



Bacchus Marsh  
Grammar

# School Board Policy

## Governance

### GOV-028 Student Discipline Policy

Approved by the School Board 30 November 2022







## Student Discipline Policy

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## 1 Statement of Context and Purpose

- 1.1.1 The purpose of this Discipline Policy (Policy) is to ensure that all students are made aware of Bacchus Marsh Grammar's (the School) disciplinary process and consequences of breaching either the School's expectations of its students and or of the School codes of conduct, rules, policies or procedures.
- 1.1.2 The School's ultimate aim is for all students to regulate their behaviour in such a way that these outcomes are achieved through self-discipline rather than through externally imposed sanctions.
- 1.1.3 The School will endeavour to:
- Apply the principles of natural justice and procedural fairness to the resolution of any issue or complaint raised for both complainants and respondents;
  - Adhere to resolution processes that are fair and impartial; and
  - Ensure matters are addressed in a prompt, consistent, transparent, and equitable manner.
- 1.1.4 This Policy is predicated on the belief that in no circumstances is the use of corporal punishment (a disciplinary technique that involves physical force) within the School either appropriate or effective. As such the School explicitly states that it will not allow the use of corporal punishment within the School under any circumstances.

\*Note **bold** terms are further defined throughout this Policy or as otherwise indicated.

## 2 Policy Principles

- 2.1.1 Students are encouraged to be engaged, responsible and respectful participants in School life.
- 2.1.2 A student's enrolment at the School is at the prerogative of the Principal and is conditional on Students and their parents/guardians:
- Adhering to the School's philosophy, codes of conduct, rules, policies, and procedures; and
  - Agreeing to abide by the School's disciplinary process and outcomes.
  - The School has a contractual right and absolute discretion to act with regard to any and all matters of discipline involving the conduct of Students, if the Principal or their delegate forms the opinion that the behaviour of a student or their parent/guardian warrants such action. This includes but is not limited to the type, number and severity of **sanctions** imposed, and any other consequences deemed appropriate up to and including termination of enrolment.
- 2.1.3 Parents/guardians are required to support their child's compliance with this Policy and the School's disciplinary process, procedures and outcomes and otherwise act in accordance with the School Community Code of Conduct.
- 2.1.4 Confirmation of enrolment at the School (i.e. signing of the Enrolment Agreement, signing of the Annual Acknowledgement, and or attendance at school by the student), constitutes unequivocal acceptance by Students and their parents/guardians of the above. [Refer to the Conditions of Enrolment].

## 3 Application

- 3.1.1 This Policy applies to all students who are or will be enrolled at the School (collectively, students).
- 3.1.2 This includes but is not limited to conduct that is in any way connected with a student's enrolment and participation at the School, has occurred either inside or outside a School site or otherwise related to School property, when in School uniform, when engaged in any School related function or activity, interacting with or affecting any member of the School community, representing the School in any way or acting in any other capacity that may impact the management of the School or which may bring the School into disrepute.

## 4 School Expectations

4.1.1 The School requires the following groups of people to comply at all times with this Policy in the following ways:

### 4.2 Students are required to:

- 4.2.1 Take accountability for their own behaviour and actions;
- 4.2.2 Support and care for one another;
- 4.2.3 Be respectful and understanding of their fellow students and the relationships around them;
- 4.2.4 Follow the rules of the School;
- 4.2.5 Listen and respectfully engage with School staff if they are subject to any disciplinary action and/or investigations under this Policy; and
- 4.2.6 Comply with any discretionary action that is used to them under this Policy.

### 4.3 Parents/Guardians are required to:

- 4.3.1 Support their children to learn and achieve successful outcomes while at School;
- 4.3.2 Act in a respectful and appropriate manner whilst engaging with educators and other staff at the School in respect to all aspects of their child's enrolment at the School;
- 4.3.3 Communicate with the School if they have any concerns regarding their child, or if there are any issues that the School should be made aware of;
- 4.3.4 Work collaboratively with the School to ensure a safe, healthy and positive learning environment for their child whilst they attend School;
- 4.3.5 Support the policies, procedures and operating practices of the School.

### 4.4 Staff are required to:

- 4.4.1 Engage in respectful and appropriate relationships with students, parents and guardians;
- 4.4.2 Support and promote the health and safe learning environment of every student;
- 4.4.3 Encourage and support each student to take responsibility for their own behaviour;
- 4.4.4 Apply the provisions of this Policy in a way that is fair, appropriate and has considered the relevant circumstances of each student.

## 5 What constitutes a "Serious Issue"

5.1.1 A non-exhaustive list of the behaviours that the School considers to be a **serious issue** includes, but is not limited to, the following:

- Assault, harassment or abuse [including as defined in the School's Child Protection Program Handbook]
- Bullying including cyber bullying
- Inappropriate online behavior, use of telecommunication or **social media**\*
- Violating another person's right to autonomy or privacy, including but not limited to:
  - Filming, taking photographs, screenshots or recording of another person without express permission from the School and or person(s) involved
  - Uploading or circulating same to a third party (whether via a private or public forum, social media or otherwise), without express permission from the School and or person(s) involved
  - Dissemination of sensitive information, misinformation, rumors or gossip about another person (maliciously or otherwise) who is a part of or in some way connected to the School.
  - Possession of images or material that violates another person's right to privacy or is illegal.



- Posting or responding to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, threatening, violent, racist, sexist, pornographic, infringes copyright or is otherwise unlawful or might cause damage to the reputation of the School, staff and or other members of the School Community;
- Persecution of another person (deliberate and/or premeditated), including but not limited to their race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age or disability or any other attribute protected by law;
- Acts or threats of violence, intimidation or aggression (physical, emotional or otherwise) against another person, including involvement in such behavior (e.g. coordinating, colluding or promoting with others);
- Possession of any item or substance that is used as or may be considered to be a weapon, to cause harm to another person, or otherwise pose a danger to the student or others
- Anti-social behaviour, including rudeness, inappropriate or profane words or gestures
- Non-compliance with School safety directions, an intervention order or School imposed order made for the protection of the student or another person
- Drinking, smoking, use or possession of alcohol (alcohol), tobacco, solvents or any substitute (legal or illegal and including any substance containing same)
- The use or possession of any medication or drug (prescription, legal or illegal) or drug paraphernalia (such as vapes, e-cigarettes, pipes or 'bongs') in a way not covered by the School's procedures for the handling of medication;
- Selling or dealings in drugs, alcohol or any other illegal substance
- Damage to and or vandalism of property
- Criminal activity, such as breaking and entering, theft, or other
- Fraudulent activity such as forging a person's signature, account, profile or otherwise
- Academic misconduct including plagiarism
- Driving on school property without School authorisation
- Truancy or unexplained absence during school hours or activity without permission from the School or a parent/guardian
- Any other behavior which, in the view of the Principal or their delegate, is potentially harmful to the health, safety and wellbeing of another person(s) or to the reputation or management of the School.

**\*Note – "social media"** refers to online tools which provide individual users and/or organisations with the ability to create and share content in online communications or platforms. For a detailed definition and examples please refer to the Social Media – Student Usage Policy available on the School website.

We note that the above requirements apply regardless of whether a School or a personal device is used for the purpose of creating and sharing content.

## 6 Investigation of a disciplinary matter

- 6.1.1 Where appropriate and depending upon the seriousness of the matter, the School may appoint at its discretion an investigator to review what has occurred in respect to a particular incident. The person appointed may be a staff member who is employed by the School or may be external to the School.
- 6.1.2 The investigator will act at all times with procedural fairness and investigate the matter in a timely fashion. The investigator will provide either a verbal briefing or a written report to the relevant senior staff member who is responsible for the conduct of the investigation.
- 6.1.3 Should an external investigator be appointed, the parent/guardian whose child is in any way required to participate in the investigation will be notified at the earliest available opportunity. Where the matter is being internally investigated and the matter is sufficiently serious in nature, the student's parent/guardian will be notified of the incident at the earliest opportunity.
- 6.1.4 In circumstances where an external investigator has been appointed, no student will be spoken to on their own with the investigator, and a staff member and/or parent will be present with the student at

all times during the interview. All external investigators who are appointed by the School will have current Working with Children Checks.

## 7 Sanctions

- 7.1.1 If the Principal or their delegate forms the opinion that a student has not complied with the Student Code of Conduct (including but not limited to the School's philosophy, rules, policies, procedures or sanctions), then a sanction, or series of sanctions, may apply in accordance with this Policy.
- 7.1.2 The School will review each issue or allegation on its merits, the circumstances of each matter and apply a suitable consequence.
- 7.1.3 The **type of sanction(s)** imposed will be based upon the judgment of staff imposing the sanction(s), giving due consideration to the known facts and circumstances, the behaviour of the student in question, the seriousness of the issue(s), and in consideration of any sanctions previously applied to the student.
- 7.1.4 Sanctions will usually (but not always) be applied in a hierarchy of severity.
- 7.1.5 Sanctions may be either informal (unrecorded) or formal (recorded).
- 7.1.6 In certain circumstances, the Principal or their delegate, may elect to offer alternative approaches to discipline in-lieu of sanctions.
- 7.1.7 Parents/guardians have the right to make an appointment to discuss the sanction(s) imposed at any stage. Such an appointment will usually be held with a Head of Year Level, Class Teacher, Head of School or Senior Deputy Principal with the exception of the most serious issues which will be held directly with the Principal or their delegate.
- 7.1.8 Similarly, members of staff will from time to time request appointments with parents/guardians to discuss disciplinary matters. It is expected that parents/guardians will attend all such appointments.

### 7.2 Types of Sanctions

- 7.2.1 The School **may** impose a sanction or sanctions in response to Student disciplinary matters. These may include:
- Requirement for an apology
  - Warning
  - Confiscation of items
  - Short sanctions e.g. picking up paper, time out, moving seats in a classroom
  - Removal of privileges or access to activities
  - Restitution or restorative actions including payment for or replacement of damaged property
  - After school detentions (3:30pm -4:30pm weeknights)
  - Saturday detentions (9:30am-12:30pm Saturday morning on nominated Saturdays)
  - Suspensions
    - Internal Suspension
    - External Suspension
  - Termination of enrolment
- 7.2.2 The above list is a guide only. The School is not obligated to adhere to the sanctions listed above, or the order of severity, and may choose not to impose a sanction, or to impose any other sanction or combination of sanctions deemed appropriate, based on the judgment of staff responsible for investigating the matter and who are responsible for making a decision in relation to the sanction(s).
- 7.2.3 The School may conduct a search of School property allocated to a student, including but not limited to desks and lockers, if staff consider such a search is warranted. The School may also conduct searches of a student's property, such as school bags, sports bags or instrument cases etc., if the School has reasonable grounds to suspect that the Student is engaging in behaviour or conduct in breach of the School's Student Code of Conduct or other rules, or which may be harmful to the student, and/or other members of the School Community.



7.2.4 In emergency situations only, staff may be required to use restraint or seclusion of a student. Staff will adhere to the requirements of the School's Restraint of Students Policy in these circumstances.

7.2.5 Corporal punishment is explicitly excluded as a sanction.

### 7.3 Procedure in the event that a sanction(s) is awarded

7.3.1 Parents/guardians will be notified of an issue relating to discipline and/or sanctions imposed in a timely matter. This may be either by:

- Phone call
- Diary entry
- Formal letter

7.3.2 Parents/guardians will also be notified in writing of any sanctions imposed that are not deemed minor in nature. In the case of all **serious issues**, the parent/guardian will receive written correspondence from the School regarding the matter and the outcome. Written notice may or may not be finalised before a sanction is completed or commenced.

### 7.4 Victoria Police Involvement and Child Protection Reporting Requirements

7.4.1 In addition to any disciplinary action the School may take with regard to a serious issue(s), or series of minor issues, the School may elect to seek police assistance, or assistance of other relevant authorities, if the Principal or their delegate believe such involvement is warranted. Nothing in this policy prevents the School from seeking such involvement and such involvement may be sought without notice to the Student and their parents/guardians.

7.4.2 The School will assist Victoria Police or any other relevant agency with their inquiries and investigations, including provision of school records and any confiscated material, items and or other evidence, to the extent required by law and in accordance with the School's Privacy Policy.

7.4.3 Where deemed appropriate by the Principal, the School may initiate and/or undertake an investigation independent of any Victorian Police or child protection matters and may determine an appropriate outcome at the relevant time.

**Note: Once a matter has been referred for police investigation, the commencement, continuation and/or completion of any School investigation and/or the imposition of sanctions (if any), will be at the sole discretion of the Principal and/or their delegate.**

7.4.4 Allegations of a serious nature against a student may warrant outsourcing of the matter to the School's external investigator as referred to in section 6 of this Policy. This decision will be made in consultation between the Principal, Senior staff and the School's Legal and Project Officer; and should be independent of the outcome of a police investigation (if any).

7.4.5 If the School deems that the parent/guardian response to disciplinary matters or concerns is inadequate, a report to child protection authorities may be made in accordance with the School's Child Safe Programme and reporting requirements. Such a report may be made without notice.

## 8 Consequences of a Breach of this Policy

8.1.1 The School emphasises the need to comply with the requirements of this Policy.

8.1.2 Any breach of this Policy may be subject to disciplinary action, up to and including termination of enrolment.

8.1.3 Failure of a student and or their parent/guardian to comply with this policy, including failure to abide by procedures outlined or sanctions imposed under this Policy, will constitute a breach of this Policy and the Conditions of Enrolment.

8.1.4 Failure of a student and or their parent/guardian to cooperate with an investigation, or agree to and or attend an interview, will constitute a breach of this Policy and the Conditions of Enrolment.

8.1.5 It may be deemed appropriate that students who are considered to be non-compliant with this Policy be referred to Student Wellbeing for additional support to manage issues that may be impacting their



behaviour in addition to or instead of sanctions being applied. This referral will be made at the School's discretion and in accordance with the Student Wellbeing Support Policy.

- 8.1.6 The School will not have its ability to properly investigate a potential matter limited by either a student or a parent/guardian (on a student's behalf) refusing to cooperate with either a sanction imposed or the investigation of matters relating to behaviour and discipline. If such a situation arises, the student in question will be unable to attend class or school until such time as the matter or matters can be appropriately resolved, in addition to any other sanctions the School deems appropriate in the circumstances.

## 9 Grievances and Complaints

- 9.1.1 The School's decision in matters of discipline is final.
- 9.1.2 While students and/or parents/guardians may disagree with the School's decision with regards to a matter of discipline, for example sanction(s) imposed or the outcome of an investigation, they are expected to abide by the School's disciplinary process and outcomes, and follow the appropriate processes for seeking a review.
- 9.1.3 If a student has a grievance with respect to the School's disciplinary process and or sanctions applied, they have the opportunity to raise their grievance in accordance with the instructions in the Student Grievance Resolution and Investigation Policy.
- 9.1.4 Similarly, parents/guardians may make a complaint via the School's Complaints Handling Program. Please refer to the School Community Code of Conduct and Complaints Handling Policy for further information.

## 10 Privacy and Confidentiality

- 10.1.1 Privacy legislation informs the Student Discipline Policy. The investigation of any matters relating to the policy should be cognisant of the basic requirements of the School's policy in this area and legislation.
- 10.1.2 It should also be noted that making public individual matters of discipline or disciplining action are not one of the consequences the School will use in relation to this policy; nor will the School discuss disciplinary actions taken against students with other students, parents/guardians or members of the School community unless it is required/permitted to do so as part of further action taken (e.g. legal proceedings).

## 11 Communication of Policy

- 11.1.1 The School will ensure that:
- 11.1.1.1 All students, staff and parents/guardians are aware of this policy and associated procedures on an annual basis.
  - 11.1.1.2 Details of the policy and any changes made from time to time will be published on the School website and or parent and student portals.
  - 11.1.1.3 A current copy of the policy will be available through the parent portal and the School website.

## 12 Implications for practice

### 12.1 At Board/Principal Level

To properly implement this policy, the School, the Board and/or the Principal must ensure:

- 12.1.1 The Principal has final responsibility in all matters relating to the day-to-day running of the School, including student's behaviour and discipline. The Principal may delegate that responsibility to other members of staff, particularly the Senior Deputy Principal.



- 12.1.2 In matters of student discipline the Principal's decision is final. The School Board plays no direct role in issues of student management other than setting broad policy positions. It does not involve itself in specific discipline issues.
- 12.1.3 Board members who are parents will be treated as parents i.e. their position as Board members will have no bearing or standing on the application of this policy.
- 12.1.4 That this policy is endorsed on an annual basis;
- 12.1.5 That copies of this policy are made available to students, parents/guardians and staff, on the Bacchus Marsh Grammar website;
- 12.1.6 That this policy is incorporated into the Board's / Principal's record of current policies;

## 12.2 At Other Levels

- 10.2.1 To properly implement this policy, all School staff must ensure that they will abide by this policy and assist the School in the implementation of this policy.

## 13 Related Documents

- Alcohol (Student Use of) Policy
- Assault (Student against Student) Policy
- Conditions of Enrolment
- Cyber Safety Policy
- Drugs – illicit (Student Use of) Policy
- Enrolment Policy
- Harassment (Student Against Student) Policy
- Information & Communication Technology (Student) Policy
- Mobile Phones (Student Use of) Policy
- Restraint of Student Policy
- School Bus Travel Code of Conduct
- School Community Code of Conduct
- School Rules and Regulations Policy
- School Uniform and Dress Code Policy
- Social Media – Student Usage Policy
- Student Acceptable Online Usage Policy
- Student Attendance Policy
- Student Bullying and Harassment Policy
- Student Drivers Policy
- Student Grievance Resolution and Investigation Policy

## 14 Adoption

- 14.1.1 This Policy has been adopted by a resolution of the School Board.
- 14.1.2 This Policy will be reviewed at least once every year.

## 15 Authorisation

<b>Board Document No.</b>	<b>GOV.028</b>	
<b>Board Document Name</b>	<b>Student Discipline Policy</b>	
<b>Approval Authority</b>	<b>Chair of the School Board</b>	
<b>Board Approval</b>	Cathy Jeffkins <b>Chair of the School Board</b> <b>Bacchus Marsh Grammar</b>	
<b>Administrator</b>	<b>Company Secretary</b>	Greg Gough
<b>Approval Date</b>	<b>30 November 2022</b>	
<b>Date of Next Review</b>	<b>30 November 2023</b>	To be reviewed annually

## 16 History

<b>Date</b>	<b>Amendment</b>
<b>22 October 2019</b>	1. Revised to reflect the change to Company Limited by Guarantee 2. Review completed and updates to terminology 3. New format
<b>28 October 2020</b>	4. Reviewed
<b>26 May 2021</b>	5. Reviewed and updated examples of serious issues
<b>27 October 2021</b>	6. Reviewed and updates made to policy principles and school expectations
<b>30 November 2022</b>	7. Revised