe and enjoyable online experiences.
<a href="#"><u>Alannah and Madeline Foundation</u></a>	Our key objectives are to care for children who have experienced or witnessed serious violence, reduce the incidence of bullying, cyber bullying and other cyber risks, and advocate for the safety and wellbeing of children.
<a href="#"><u>The Carly Ryan Foundation</u></a>	The Carly Ryan Foundation is a certified online safety program provider under the Office of the eSafety Commissioner's certification scheme.
<a href="#"><u>CyberParent web app</u></a>	Tool for parents which encourages safe and healthy internet use in Australian homes.

## 14 Related policies

- [Attendance Policy](#)
- [Personal Information Protection and Your Right to Information Policy](#)
- [Responding to Unsafe Behaviour Whole-of-Agency Policy](#)
- [Risk Management Policy](#)
- [Student Behaviour Management Policy](#)
- [Student Engagement Policy](#)
- [Work Health and Safety Policy](#)

## 15 Related procedures

- [Attendance Procedure](#)
- [Duty of Care for Students on Departmental Educational Sites Procedure](#) (staff only)
- [Enrolment Procedure](#) (staff only)
- [Managing Psychosocial Hazards and Risks Procedure](#)
- [Mandatory Reporting Procedure](#)
- [Respectful School Visitor and Volunteer Behaviour Procedure](#)
- [Risk Management Procedure](#) (staff only)
- [Safeguarding Risk Management Procedure](#)
- [Security and Emergency Management Procedures](#) (staff only)

- [Schools and Child and Family Learning Centres Critical Incident Response Procedure](#)
- [Student Engagement Procedure](#) (staff only)

## 16 Supporting information/tools

- [Flowchart - Responding to incidents, disclosures or suspicions of harmful sexual behaviour initiated by a child or young person](#)
- [Guide for Inclusive Practice](#)
- [Keeping children safe against discrimination, bullying and harassment](#)
- [National Safe Schools Framework](#)
- [Office of Safeguarding Children and Young People](#)
- [Psychosocial Hub](#)
- [Recommendations within MTSS - Understanding and Supporting Behaviour](#)
- [Respectful Schools, Respectful Behaviour](#)
- [Responding to Unsafe Behaviour Guidelines for DECYP Education Settings](#)
- [Safeguarding Framework](#)
- [Safeguarding Risk Management Quick Reference Guide](#)
- [SAFE SCHOOLS: Intro - Child Safety Hub](#)
- [Staying Safe Online](#)
- [Student Behaviour in Tasmanian Government Schools](#)
- [Student Support System \(SSS\) - User Guide - All Staff](#)
- [Trauma Informed Practice – Good Teaching Guide](#)

## 17 Definitions

### **Abuse (child abuse)**

Any or all types of abuse and neglect, including physical abuse, emotional abuse, psychological abuse, sexual abuse, and exposure to or involvement in domestic and family violence.

### **Act**

Means the *Education Act 2016* unless specified otherwise.

### **Ameliorate**

To make a bad or unpleasant situation better.

### **Bullying**

An ongoing misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm.

### **Behavioural response**

A response to unacceptable behaviour which can range from the use of restorative practices and principles to a response that involves loss of privileges or time away from school (such as, detention, suspension, further suspension, exclusion, expulsion or prohibition).

### **Containment**

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.

### **Cyberbullying**

Cyberbullying is an alternative label for online bullying and describes bullying conducted through the internet and mobile devices.

### **Detention**

Any relatively brief period when a student is required to remain at school/in the classroom in a student's 'non-class' time (for example, recess, lunchtime, recreation time, after school). Detention provides an opportunity for students to undertake additional learning in the school environment.

### **Digital record**

Text, graphic, audio, video and other content that is captured, uploaded and communicated online and through mobile devices.

### **Discrimination**

A less favourable treatment of a person because of a personal characteristic, 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 people because of a shared personal characteristic.

### **Exclusion**

The temporary withdrawal of a student's requirement to attend school for more than two weeks.

### **Expulsion**

The full-time withdrawal of a student's right to attend a particular Tasmanian Government school.

### **Government school**

Means a State school, as defined in the *Education Act 2016*.

### **Grooming**

Any online or in-person behaviour intended to manipulate and control a child, their family, kin or caregivers, or other support networks or organisations, with the aim of gaining access to the child, obtaining the child's compliance, maintaining the child's silence, and/or avoiding discovery of sexual abuse. Grooming may be difficult to identify and can be done by people already known to the child, including by a family member, kin or carer.

### **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.

### **Harm minimisation**

The aim to reduce the adverse health, social and economic consequences of alcohol, smoking products and other drugs for individuals, their families and friends, and the community by employing a range of approaches to prevent or reduce drug-related harm, including prevention, early intervention, specialist treatment, supply control, safer drug use and abstinence.

### **Harmful sexual behaviour**

Developmentally inappropriate sexual behaviour displayed by children and young people that may be harmful or abusive, encompassing a range of behaviours, from problematic to abusive, that are directed towards other children, young people or adults, and that may be harmful to those displaying the behaviour as well as those to whom it is directed.

### **Independent student**

A school-aged child or youth who is living independently from their parents.

### **In-school suspension**

The withdrawal of a student from their regular class/classes for a period of time determined by the principal. During an in-school suspension a student remains at the school but works away from other students under the supervision of teaching staff.

### **Parent**

As defined in Section 5 of the Education Act 2016, a parent includes:

- a legal guardian of a child.
- another person who has the care, control or custody of a child.
- another person who generally acts in the place of a parent of a child and has done so for a significant length of time (including an Independent Student).

### **Physical interaction**

Physical interactions are low-level, supportive, and reasonable interactions for the primary purpose of caring, comforting, or guiding a child or young person. Such interactions are appropriate in educational settings as part of commonplace human interconnection.

### **Physical intervention**

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.

### **Practicable**

Capable of being put into practice or of being completed.

### **Principal**

The person in charge of a school, or their delegate.

### **Prohibition**

The full-time withdrawal of a student's right to attend a specific Tasmanian Government school or any Tasmanian Government school.

### **Reasonably practicable**

Deciding what is 'reasonably practicable' to protect people from harm requires considering and weighing up all relevant matters, including:

- the likelihood of the hazard or risk concerned occurring
- the degree of harm that might result from the hazard or risk
- knowledge about the hazard or risk, and ways of eliminating or minimising the risk
- the availability and suitability of ways to eliminate or minimise the risk.

### **Responsibilities: 'must', 'is to', and 'may'**

Meaning of 'must', 'is to' and 'may':

- The word 'must' is to be construed as being mandatory.
- The words 'is to' and 'are to' are to be construed as being directory.
- The word 'may' is to be construed as being discretionary or enabling, as the context requires.

### **Restorative practices**

A way of viewing relationship-building and behaviour support in schools that work to strengthen community among students and between students, teachers, and parents, through educative processes. Restorative approaches focus on the problem, not the person, and look at the harm that has been done and the obligation on the part of those responsible to 'right the wrong' as much as possible. Restorative practices in schools are not limited to formal processes but are a continuum ranging from informal (for example, class circles, impromptu restorative conferences or teacher-student conversations) to formal conferences (for example, restorative conferences or family group conferences).

### **Restrictive practices**

Defined in the *Disability Rights, Inclusion and Safeguarding Act 2024* (the Act) as any action that restricts the rights or freedoms of movement or behaviour of a person with disability. Restrictive practices are only permissible in disability service settings and with permission from the Senior Practitioner. Restrictive practices are seclusion, chemical restraint, mechanical restraint, physical restraint, environmental restraint, and any other practice or intervention determined by the Senior Practitioner to be a restrictive practice.

### **School activity (or event)**

School-endorsed activities for their students that are held:

- at a venue which is outside of school campus or school property
- on school campus but outside of school hours. School activities may include a sports or swimming carnival, an excursion, school camp, or an end-of-year concert.

### **School Association**

Made up of the parents, staff and approved community members of a school. An association exists for each Tasmanian Government school, including primary schools, high schools, district schools and colleges.

### **School Association Committee**

Represents the School Association. It undertakes administrative and decision-making activities on behalf of the Association.

### **School days**

The days on which the school is to be open for educational instruction.

### **Secretary**

Means the Secretary of the Department for Education, Children and Young People.

### **Social media**

Online services and locations that provide a way for people to connect and share content and to participate in conversations. They are online websites where a user can create a profile and build a personal network of online friends.

### **Student Support System (SSS)**

Student Support System (SSS) is a reporting and data entry system designed as an electronic file for all student supports. Information is visible to all teachers in the school in which the student is enrolled.

### **Supervised duty**

The locations and times, as determined by the principal, at which staff have a duty of care for students.

### **Suspension**

The temporary withdrawal of a student's right to attend school for a period of two weeks or less (maximum 10 school days).

## **18 Legislation**

[Child and Youth Safe Organisations Act 2023](#)

[Disability Rights, Inclusion and Safeguarding Act 2024](#) (Tas)

[Education Act 2016](#) (Tas)

[Ministerial Instruction No 7 for Eliminating or Ameliorating Risks to Health and Safety of Persons at School](#) requires a principal to develop and maintain strategies to remove or reduce the likelihood of a student's behaviour posing a risk to the physical or psychological health or safety of the child or other persons at the school.

Schools must do what is reasonably practicable to assess and address the health and safety risks posed by a student's behaviour. This includes support for students with risk-related behaviours in accessing education, while also managing health and safety risks to the student and other persons at the school.

[National Disability Insurance Scheme \(Restrictive Practices and Behaviour Support\) Rules 2018](#) - Federal Register of Legislation

[National Principles for Child Safe Organisations](#) provide a national approach to embedding a child safe culture across all sectors of Australian society in which children are involved.

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

*Secretary's Instruction No 4 for Suspension, Exclusion, Expulsion or Prohibition of State School Students* outlines the processes for responding to unacceptable behaviour of a student before suspension of that student may be used, processes to be followed when issuing a detention or immediate or non-urgent suspension, and the requirement for education instruction during suspension.

*Secretary's Instruction No 10 for Transfer of a State School Student* outlines the circumstances that may constitute grounds for the transfer of a State school student and the processes to be followed in managing a student's transfer under the specified circumstances.

*Work Health and Safety Act 2012* (Tas)

*Work Health and Safety Regulations 2022* (Tas)

## 19 References

Australian Education Authorities (2021) *Bullying. No Way!* Available at: [Understanding bullying \(bullyingnoway.gov.au\)](https://www.bullyingnoway.gov.au) (Accessed 1 November 2023).

## APPENDIX 1 – Determining Appropriate Educational Instruction for a Student Checklist

When determining appropriate educational instruction for a student who has been suspended, expelled, excluded or prohibited the principal or representative from Learning Services should consider the following:

- 
- the developmental needs of the student
  - whether the student can undertake self-directed learning
  - whether resources are required for the student to complete the educational instruction (e.g. the internet) and whether the student has access to these resources
  - whether the education activity will engage the student in a meaningful way
  - whether the educational instruction is appropriate taking into consideration the period of suspension, expulsion, exclusion or prohibition
  - the capacity of a parent or carer to support and supervise the student to complete the educational instruction.

## APPENDIX 2 – Expulsion and prohibition

When applying for expulsion or prohibition a principal must provide the relevant authority with a report with the following information in their application, where that information is not already recorded on SSS:

- details of the most recent instance of unacceptable behaviour and the school's response
- a detailed history of incidents of unacceptable behaviour at school (including dates and the response of the school to the unacceptable behaviour)
- details of any support that the student has received (for example, school social worker/psychologist, private psychologist)
- background information on the student's home life/personal circumstances
- suspension and attendance data
- details of any external agency involvement (for example, Child Safety, Police).

### EXPULSION REQUIREMENTS

Expulsion is a response to a student's unacceptable behaviour in extreme circumstances. Expulsion may occur at a point where the relationship between the student and school is irreparably damaged and is unlikely to be re-built or repaired to allow the student to positively participate in the school's learning environment.

- Expulsion is a response to unacceptable behaviour that must only be sought when other restorative practices have been exhausted by the school.
- The student must continue to have an active enrolment until alternative enrolment is arranged.
- The Deputy Secretary Schools and Early Years must advise the parent of the student of the outcome in writing. A copy of this letter must be provided to the principal.

### PROCESS FOR APPLYING FOR AN EXPULSION

- A principal may apply for expulsion by referring a matter to the Deputy Secretary Schools and Early Years when:
  - the principal has complied with the school's policy on managing behaviour
  - the response has not been effective in dealing with the unacceptable behaviour
  - the principal believes the unacceptable behaviour of the student justifies expulsion from the school.
- The Deputy Secretary Schools and Early Years will consider the application for expulsion and:
  - consult with the principal
  - provide an opportunity for the student and the student's parent or carer to be consulted
  - establish a network of teachers, support staff, officers from other agencies for wider discussion and risk management with a focus on educational outcomes for the student.
- After consideration and consultation regarding the application for expulsion, the Deputy Secretary Schools and Early Years may:
  - reject the application for expulsion and direct that the student re-enter the school after the period of suspension

- accept the recommendation for expulsion and negotiate with the principal for enrolment at another Government school
- accept the recommendation for expulsion and organise a flexible educational program for the student
- apply an alternative behavioural response to that requested by the principal (further suspension, exclusion or prohibition).

## PROHIBITION REQUIREMENTS

- Prohibition removes the right of a child or young person to enrol at a Government school or the Government school system and must be exercised only as a last resort.
- Prohibition may be sought by the school principal and applied by the Deputy Secretary Schools and Early Years when the student has acted in a manner which constitutes an unacceptable continued risk to the safety or wellbeing of staff or students at a Government school or has acted illegally or has been found guilty of a serious criminal offence that impinges on their ability to attend a Government school.
- Principals must refuse to admit and enrol any student who has been prohibited. Exceptions can be made to ensure all students are able to access education (for example, Ashley School, Tasmanian eSchool). If the principal is unsure of the student's position they should contact Learning Services.
- If the decision to prohibit a student to enrol at a Government school is made, the Deputy Secretary Schools and Early Years must inform the parent or carer in writing of the decision and provide a copy to the principal.

## PROCESS FOR APPLYING A PROHIBITION

- When making a request for prohibition, a principal must:
  - submit the request for prohibition which will be forwarded to the Deputy Secretary Schools and Early Years
  - include with the request a recommendation made that prohibition from a particular Tasmanian Government school or all Tasmanian Government schools occur
  - ensure that the student continues to have an active enrolment until alternative enrolment is arranged.
- Upon receiving the request for prohibition, the Deputy Secretary Schools and Early Years may:
  - reject the application for prohibition and direct that the student re-enter the same school after the period of suspension
  - reject the application for prohibition and direct that the student enters an alternative school, after the period of suspension
  - prohibit the student from a Government school or the Government school system
  - apply an alternative behavioural response to that requested by the principal (further suspension, exclusion or expulsion).

## APPENDIX 3 – Right to review

- A parent or the student (including independent students) may apply in writing for a review, or periodic review of a further suspension, exclusion, expulsion, or prohibition decision.
- Upon receiving the Application for Review, the relevant authority may agree, or refuse, to conduct a review. The relevant authority will contact the person requesting the review in writing to inform them of whether or not they will conduct a review/periodic review.
- If the relevant authority decides to conduct a periodic review it is to occur no more than once per month.

BEHAVIOURAL RESPONSE	APPLICATIONS FOR REVIEW WILL BE FORWARDED TO:
<b>Further suspension</b>	Deputy Secretary Schools and Early Years
<b>Exclusion</b>	Deputy Secretary Schools and Early Years
<b>Expulsion</b>	Deputy Secretary Development and Support Deputy Secretary Business Operations and Support Services Deputy Secretary Strategy and Performance
<b>Prohibition</b>	Secretary

### SUSPENSION/EXCLUSION

- Applications for review of a further suspension/exclusion decision should be made in writing using the [Application for Review of Further Period of Suspension or Application for Review of Exclusion](#).
- A decision on the review of a student’s exclusion will be provided to the parent (with a copy to the principal) within five school days from when the relevant authority receives the application for review.

### EXPULSION

- Applications for review of an expulsion decision should be made in writing using the [Application for Review of Expulsion](#).
- A decision on the review of a student’s expulsion will be provided to the parent (with a copy to the principal) within ten school days from when the relevant authority receives the application for review.

### PROHIBITION

- Applications for review of an expulsion and prohibition decision should be made in writing using the [Application for Review of Prohibition](#).
- A decision on the review of a student’s expulsion and prohibition will be provided to the parent (with a copy to the principal) within ten school days from when the relevant authority receives the application for review.

## ADDITIONAL INFORMATION

- Staff should be aware that all documentation regarding responses to student behaviour may be obtained by the student's parent under the [Right to Information Act 2009](#) or [Personal Information Protection Act 2004](#). See Personal Information Protection and Your Right to Information [policies](#).
- Parents and/or independent students have the right to appeal against the exclusion, expulsion, or prohibition process (or any part of it) through the Ombudsman, or by application to the Magistrates Court for a decision to expel and prohibit a student from enrolling at a specified Government school or at any Government school.
- International students may appeal decisions via Government Education and Training International's [appeals process](#) for international students enrolled in a Government school.

**Authorised by:** Trudy Pearce, Deputy Secretary Schools and Early Years

**Contact:** Policy Services for Schools at [policyservicesforschools@decyp.tas.gov.au](mailto:policyservicesforschools@decyp.tas.gov.au)

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