

**Wyndham Community and Education Centre Inc
Policy and Procedure**

Procedure name	VCAL Discipline Policy and Procedure
Responsible person	VCAL & Youth Manager and CEO
Staff involved	VCAL staff, All staff
Frequency of performance	2017
Related documents	<p>Legislation: Education and Training Reform Act 2006 (Vic), Equal Opportunity Act 2010 (Vic), Working with Children Act 2005 (Vic), Children, Youth and Families Act 2005 (Vic), Occupational Health and Safety Act 2004 (Vic), Charter of Human Rights and Responsibilities Act 2006 (Vic), Disability Act 2006 (Vic), Disability Regulations 2007, Information Privacy Act 2000 (Vic), Health Records Act 2001 (Vic), Racial and Religious Tolerance Act 2001 (Vic), Disability Discrimination Act 1992 (Com), Disability Services Standards (DEWR) 2007 (Com), Racial Discrimination Act 1975 (Com), Human Rights and Equal Opportunity Commission Act 1986 (Com), Privacy Act 1988 (Com).</p> <p>Policies: VCAL Attendance Policy & Procedure, Student Well-being and Duty of Care in VCAL Policy & Procedure (includes procedures for under-18s), Access and Equity Policy & Procedure, Critical Incident and Emergency Management Policy & Procedure, Cyber Bullying Policy & Procedure, Harassment, Discrimination and Bullying Policy & Procedure, Conflict Resolution Policy & Procedure, VCAL Selection, Enrolment, Induction & Delivery Policy and Procedure, Privacy Policy & Procedure, Complaints and Appeals Policy & Procedure, Excursions Policy & Procedure, Smoke-free Environment Policy & Procedure.</p> <p>Other: VCAL Student Handbook & student package, VCAL Teacher Package, Guidelines for Managing Students in VCAL, VCAL Student Contract, VCAL Warning letter, Student Code of Conduct, VCAL Rolls, Incident Report Form, Mission, Vision & Values Statement, VCAL Support Services Directory, VCAL student electronic attendance rolls, VCAL Student Participation Report, Legal Custody Orders, VCAL Legal Register, Intervention Orders, Statement of Results, Statement of Attainment, aXcelerate, Victorian Administrative Software System VASS, Wyndham CEC website, VCAL Exit form, VCAL Staff Yard Duty Roster.</p>

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Context

Wyndham Community and Education Centre Inc. (Wyndham CEC) aims to provide a safe and positive learning and working environment for all students, clients, service users and staff across the organisation.

To provide an environment that ensures the care, safety and well-being of everyone, all students have a responsibility to act in a manner that is respectful towards staff, other students and clients.

Discipline Framework

Wyndham Community and Education Centre Inc. (Wyndham CEC) uses the following documents as a framework for dealing with student discipline issues:

- Guidelines for Managing Students in VCAL, Pre-VCAL and Re-Engagement Programs
- VCAL Student Contract
- Student Code of Conduct
- VCAL Attendance Policy & Procedure
- VCAL Student Selection, Enrolment, Induction and Delivery Policy & Procedure
- Student Well-being and Duty of Care in VCAL Policy & Procedure (includes procedures for under-18s)
- Cyber Bullying Policy & Procedure
- Harassment, Discrimination, Victimisation, and Bullying Policy & Procedure
- Conflict Resolution Policy & Procedure
- Critical Incident and Emergency Management Policy & Procedure
- Access and Equity Policy & Procedure
- VCAL Warning letters

All students and their families are provided with this information at the Pre-training assessment, enrolment and through the VCAL Student Handbook and student package.

This policy and procedure must be discussed with students and their families at enrolment/ induction.

Wyndham Community and Education Centre Inc's (Wyndham CEC) *Student Code of Conduct*, outlines expectations regarding the required level of conduct and behaviour that guides students undertaking education and training programs at Wyndham CEC.

Students in a VCAL program must sign a *VCAL Student Contract* which outlines rights and responsibilities, attendance requirements and consequences for unacceptable behaviour. By signing this contract, students agree to commit to the values, principles,

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codes, policies and procedures of Wyndham CEC. This contract is signed at enrolment and/or annually as required.

Wyndham CEC maintains a strong focus on promoting a positive community environment and positive behaviours. Wyndham CEC's *Guidelines for Managing Students in VCAL* clearly outline expectations of all students in the VCAL program. Clear expectations set standards for students, parents and staff to promote acceptable behaviour and deal with unacceptable behaviour.

Teachers are expected to promote a positive classroom environment by:

- establishing predictable, fair and democratic classroom procedures in consultation with students
- providing personalised learning programs
- consistently acknowledging the efforts of all students and providing regular feedback in relation to their progress
- using a range of strategies to allow students to take responsibility for their learning and be involved in decision making
- acknowledging positive behaviour and student strengths
- clearly articulating student behaviour expectations and consequences
- providing adequate supervision
- ensuring a safe classroom environment

Procedures

Dealing with conflict and breaches of the Student Code of Conduct and the VCAL Student Contract

- Breaches of the Student Code of Conduct will not be tolerated and students who fail to comply will be required to meet with one of the Training Services Managers to discuss unacceptable behaviour and agree on strategies to address the identified breach of the Code.
- Breaches of the VCAL Student Contract will not be tolerated and students who fail to comply will be required to meet with the VCAL-VET Training Manager to discuss unacceptable behaviour and agree on strategies to address the identified breach of the Contract.
- A breach of the VCAL Student Contract or Student Code of Conduct may result in a warning letter. Three warning letters will mean that a student is exited from the program at Wyndham CEC.
- All VCAL staff should follow Wyndham CEC's Guidelines for Managing students in VCAL. These Guidelines have been incorporated at the end of this Procedure. All VCAL staff have a copy of these guidelines. A copy is also provided in the class roll folder. Wyndham CEC's Guidelines for

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Managing Students in VCAL include consequences for inappropriate behaviour.

- Consequences vary depending on the severity and frequency of the incident or behaviour. The Guidelines combined with the Student Code of Conduct and VCAL Student Contract clearly outline these consequences.

Low Level misbehaviour in Classrooms

Wyndham CEC's *Guidelines for Managing Students in VCAL* outline the strategies and consequences required for inappropriate behaviour in the classroom.

These vary according to the frequency of actions and include:

- Reminding the student of Wyndham CEC expectations
- Removal from the class to the VCAL Admin Office
- Referral to the VCAL-VET Manager
- Notifying parents/guardians
- A warning letter

Consistent negative behaviour which is disruptive or inappropriate may result in a student being withdrawn or exited from Wyndham CEC.

Non-physical intervention in a student-management situation

Staff should manage student conduct or intervene when there is a problem in a non-physical manner.

Non-physical interventions include:

- directing students to move away from a situation
- talking to a student(s) to request they stop a particular behaviour and informing them of consequences of not stopping
- directing students to a safe place
- sending for assistance from other staff
- sending for the police in an extreme case

Verbal intervention is always preferred to physical intervention.

Using physical intervention where safety is threatened

If verbal intervention fails and a situation is becoming unmanageable or safety is threatened, physical intervention such as coming between students, blocking pathways, leading/ guiding a student away (eg: by the arm/ upper back), or removing a dangerous object may be required.

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In extreme circumstances, a student management situation may require physical restraint.

Staff may make legitimate use of physical restraint if non-physical interventions have been exhausted and a student is:

- attacking another student or staff member
- posing an immediate danger or threat to themselves or another person

In instances such as these, appropriate physical force may be needed to ensure Wyndham CEC's duty of care to protect students and staff from foreseeable injury.

Common law defences such as self-defence, and the defence of others can be legitimate reasons for physical restraint. Everyone has the right to defend themselves against an attack or violence as long as a disproportionate degree of physical restraint or force is not used.

Physical intervention is a last resort in an extreme situation to prevent injury. Staff should never put themselves in danger.

Safe practice guidelines

- Restraint of a student must be proportionate to the circumstance being managed
- It must be the minimum force needed in the situation
- It must take into account the age, stature, disability, gender of the student (eg: avoid breast area in girls)
- Grip clothing rather than the body where possible
- Staff should not use physical force or restraint in a situation involving several students or a physically larger student where doing so would increase the likelihood of injury to themselves
- In such cases, staff should remove other students who may be at risk and seek help from another staff member or, call the police
- Talk to the student throughout the incident and make it clear that the restraint will stop when it ceases to be necessary to protect the student or others
- Ensure you consider cultural sensitivities or any special needs
- NEVER use force applied to the head or neck, that restricts breathing, involves kicking or punching, or, confining a student in a locked room without access to staff

Parents/ guardians should be informed of any incident involving the physical restraint of their child and provided the opportunity to discuss it.

An incident report form must be completed and provided to the CEO as soon as possible.

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Staff involved should be provided with any follow ups required in relation to OHS, counselling or debriefing.

Dangerous or Violent Behaviour

There are clear consequences for students who engage in dangerous or violent behaviour. Students are not to engage in behaviour, which threatens or causes damage to the physical or emotional welfare of any members of the Wyndham CEC community.

The following **will not** be tolerated at Wyndham CEC:

- violence, offensive comments, bullying or threatening behaviours
- vandalism or damage to property
- students bringing weapons of any kind onto Wyndham CEC premises or to other Wyndham CEC activities
- students attending under the influence of alcohol or drugs, bringing alcohol or drugs onto the premises or to other Wyndham CEC activities or providing alcohol or drugs to other students or clients of Wyndham CEC

Serious behaviours such as the above will result in students and their parent/guardian having to discuss the matter with the VCAL & Youth Manager.

Consequences for dangerous or violent behaviour will be determined by the CEO or her delegate and may lead to a student being exited from VCAL at Wyndham CEC.

Students will have items such as alcohol, drugs or weapons confiscated. The student may be reported to police.

In all of these instances, students will receive as a minimum a warning letter. Three warning letters mean a student will be exited from the program.

For students in Community VCAL, no action will be taken until the enrolling-Home school is consulted.

For students under-18, no action will be taken until the matter is discussed with a parent / guardian and /or case-worker if relevant.

Smoking

Smoking is not permitted anywhere on the premises of Wyndham CEC as per Wyndham CEC's *Smoke-free Environment Policy & Procedure*. Staff will follow the *Guidelines for Managing students in VCAL* and the *Smoke-free Environment Policy & Procedure*.

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Alcohol and drugs

Wyndham CEC is an alcohol and drug free environment. Use of alcohol or drugs will not be tolerated. Consequences for use of alcohol or drugs at Wyndham CEC will be determined by the CEO or her delegate and may lead to a student being exited from VCAL at Wyndham CEC. See reference above under 'Dangerous or Violent Behaviour' heading.

- Students found to be under the influence of drugs or alcohol will need to be picked up by a parent / guardian and taken home
- Students will not be allowed to participate in class activities on the day.
- The student will receive a warning letter
- Alcohol that is in the possession of any person under the age of 18 years will be confiscated and returned only to a parent or guardian.
- A student may be reported to police
- A student in consultation with his/her parent / guardian will be encouraged to undergo drug and alcohol counselling which will be undertaken when the student is not timetabled for a class.

Supervision

Breaks

Students will be supervised at lunchtime and during morning and afternoon breaks by VCAL staff. VCAL staff have a yard duty roster and must turn up to yard duty at their allocated time. Students are expected to behave appropriately while on breaks.

- Students who behave inappropriately while outside of the classroom will be subject to disciplinary procedures.

Kitchen & Mitchell Room

Students accessing the kitchen during breaks are expected to keep the kitchen clean. The Mitchell room can be used by students for lunch but must be left clean and tidy.

- Students who breach these privileges will be dealt with according to the *Guidelines for Managing Students in VCAL*

Classroom

Students are expected to attend all scheduled classes and remain in the classroom until a break is scheduled. Students leaving the room without permission during a scheduled class or, taking a longer than normal time to return to class, will be subject to the following disciplinary procedures:

- If this is a first occurrence, the student will be reminded by the VCAL & Youth Manager of the requirement to remain in class without a valid or approved reason to leave the classroom.

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- If this is an ongoing issue, the student will be required to meet with the VCAL & Youth Manager to discuss strategies to improve this behaviour.
- A student who shows no improvement within a week will be required to attend a follow up meeting with a parent/guardian if under-18. In some circumstances, students aged 18 or above will also have a parent/guardian or a case worker required to attend depending on the individual circumstances of that student and/or concerns about the safety and well-being of the student. A student may need to be referred to an external agency for support.
- Following the above steps, if no improvement occurs, a warning letter will be issued. Three warning letters will lead to the student being exited from the program at Wyndham CEC.

Damage to property

Vandalism or damage to any Wyndham CEC property or other student or staff property will not be tolerated. Students are expected to treat all property with respect. See reference above on page 4, under 'Dangerous or Violent Behaviour.'

The following consequences will apply:

- Students who wilfully damage property may be required to pay for repair or replacement of the item or property.
- A warning letter will be issued. Three warning letters mean a student will be exited from the program.
- In the event of serious or dangerous damage to property, a student may be exited from the program.
- The damage may be reported to police.

Visitors to Wyndham CEC

All visitors must report to the VCAL Admin office. Students should not invite friends or relatives to visit them on Wyndham CEC premises without the permission of the ~~VCAL~~ VET Manager or her representative.

All visitors must sign in and out in the VCAL Admin office where they will receive a visitor's badge. Visitors will only be permitted on the premises if approved by the VCAL & Youth Manager, CEO or her representative.

- Students who ignore this requirement will be spoken to and reminded of the guidelines.
- Students who repeatedly ignore this requirement will receive a warning letter. Three warning letters will result in the student being exited from the VCAL program.

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Warning letters

Wyndham CEC uses a system of warning letters as outlined in the *VCAL Student Contract* and the *Guidelines for Managing students in VCAL*.

- A student will receive three (3) warnings before they are exited from the course in which they are enrolled.
- Each warning will be discussed with the student and the parent / guardian (as required).
- A student or parent / guardian is able to make a complaint if not satisfied with the process followed at Wyndham CEC. Students receive a *Complaints and Appeals Policy and Procedure* in the student package at enrolment. This is also available on the website at www.wyndhamcec.org.au
- Wyndham CEC's CEO reserves the right to exit a student immediately if he/she is judged to be a serious threat to any person or property of Wyndham CEC. This action will only be taken in extreme cases and will take into account the student's age and circumstances.
- For students enrolled in Community VCAL, the enrolling-home school will be consulted on all matters of discipline before any action is taken.

Withdrawal or Suspension from Wyndham CEC

A student may be excluded from Wyndham CEC in situations where all other measures have been implemented without success or where an immediate suspension is the only appropriate course of action in response to a student's behaviour.

- The CEO or her delegate has responsibility for student suspension. This will only be used when all other measures have not produced a satisfactory outcome or where the safety of the student or another student is impacted. This includes behaviour that threatens another or is dangerous to the student or another student or staff member including acts of violence or damage to property.
- Students involved in illegal activities will be reported to the police.
- The parent / guardian of a student who is suspended will be informed of the reasons for suspension.
- If the student is under-18, appropriate supervision of the student will be discussed with the parent / guardian prior to suspension.
- If the student is enrolled in Community VCAL (CVCAL), the home school will be informed prior to any decisions or actions being taken.

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Exiting a Student

Wyndham CEC's CEO has the authority to exit a student from the VCAL program. Exiting a student will only be used as a last resort. In determining whether to exit a student, the CEO will determine that exiting the student is appropriate to:

- The behaviour for which the student is being exited
- The educational needs of the student
- Any disability or additional learning need of the student
- The age of the student
- The residential and social circumstances of the student

When a student is exited:

- The parent/guardian is informed by the VCAL & Youth Manager through a discussion and an exit letter
- The parent/guardian is informed of a meeting time and of assistance which will be given to the student to assist with transitioning from Wyndham CEC.
- The student (and family as required), meet with the VCAL & Youth Manager who assists the student to transition to another course, program, back to school or to employment. This includes phone calls, referral forms, TAFE direct entry applications, VTAC assistance and referral to youth specific agencies such as stated in the VCAL Support Services Directory or the Youth Resource Centre.
- If the student is attached to a Youth Worker or Case Manager, the VCAL & Youth Manager will make contact with the assigned worker to inform them of the procedure their client has undergone.
- An exit form is completed by the VCAL & Youth Manager and the student results are provided to Wyndham CEC's compliance and reporting team for entry onto the student management system, aXcelerate and onto VASS. The student may still be eligible for a Statement of Attainment for Further Education or VET units of competency and/or a Statement of Results for VCAL units.
- If the student is a Community VCAL student, no action is taken without a discussion and guidance from the enrolling-home school.

Intervention Orders

Students who are subject to Intervention Orders or Legal Custody Orders are required to provide up-to-date information to the VCAL & Youth Manager so that legal obligations in regard to the Orders can be fulfilled as required. This information will be updated onto Wyndham CEC's VCAL Legal Register.

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Privacy and Confidentiality

- Wyndham CEC is bound by the Privacy Act and will ensure that privacy and confidentiality is maintained to protect the rights of the individual student and / or his or her family.
- In most cases any information shared with staff will remain private and confidential and only staff who need to know information will be provided as such.
- Staff must follow Wyndham CEC's *Privacy Policy and Procedure* in relation to disciplinary matters.

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Guidelines for Managing Students in VCAL, Pre-VCAL and Re-Engagement Programs

These guidelines relate to the contract each student signs upon enrolment.

Student Class Times

The VCAL, Pre-VCAL or Re-engagement timetables must be adhered to at all times. There are two sessions per day. Teachers are not to dismiss students before the scheduled times of 9AM - 12PM & 12:30PM - 3:30PM.

Break Times

There are two mini-breaks per session: 10.00 -10.10 AM & 11.00 -11.10 AM (morning session) and 1.30 -1.40 PM & 2.30 -2.40 PM (afternoon session). If a student is late returning to class after a mini-break, follow the late procedure outlined below.

Arriving late for timetabled class

A student is required to sign the 'VCAL, Pre-VCAL, Re-engagement' *Late Arrival / Early Leaving Book* located in the VCAL Admin office. The student will be given a 'VCAL, Pre-VCAL, Re-engagement Attendance Slip' by VCAL Admin / VCAL-VET Manager to present to the teacher who will file this into the plastic pocket located in the roll. The teacher must enter the time of arrival onto the student attendance roll.

Leaving early from timetabled class

A teacher is required to complete a 'VCAL, Pre-VCAL, Re-engagement' Attendance Slip after being notified by the VCAL-VET Manager / VCAL Admin and give it to a student to present to the VCAL & Youth Manager / VCAL Admin. The student will sign the 'VCAL, Pre-VCAL, Re-engagement' *Late Arrival / Early Leaving Book* located in the VCAL Admin office.

Leaving a class

If a student needs to leave class for any reason, the teacher must complete a 'VCAL, Pre-VCAL, Re-engagement' Attendance Slip and give it to the student to present at the VCAL Admin office to the VCAL & Youth Manager / VCAL Admin. Students are not permitted to leave a class to use the Kitchen during scheduled class time.

Mobile Phones and Electronic Devices

Mobile Phones and Electronic Devices are not to be used during class time, unless a teacher has given permission and it is for the purpose of a task being undertaken. Students are not to have such items of equipment on view at anytime. If a student uses a mobile phone or electronic device during class time the teacher will ask the student to put the device away. If it happens again, the teacher will ask for the device. If the student refuses, he/she will be asked to go to the VCAL & Youth Manager with a 'VCAL, Pre-VCAL, Re-engagement' Student Attendance Slip.

Teacher giving a student permission to work in an area other than timetabled classroom

A student cannot be sent into another teacher's class without prior consultation and agreement between teachers. Teachers are responsible for students at all times. If a student is disruptive, he/she will have to return to the timetabled classroom.

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Eating and drinking in classrooms

Eating or drinking while in computer rooms or when using laptops is not permitted at anytime. Food is not permitted in classrooms at any time, other than the Mitchell Room between 12 PM and 12:25PM for lunch. The Mitchell room must be left clean for any class beginning at 12:30PM. Students are permitted to have water in non-computer classrooms when not using laptops.

Laptop Use

The use of laptops is permitted only in a classroom. They must be placed on a table at all times. Teachers have the responsibility of allocating and returning laptops to the trolley which must be locked at the end of a session. Teachers must pre-book the laptops using the booking sheet located on the laptop trolley in the Store room in Room 6. It is expected that laptops are returned to the correct storage trolleys located in the-Kirkpatrick Room. Once returned to the trolley each laptop is to be connected to the charger, ready for use for the next teacher and their class.

Classroom set up and cleanliness

It is expected that all classrooms will be left clean according to the usual set up of rooms ready for the next teacher and class.

Verbal warnings to the student by the teacher

If a student's behaviour in the classroom or on an excursion is inappropriate, the teacher will inform the student that they are receiving a warning. On the third warning the student will be directed to the VCAL & Youth Manager's Office with a 'VCAL, Pre-VCAL, Re-engagement' Student Attendance slip. If on excursion the teacher in charge will make contact with the VCAL & Youth Manager.

Offensive comments

Students using offensive language including comments deemed to be racist or bullying in intent, will be asked by the teacher to stop immediately. The student will be warned that they will be referred to the VCAL-VET Manager if they persist. If the student continues after being warned twice, they will be referred to the VCAL & Youth Manager immediately after the second warning. If required, a Wyndham CEC Incident Report Form will be completed.

Threatening Behaviours

If a student displays any threatening behaviour, the student is to be asked to leave the room and must be directed to the VCAL-VET Manager. The teacher is to report the incident to the VCAL & Youth Manager, and if required, complete the Wyndham CEC Incident Report Form.

Removing students from the classroom

If a teacher asks a student to remove themselves from a classroom to work in the VCAL & Youth Manager's Office, the teacher is required to bring work for the student to the Office for the student to complete.

Student Reflection Form

The VCAL & Youth Manager will allocate this form to the student. The student is to take responsibility for the management of this form. The student is to present this form to each teacher

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at the beginning of each session. The teacher will complete the teacher column at the end of the session and return it to the student.

Warning Letters / Student Exits

The VCAL & Youth Manager will allocate warning letters to students and complete exits of students.

Yard Duty

Teachers have been allocated a specific time for-supervision. The times are reflected on the 'VCAL, Pre-VCAL, Re-engagement' timetables. All teachers on duty must wear a reflective vest and be on time to supervise students within the Kelly Park area. It is the responsibility of the teacher on yard duty to inform all students when the break is finished and direct them back to their scheduled classes.

Individual Student Communication Forms

Teachers are encouraged to use these. Each student has a dedicated sheet where teachers can add comments about a student. These sheets are used as a communication tool for teachers and between teachers and the VCAL & Youth Manager. Individual Student Communication Forms are located in rolls.