



THE JOSEPH VARGA SCHOOL
CORE POLICY HANDBOOK
FEBRUARY 2023



Core Policy Handbook

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPOL-A01

PREFACE

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

JVS provides a welcoming, accepting, safe and supporting environment that has a 'family feel'. Many children who have previously 'fallen through the gaps' of mainstream schooling have excelled in the environment unique to our little school.

We are committed to understanding the children in our care as individuals, by positively guiding each one of them to fulfil potential as a whole person, irrespective of difference or disability.

Our approach is to comprehensively understand the needs of each child and tailor a program that best caters for and supports the child's social, emotional, academic, communication, spiritual and physical growth.

The curriculum priorities for every child enrolled at the school are communication, literacy, numeracy, life-long learning and living skills.

With dedicated teachers, specialist multi-sensory support, ongoing individual monitoring, and an inspired 'hands on' experiential approach to personal development, our unique school of a kind is well equipped to support students with special needs.

Dan Lynch

Principal

2013 - present





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1. Parent Handbook

The Parent Handbook relates to approved and implemented policies and standard operating procedures as approved by the Board of the Joseph Varga School ('JVS').

2. Policy Numbers

2.1 Policies are represented by;

- JVSCPH Joseph Varga School Core Policy Handbook

2.2 Each group of Policies or Procedures are classified into sections which represent an area of operations;

- Section A Policies
- Section B Enrolment & Attendance
- Section C Child Protection
- Section D Curriculum
- Section E Discipline
- Section F Teacher Performance & Development

2.3 Policies are numbered from **01** to **99** in each Section.

2.4 An example of a policy number would be the *Enrolment Process* Policy. This document defines the process for a student's enrolment at JVS. This Document is a Policy in the Core Policy Handbook (JVSCPH). This policy is part of the *Enrolment and Attendance* of the School and is classified in Section B (JVSCPH-B). This policy is the *first* policy of that section and is numbered as policy number 01. (JVSCPH-B01).

2.5 Policy numbers are assigned to all pages and forms for both future reference and cross referencing.

3. Scope

The Handbook applies to all Parents, Directors, Teachers and Support Staff and where applicable, consultants and contractors.

The Handbook may form part of any person's contract of employment and may form part of any other workplace participant's contract for services.

4. Purpose

JVS recognises the importance of a work environment that actively promotes best practice. The purpose of this Handbook is to provide a structured environment using the application of internal controls and procedures. To assist those persons within the scope to define their responsibility and facilitate constructive contributions by all concerned to ensure the operations of the School function effectively as a whole.

JVS recognises this is a key document in the overall strategic management of the School therefore it does form part of the performance review process.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy list from time to time.



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Code of Conduct

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-A02

1. Code of conduct

The Code of Conduct ('Code') relates to The Joseph Varga School ('JVS') and, where relevant, operates in conjunction with other policies relating to minimum standards of behaviour and conduct, the Contract of Employment or Contract for Services.

2. Commencement of the code

This Code will commence from February 2023. It replaces all other Codes of Conduct of JVS, if any (whether written or not).

3. Scope

The Code applies to all parents, employees, agents and contractors (including temporary contractors) and 'workers' as otherwise defined under relevant WHS legislation, of JVS.

The Code does form part of a person's contract of employment and does form part of any other workplace participant's contract for services.

4. Purpose

JVS recognises the importance of a work environment which actively promotes best practice. The purpose of this Code is to describe the standards of behaviour and conduct expected from parents/workers in their dealings with members, suppliers, clients, co-workers, management and the general public.

5. The code requirements

5.1 All workers are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment or engagement with JVS. This Code provides an overview of JVS's fundamental service values. It is by no means exhaustive, but summarises some of the School's most important policies, which are based on standards that underlie business ethics and professional integrity, standards that apply to all workers.

5.2 As representatives of JVS, all workers are expected to conduct themselves in a professional and courteous manner and observe the following standards of behaviour both inside the workplace and outside the workplace where the workplace participant can be perceived as representing JVS:

- a) Comply with all laws, policies, procedures, rules, regulations and contracts.
- b) Comply with all lawful and reasonable directions from JVS.
- c) Be honest and fair in dealings with parents, students, suppliers, co-workers, management and the general public.
- d) Display the appropriate image of professionalism at the workplace. Wear the required uniform, safety equipment or work clothes, and if a workplace participant wears their own clothes, ensure their appearance is neat and tidy.

Treat parents, students, suppliers, co-workers, company management and the general public in a non-discriminatory manner with proper regard for their rights and dignity. In this regard, discrimination, victimisation or harassment based on a person's race, colour, religion, national origin, age, sex, sexual orientation, marital status, family responsibilities, pregnancy or potential pregnancy, union membership or non-membership, mental or physical disability, or any other classification protected by law will not be tolerated.

- e) Promptly report to the Principal any violations of law, ethical principles, policies and this



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Code.

- f) Maintain punctuality. If a workplace participant is late or cannot report for work, please telephone and let the supervisor know as soon as possible.
- g) Do not use work time for private gain. If a workplace participant is required to leave the work premises for personal reasons they should advise their Manager well in advance.
- h) JVS has a legitimate interest in the private activities of workers where such activities may bring disrepute upon JVS in its relationships with parents, students, suppliers, and the general public at large and may possibly call the workplace participant's fitness for continued employment or to provide services into question.
- i) Maintain and develop the knowledge and skills necessary to carry out duties and responsibilities.
- j) Observe health and safety policies and obligations, and co-operate with all procedures and initiatives taken by JVS in the interests of work health and safety.
- k) Be truthful in all dealings with persons encountered at the workplace. Workers must not make false or misleading declarations during the performance of their duties or when providing services on behalf of JVS. A declaration can be considered to be misleading if information is omitted or presented in a manner that enables a misleading view of the situation to be formed. This includes failure to comply with reporting requirements and falsifying records and other documents.
- l) Refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or biased performance.
- m) Not act for an improper or ulterior purpose to the detriment (whether perceived or actual) of JVS.
- n) Workers must not abuse the advantages of their position for private purposes, or solicit or accept any gift or benefit in connection with their employment or engagement which might compromise, or be seen to compromise their integrity or JVS reputation.
- o) Respect JVS ownership of all of its property including but not limited to funds, equipment, supplies, books, records and confidential information (however described).
- p) Maintain during employment with JVS and after the termination of employment, the confidentiality of any confidential information, records or other materials acquired during the employment with JVS.
- q) While employed at JVS, not accept any unauthorised employment with another organisation that is a supplier or competitor of JVS, or any other employment that is in conflict with your position at JVS.
- r) Not make any unauthorised statements to the media about JVS business (requests for media statements should be referred to the Principal).
- s) Do not fight in the workplace.
- t) Do not use inappropriate language in the workplace.
- u) Never report for work in circumstances where there is a risk that you could be affected by or 'under the influence' of illicit drugs or alcohol (e.g., if you have ingested or otherwise taken drugs or alcohol the night before or in the period leading up to your next work period). If a workplace participant is taking prescription medication, they must inform their manager at the commencement of their working day. Workers may be



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required to produce medical evidence to prove their medication does not affect their capacity to perform their duties in a safe manner without harm to themselves or others.

- v) Do not smoke during working hours unless it is during prescribed breaks and within designated areas at a minimum distance of 100 meters from the physical boundaries of the school, and directly out of view from students enrolled at the school.

6. Issues for managers and supervisors

6.1 Managers and supervisors should:

- a) Promote a team spirit.
- b) Maintain confidentiality so far as is reasonably practicable when conducting investigations into grievances and disputes.
- c) Avoid bias in decision making.
- d) Ensure compliance with Child Protection, Duty of Care, and pastoral counselling procedures when carrying out counselling and discipline.
- e) Exercise objectivity when administering rewards or discipline in relation the agreed Code of Conduct.
- f) Not condone, permit, or fail to report any breaches of the Code as outlined above by workers under their supervision.

7. Breaches of this code

- 7.1 A breach of this Code may lead to disciplinary action including, but not limited to, termination of employment or services.

JVS reserves the right to vary, replace or terminate this Code from time to time.



Policy Management

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-A03

1. Purpose

The development and management of policies is vital to the overall success of the Joseph Varga School ('JVS'). Policies are the collective 'living voice' of JVS and captures the direction JVS follows. All decisions made by JVS should be based on established policies in order to reduce the chance of inconsistent, unfair or erratic decision making, whilst complying with the Code of Conduct.

2. Commencement

This policy will commence from February 2023. It replaces all other policy management policies of JVS (whether written or not).

3. Application of the Policy

JVS policies apply to employees, parents, students, contractors (including temporary contractors) and 'workers' as otherwise defined under relevant WHS legislation of JVS.

4. Definitions

Policies are the big-picture guidelines that set out, in clear language, what an organisation wants to achieve (such as its long-term vision and goals) and the performance standards and outcomes expected.

They provide the overarching framework under which procedures are then designed to get those big-picture things done.

There are two broad types of policies: governance and operational

Governance policies are formulated and ratified by the JVS Board of Directors.

They cover the responsibilities, roles and behaviours of the Directors in terms of :

- Accountabilities,
- Attendance,
- Codes of conduct,
- Commitments,
- Conflict of interest,
- Decision-making,
- Governance values,
- Leadership,
- Roles and responsibilities.

They also include policies on the JVS's relationship with:

- The Principal,
- The Parents and Students,



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- The Staff, Consultants and Stakeholders.

Operational policies apply to the administration and daily management of the JVS. They include policies on complaint procedures, diversity and harassment, employment, HR and managing staff, as well as curriculum, behaviour management and teacher instruction etc.

Policies should be reviewed and managed regularly as they:

- Serve as a tool of operational management
- Act as frameworks for future direction and strategy implementation
- Set boundaries, constraints and limits on action
- Reward and sanction behaviour
- Indicate what staff can expect
- Reduce the chance of staff demonstrating actions that are not compatible with agreed policies
- Enable reliable delegation of powers to management and staff.

Policies need to be workable and fair, and easily understood.

5. Steps for developing effective school-based policies:

Understand the problem to be addressed (keep it simple)

Identify the overall policy objective

Collect information and consult widely

Identify the risks (e.g. unintended impacts on people; cultural, economic or political; resolve or increase tensions and conflicts; realistic)

Consider the internal and external environment, including JVS's vision statement, the community and government rules, consistent with Board policy statements and protocol

Work towards policies being living documents that are not just rubber-stamped policies at the management level.

Keep all staff involved in helping to develop appropriate policies, accepting ownership of the policies and taking responsibility for in servicing themselves about the policies.



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Set up systems to ensure the policy is applied and reviewed on an ongoing basis.

It is management's responsibility to make sure procedures are in place so that the policy is communicated, understood, and followed.

Have an up-to-date policies and procedures manual.

Include policies in induction training for new members of your governing body, management, and staff members.

Make sure the management agrees to provide updates about how the policy implementation and procedures are going.

Set a realistic timetable for reviewing the policy.

Some policies may need to be reviewed more often because of changes to their key role in the organisation's functions, as well as other changes.

JVS will maintain a maximum 3-year review cycle of all policies.

Joseph Varga School

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6. A Policy Template

This policy template sets out the governance policy guidelines and procedures that have been agreed on by the governing body of _____ [name of organisation].

The governing body of _____ [name of organisation] is progressively drafting these policies as part of our ongoing roles and responsibilities for the proper operation of our organisation, so that we can achieve the goals we have set for ourselves, our members and our community.

The policy below serves as a practical guide to our present operations and represents a good basis on which to build other policies in the future.

Amendments to the policy will be issued from time to time, as required, by _____ [name of organisation].

POLICY NAME:

Resolution no.:

Date of approval:

Date revised:

Policy no:

1. Policy statement

Indicate the specific guideline, regulation, requirement or modification to people's behaviour or the organisation's operations that the policy is trying to create.

2. Purpose statement

Indicate the motivating reasons and history that led to the creation of the policy and its desired effect.

3. The applicability and scope of the policy

Describe who the policy affects and which actions or things the policy will affect. The applicability and scope may expressly include or exclude certain people, organisations, behaviours or activities from the policy requirements.

4. Implementation roles and responsibilities

Indicate which people or sections of the organisation are responsible for carrying out particular work/roles to implement the policy.



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5. **A review and evaluation statement**

Set out when and how the policy is to be reviewed, monitored and evaluated.

6. **A complaints statement**

Explain what process will be followed to address complaints made about the content of the policy, its implementation or impact.

7. **A communication statement**

Explain how the policy will be communicated to staff members, the wider community and stakeholders.

8. **A professional development statement**

Detail the nature of the professional development that the Board members will require to confidently put the policies into practice and to explain the policy to members and stakeholders.

9. **Definitions**

Provide clear meanings for terms and concepts found in the policy document.

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Enrolment Process Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B01

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

2. Commencement

This Policy will commence from February 2023. It replaces all other Enrolment policies of JVS, which deals with student enrolments.

3. Application of the Policy

Documented evidence of a professionally diagnosed disability and/or evidence of a current diagnosis of an Autism Spectrum Disorder (ASD) is required. This evidence must include:

- (a) a current diagnosis from a specialist medical practitioner or registered clinical psychologist, which is not more than 12 months old; and
- (b) a current standardised cognitive or developmental assessment (e.g. Griffiths, WISC-V, WPPSI-III, Stanford Binet V), which is not more than two years old.

Please note an additional comorbid diagnosis may exist.

4. Scope

This document contains a list of the key elements and procedures in JVS's enrolment process. Contents include the interview process, documentation required of parents, the offer of placement, and the enrolment contract. In this policy where the word 'parents' is used it shall include parent/s, carer/s, and guardian/s, as appropriate.

The document is intended for the Principal who is primarily responsible for the enrolment determination process for the school and those staff that have responsibilities tied to the interview, supervision and enrolment of prospective/new students.

The enrolment process is conducted to comply with the *Disability Discrimination Act 1992* and the standards.

5. Enrolment Process

It is important that parents wishing to enrol their child at JVS are aware of the culture of the school, its education offerings, the terms on which their child is enrolled as a student, and the responsibilities of parents of children enrolled, before making a commitment.

This should help avoid subsequent disputes and help in eliciting from the parents queries and concerns which may be relevant to the child's future schooling.

The procedures for enrolment include the following elements:

- a. An initial phone interview (vetting).
- b. The Principal predominantly takes phone and email communication from interested parents and confirms a relevant diagnosis.



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- c. The Principal contacts parents and determines the needs of the child and whether the school's programs and ethos can meet these needs, or whether there is a 'match' between 'what the child needs' and 'what the school can offer'.
- d. The Principal encourages families to come and visit the school to learn of our facilities.
- e. The Principal ascertains the commitment of the parents to work with the school to meet the student's needs.
- f. An initial request from JVS for documentation from parents/carers in preparation for the initial school interview.
- g. Past psychometric assessments conducted e.g., by a specialist medical practitioner or registered clinical psychologist who provide evidence of a relevant diagnosis.
- h. Past risk plans and assessment from previous schools.
- i. Any additional diagnoses determined by a relevant agency including a school, Government Department, specialist therapist, medical practitioner (who may prescribe medication/s) etc.
- j. Reports from therapists (such as psychologist, speech pathologist, occupational health, physiotherapist).
- k. Past school reports or other relevant documentation from specialists.
- l. The Principal makes a determination to invite the parents for a second visit with the student to the school for a face-to-face interview (and if considered appropriate, an induction).
- m. Student and family are shown around the school.
- n. Child is asked to complete a few basic assessments in literacy / numeracy and behavioural observations are made.
- o. The Principal and/or delegated staff complete an initial risk assessment of the student as part of the interview process.
- p. Parents are interviewed separate from student about the family unit, their child's development, strengths, needs, interests, experiences at other schools, interventions etc.
- q. The Principal and/or delegated staff begin to complete an interim Individual Education Plan (IEP) for the child, noting on an individualised basis, the 'Adjustments' that may be required, in the event the parent/s are offered, and accept a placement for the child at the school. These '**Adjustments**' may occur in terms of the Academic, Emotional, Behavioural nature of the school's program, as well as its functional life and transition to mainstream skills, risk management, classroom organization, in terms of the staff and the resources required.
- r. If required, the Principal will consult with a Consultant Psychologist to offer further feedback and determine the extent of the adjustments required to support enrolment.
- s. The Principal is aware that such 'Adjustments' must be seriously considered along with organising provisions for them, before a placement is offered to the family.



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t. If during the enrolment interview, the Principal considers it more appropriate for the parent/s or carer/s to enrol their child at another school, the Principal will advise the family of other special schools or educational settings that may be better equipped to cater for the particular student's needs.

u. The School Fee policy is then presented to parents.

The Core Policy Handbook is provided to the parents of a prospective student, considered appropriate by the Principal, in terms of a placement for their child at the school.

6. Application Process

'The Enrolment Information Form' requests:

- a) Personal information about both parents and the student as required by the Act;
- b) Details of special circumstances of the student that may need to be taken into account by the school (such as medical conditions, additional special needs, special gifts or talents, psychological test results, that may impact on the students education);
- c) The completion of Behavioural Checklists by parent/s;
- d) Declarations (e.g. confidentiality, overseas student),
- e) The Attachments of Certain Documents (e.g. evidence of birth, citizenship, custodial agreements), and
- f) The Completion of Certain Consent Forms (e.g. medication, local excursions, visiting local shops during school time).

7. Enrolment Contract

'The Enrolment Contract is legally deemed to be 'fair'.

Its distinctive features include:

- Rules & Regulations
- School Fees
- Cancelling Enrolment
- Discipline
- Emergencies
- Authority To Contact Professionals and/or Release Professional Information
- Legal Advice

Other Relevant Conditions of Entry (conveyed verbally, but not necessarily fully included in The Enrolment Contract):

- a) A place for enrolment cannot be confirmed, until the school systematically completes its enrolment process, which includes parents signing the enrolment contract.
- b) The Joseph Varga School reserves the right to impose a condition on a new student's enrolment at the school that requires the family to agree to and 'sign off' on an Individualised Behaviour Contract for the new student.
- c) The Principal, in specific cases where the student's behaviour is deemed a High Risk to self or others at the school, may employ a Behaviour Contract, as a Condition of Enrolment that may also include parent/s doing certain things in the home environment.



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- d) Such a decision is taken after a student's supporting documentation has been reviewed, and an initial risk assessment of the student has been completed.
- e) Such a 'behaviour contract' (which can be for a designated period of time) also becomes part of The Enrolment Contract with the school, in order for the student to attend JVS.
- f) If a newly enrolled student seriously breaches the Behaviour Contract in his/her First Term at the school, on more than Two Occasions, the school is unable to continue the enrolment on the grounds that the evidence demonstrates that the child's behaviour imposes significant risk for the whole school environment.
- g) In this case, if parents or the student refuses to sign this and/or any new Behaviour Contract, then the placement will be withdrawn at the school, with immediate effect due to the risk involved.
- h) For all students, it is similarly a condition of enrolment that at any time, whilst the child is enrolled at the school, the school may request (without notice), given the risk to the child and to others, a Current and Intensive Psychological or Psychiatric Assessment, as a condition of the student's continuing enrolment.
- i) In the event that the parents cannot organise such an assessment quickly, the school reserves the right to temporarily 'Suspend' the student from attending the school, until such time as the assessment is completed, on the grounds of its Risk Management Policy.
- j) If the school decides to take this course of action, the school will supply work packages for use at home or elsewhere until the matter is resolved.
- k) Once the psychological/psychiatric assessment is conducted, and the report is submitted to the Principal, a further condition may be imposed on the child being able to re-attend the school. This requires the formulation and implementation of a suitable new risk management plan, with parents and interested stakeholders. The plan also involves monitoring and review, on an ongoing basis.
- l) Along these lines, the school can impose other conditions on the parents too. For instance, this may require that the child undergoes ongoing psychiatric intervention, in order to stabilise the child's condition, regardless of whether new medication has, or has not, been introduced.
- m) If the Board of Directors of The Joseph Varga School, and/or The Principal believes that a mutually beneficial relationship of trust and cooperation between parents and the school has broken down to the extent that it adversely impacts on that relationship, then the Principal in consultation with the Chair of the Board of Directors, may require the parent to remove the child from the school.
- n) The Joseph Varga School will only exercise its powers under this clause to 'Expel' a pupil permanently, if it has provided the pupil and the parents of the pupil with details of the conduct, and the opportunity to respond according to the tenets and procedures of Procedural Fairness.



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8. Maintaining Enrolment

To maintain enrolment and to assist with our understanding of each child's changing specific needs, parents are required to provide the school with a cognitive and developmental assessment by a suitable qualified specialist every 2 years.

It is the responsibility of the parents to arrange such assessment as required by the school.

Joseph Varga School

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Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

Once a successful enrolment is completed, an Enrolment Contract is required to be completed by the parents / guardian.

2. Commencement

This Policy will commence from February 2023. It replaces all other Enrolment Contract policies of JVS which deals with student enrolments.

3. Application of the Policy

Documented evidence of a professionally diagnosed disability and/or evidence of a current diagnosis of an Autism Spectrum Disorder (ASD) is required. This evidence must include:

- (a) a current diagnosis from a specialist medical practitioner or registered clinical psychologist, which is not more than 12 months old; and
- (b) a current standardised cognitive or developmental assessment (e.g. Griffiths, WISC-V, WPPSI-III, Stanford Binet V), which is not more than two years old.

Please note an additional comorbid diagnosis may exist.

4. Scope

To reiterate, it is important that parents wishing to enrol their child at JVS are aware of the legal requirements involved in entering a contract with the school.

Therefore, the content of the contract is comprehensive, as is the enrolment contract process.

5. Enrolment Contract Process

The procedures for completing the enrolment contract include the following elements:

- a. The principal will provide the prospective family with an enrolment contract.
- b. Parents are required to read and understand all elements of the contract and the Core Policy Handbook available on the school's website.
- c. Parents are required to complete the student enrolment information form and demonstrate their understanding and commitment by signing the enrolment contract.



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

6. Enrolment Contract

The Enrolment Contract is included below:



ENROLMENT CONTRACT

Dear Parents/Carers/Guardians,

As part of the enrolment process, on being offered a placement for your child at The Joseph Varga School (JVS), acceptance of the offer involves signing the attached Agreement or The Enrolment Contract with the school.

This contract must be read, understood, completed, and signed by the parent(s)/carer(s)/guardian(s) of the child being enrolled.

It is important that you understand all of the Terms and Conditions of The Enrolment Contract, and are aware of the school's expectations, so if you consider it necessary, feel free to ask the undersigned further questions, and/or seek advice from a legal professional.

Please return the signed Enrolment Contract, if you have not already done so, as soon as possible.

Thank you for your cooperation.

The school looks forward to your acceptance of this offer and agreement as being the start of a long and rewarding relationship with The Joseph Varga School, during which your child will learn about The Joy of Discovery and how to fulfil his/her potential as a happy, whole, productive person.

Yours sincerely

Daniel Lynch
Principal
The Joseph Varga School



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

1.0 AGREEMENT WITH THE JOSEPH VARGA SCHOOL

This is an agreement between The Joseph Varga School and
_____ for the enrolment of the student
_____.

1.1 Rules and Regulations

In consideration of the school agreeing to accept enrolment of the student, the parent(s)/carer(s)/guardian(s) agree to comply with the rules and regulations formulated by the school, including those relating to the attendance of, discipline of, and behaviour of their child.

The parent(s)/carer(s)/guardian(s) of the child undertake to read and become familiar with the Handbook of School Policies and Procedures, especially those relevant to the Terms and Conditions of this Contract, either as a hard or electronic copy (on the school's website).

The parent(s)/carer(s)/guardian(s) will, as a consequence, keep the school indemnified against claims for loss or damages (including any loss that may be incurred as a result of a student losing his/her own personal belongings [for which he/she is responsible]), notwithstanding those loss or damages the school may claim, when caused by failure of the student to observe the rules and regulations.

The parent(s)/carer(s)/guardian(s) understand that such rules and regulations may be altered or added to at any time by the school, on giving One Term's Written Notice.

The parent(s)/carer(s)/guardian(s) understand that the students enrolled at The Joseph Varga School satisfy a diagnosis of a disability relevant to The Joseph Varga School's Enrolment.

As such, the family understands that to satisfy the criteria required to be enrolled at JVS they must present evidence of a current diagnosis of disability and/or an Autism Spectrum Disorder (ASD). This evidence must include:

Documented evidence of a professionally diagnosed disability and/or evidence of a current diagnosis of an Autism Spectrum Disorder (ASD) is required. This evidence must include:

- (a) a current diagnosis from a specialist medical practitioner or registered clinical psychologist, which is not more than 12 months old; and
- (b) a current standardised cognitive or developmental assessment (e.g. Griffiths, WISC-V, WPPSI-III, Stanford Binet V), which is not more than two years old.

Please note an additional comorbid diagnosis may exist.

1.2 School Fees

The parent(s)/guardian(s) accept full responsibility in relation to payment of fees.

These fees include: Application or Enrolment Fee, as well as School Fees.

The term 'School Fees' comprise: Tuition, Books, Stationery, Sport, Camp, Uniform, Excursions and Onsite Celebrations as well as any other charge levied, for example, incidentals such as mufti days and food where appropriate, by the school from time to time.



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

Fees can be modified by the school, at the request of the Board of Directors of The Joseph Varga School, at the end of a term, in which case the school will give at least One Term's Advance Notice, in writing, of a change in the Application and School fees.

The parent(s)/carer(s)/guardian(s) agree to pay the fees as stated in the Letter of Offer from The Joseph Varga School, and unconditionally accept liability in relation to payment of such agreed fees, which must be paid by the end of the first week of each term, unless special arrangements are included in this letter, or are agreed to in writing elsewhere.

In the event that fees are not paid by the end of the second week of the term, parent(s)/carer(s)/guardian(s) understand that their child's enrolment at The Joseph Varga School can be cancelled, on Two Week's Notice, and/or legal action can be initiated by the School to recover the fees owed.

1.3 Cancelling Enrolment

1.3.1 If the parent(s)/carer(s)/guardian(s) decide to terminate the enrolment of the student at the school, the parties responsible agree to give at least One Term's Written Notice to the school, being no later than the first day of the term at the end of which it is intended that the student leaves.

1.3.2 If the student's enrolment is cancelled or postponed during the term, without one term's notice, the parent(s)/carer(s)/guardian(s) are still liable for the unpaid fees for The Rest of The Cancelled Term in addition to One Further Term's Fees in lieu of notice.

1.3.3 The payment of such cancellation fees can be discretionary, on the Board of The Joseph Varga School receiving and approving an application, supported by the appropriate documentation, from the responsible parties.

1.4 Risk Management

The parent(s)/carer(s)/guardian(s) fully understand that The Principal and/or an authorised person has the authority to apply whatever measures are required to ensure the safety of the school environment by eliminating or minimising risks for students, staff, and property.

Such decisions, in accordance with the school's relevant policies and procedures, are deemed necessary in relation to the conduct, or behaviour and language, of their child.

Such authority applies both inside and outside the school precinct during school hours (including time spent travelling to and from school, and whilst on for e.g. camps, sport and excursions), as long as the student remains enrolled at The Joseph Varga School.

The parent(s)/carer(s)/guardian(s) also understand that if their child demonstrates high risk and high safety concern behaviours, regardless of disability, then the school's Duty Of Care response, including intervention and behaviour management will escalate, in accordance with the school's relevant policies and procedures.

This standard process, may begin with a Behaviour Contract, being incorporated into the Individual Education Program (IEP) moving through to various types of support and protective measures and the school setting its limits.

The parent(s)/carer(s)/guardian(s) understand too that The Principal can, at any time during this process, impose specific conditions (e.g. the signing of a Behaviour Contract, a medication review, immediate referral to hospital emergency services, a temporary home program) on the child's continuing enrolment at the school.



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

The parent(s)/carer(s)/guardian(s) understand that unless these conditions are entirely fulfilled by them, as the persons responsible for the child, then the child's enrolment at the school can be terminated, on giving at least 14 days notice.

These conditions are applied primarily because of the risk that the child may be to him/herself, other students and staff, and school property.

In addition, the parent(s)/carer(s)/guardian(s) fully understand that:

- (i) the school, and all teachers employed by it, will exercise the utmost reasonable care in their response to inappropriate behaviour by the child to him/herself, to other children, to teachers, to visitors to the school, or to the physical property at the school;
- (ii) the Principal, or authorized persons, have the authority to use Restraint Methods, as outlined in the school's relevant policy and procedures, only as a last resort, if or when the situation warrants it;
- (iii) the Principal, or an authorised person, has the authority to require the removal of the student from the premises of the school, for any cause judged to be sufficient, for an indeterminate period of time, so that appropriate measures can be put in place to support the student's reintegration into JVS through more appropriate conduct.
- (iv) the Principal, or an authorised person, has the authority to require the removal of the student from the premises of the school, for any cause judged to be sufficient, for an indeterminate period of time, so that appropriate measures can be put in place to support the student's transition into another more appropriate school environment, on the grounds of Risk Management.

The parent(s)/carer(s)/guardian(s) agree to unconditionally indemnify the school against any responsibility or liability, in the event that the child is accidentally hurt or injured in the process of being restrained by the school, or its employees.

1.5 Emergencies

The parent(s)/carer(s)/guardian(s) understand that in the event of any medical or other emergency arising in which the Principal, or a delegated authority, considers it impossible or impracticable to communicate with those persons responsible for the student, or any other nominated emergency contact, the parent(s)/carer(s)/ guardian(s) authorise the Principal, or the delegated authority, to act as he/she may think best, necessary or expedient.

Likewise, in the event of an Emergency, parent(s)/carer(s)/guardian(s) are informed of, they also have a responsibility to act quickly and decisively on behalf of their child.

This is especially the case when the child's medical state or behaviour may be such, that the school and its staff, can no longer accept responsibility for the child, no matter where the child is located. (Such a situation could arise for e.g. at the school, on camp, on an excursion, or whilst the child is in hospital.)

When this set of circumstances occurs, or in any situation the school deems it has, then the parent(s)/carer(s)/guardian(s), or a representative, must **immediately** undertake to pick the child up, as soon as possible, no matter where, and again accept full responsibility for the child.

The parent(s)/carer(s)/guardian(s) of the child fully understand that in a situation where a parent or representative is unwilling or unable to attend, then assistance will be sought from hospital, medical, emergency staff, and/or, if necessary, Family and Community Services (FACS) and the police.

The parent(s)/carer(s)/guardian(s) of the child further understand that once they have been informed by the school of the emergency situation, then they must also agree to unconditionally accept responsibility for the child.



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

This responsibility entails all that is required to be there in person, as quickly as possible, to support the child by picking the child up, so that appropriate action can be taken by the parent/s, carer/s and guardian/s to rectify the problem or situation.

Until the parent/s, carer/s or guardian/s arrive, the school, or its delegated authority or representative, is empowered to act in the best interests of the child, the staff, and other children, enrolled at the school.

1.6 Authority to Contact Professionals and/or Release Professional Information

The parent(s)/carer(s)/guardian(s) hereby give written permission for the Principal, or a delegated authority, to contact professionals who have conferred with or consult their child to clarify information about the child's profile, diagnosis, progress.

The School reserves the right to contact all or any of the following professionals, if considered necessary: paediatrician, psychologist, psychiatrist, neurologist, speech pathologist, occupational therapist, physiotherapist, social worker, FACS case manager, Youth Liaison Officer, Home School Liaison Officer, Principals or Teachers at previous schools.

The School reserves the right to seek any relevant professional reports, information or feedback about the child in writing.

The parent(s)/carer(s)/guardian(s) hereby also give permission for one of the above nominated professionals associated with the child, to release photocopies of relevant confidential reports or information about the child to the School.

A photocopy of this written permission, which can also be sent to the professional, is in fact regarded by the parent(s)/carer(s)/guardian(s) as an acceptable means of giving the professional the authority to release the relevant information or reports.

The parent(s)/carer(s)/guardian(s) understand that all such information will be treated by the School in the strictest confidence.

In summary, the parent(s)/carer(s)/guardian(s) hereby give unconditional permission for a professional associated with the child to disclose information about the child to the School, either verbally or in writing.

1.7 Legal Advice

Before signing this legal document, if parent(s)/carer(s)/guardian(s) are unclear about any Term and Condition in this Enrolment Contract, the school advises the responsible persons to seek independent legal advice.

Dated this _____ day of _____ 20__

Signed:

Parent(s)/Carer(s)/Guardian(s)

Principal (or Delegated Authority)

Signature of witness

Name and address of witness



Enrolment Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B02

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Fee Structure Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B03

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

2. Commencement

This Policy will commence from February 2023. It replaces all other fee schedule policies of JVS which deals with student fees.

3. Application of the Policy

This policy is for parents to understand terms and conditions for the student fee structure.

4. Scope

The parent(s)/guardian(s) accept full responsibility in relation to payment of fees.

These fees include: Application or Enrolment Fee, as well as School Fees.

The term 'School Fees' comprise: *Tuition, Books, Stationery, Sport, Excursions, Uniform and Onsite Celebrations*. Additionally, any other charge levied (e.g. *Fees, property damage*), may be passed onto the parent where appropriate, by the school from time to time.

Fees can be modified by the school, at the request of the Board of Directors of The Joseph Varga School, at the end of a term, in which case the school will give at least One Term's Advance Notice, in writing, of a change in the Application and School fees.

The parent(s)/carer(s)/guardian(s) agree to pay the fees as stated in the Letter of Offer from The Joseph Varga School, and unconditionally accept liability in relation to payment of such agreed fees, which must be paid by the end of the first week of each term, unless special arrangements are included in this letter, or are agreed to in writing elsewhere.

In the event that fees are not paid by the end of the second week of the term, the parent(s)/carer(s)/guardian(s) understand that their child's enrolment at The Joseph Varga School can be cancelled, on Two Week's Notice, and/or legal action can be initiated by the School to recover the fees owed.

5. Standard Fee

The standard fee charge as per Item 4 above is set at a base rate of \$18,000 per annum.

Fees are due and payable at the commencement of each term - \$4,500 per term.

Payment plans can be negotiated with the Principal for families facing financial difficulties.

The principal reserves the right to negotiate any variation to this policy.

6. Fee Increases

Subject to any further determination by the Board of Directors, from Term 1 2023 a standard annual increment fee to cover CPI and increasing costs will be set at approx. 4% (i.e. \$500 per annum or \$125 per term).

Joseph Varga School



Fee Structure Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B03

Reserves the right to vary, replace or terminate this policy from time to time.



Scholarships Application Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B04

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

2. Commencement

This Policy will commence from February 2023. It replaces all other Scholarship policies of JVS which deals with student charges.

3. Application of the Policy

All Parents/Carers who are eligible to have student/s enrolled at JVS can apply for a scholarship and are only considered during the enrolment process at the discretion of the Principal.

4. Scope

You will have to demonstrate statistically that your family is genuinely in need and is deserving of a scholarship.

For each supporting parent, carer, guardian, and their spouse or partner (where applicable), please attach at least three of the following (where applicable) to your application form.

- Last Two Pay Slips
- Letter of Income from Employer
- Latest Taxable Income Statement supplied by the Australian Taxation Office as an Assessment Notice
- Letter from Accountant stating Gross and Net Salary for the last financial year

On providing Total Gross Family Income and Total Net Income, please include all income from government departments such as Centrelink, be it a Pension, a Carer's Pension, Family Allowances and so on, as well as payments for children in foster care.

Also, please ensure that the full value of cash and non-cash benefits, comprising among other things, fringe benefits and non-taxable worker's packages, from employment or self-employment are included.

Self-employed parents, carers or guardians can base their claim on the previous year's income, if necessary.

5. Application Process

Parents can contact the Principal for the application procedures during the enrolment process. Successful applications are restricted to a specific number per year at the discretion of the Principal.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Student Attendance Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B05

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This policy defines the attendance requirements for students enrolled at the school.

2. Commencement

This Policy will commence from February 2023. It replaces all other Attendance policies of JVS which deals with the legal requirements regarding student attendance.

3. Application of the Policy

Parents/carers who are eligible to have student/s enrolled at JVS are required under the *NSW Education Act 1990*, to ensure that individual students meet certain attendance standards, including mandatory attendance for students under 17 years of age, unless exemptions are applicable.

The Principal of JVS maintains a Register, in a form approved by the Minister, of the enrolments and daily attendances of all children at the school, which includes information for each student as required by Section 3.8 of the NSW Education Standards Authority (NESA) Registered and Accredited Individual Non-Government Schools (NSW) Manual.

4. Scope

Under the NSW Education Act, schools are required to ensure that individual students meet certain attendance standards, including mandatory attendance for students under 17 years of age, unless exemptions are applicable.

Teachers should be conversant with the school's attendance policy and the school's policy for marking the school roll, or the Register of Daily Attendances.

In view of the above, the roll should be maintained accurately and neatly.

The school is required to regularly submit attendance figures for a specified period to government authorities.

All recording of attendance on the roll will be by the 'Exception Method' (i.e. marking Absences Only), in accordance with NSW Attendance Register Codes and Roll Marking Procedures.

JVS utilises an electronic Student Management System (Academy Education Solutions) to collect, store and report attendance information. This management system constitutes an electronic Roll System and can also function as an Attendance Register.

All 'Unexplained Absences' may be followed up by requests to clarify and substantiate the absence by the telephone and through email.

All 'Explained Absences' are required to be supported by a note, an email, a phone call, or medical documentation, especially, where appropriate, in the case of a student's absence that is for more than one day.

If the student continues to be 'Absent', or a pattern of absenteeism has developed in relation to the student not attending school, then a more serious letter will be sent to the parent demanding immediate clarification and action.



Student Attendance Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B05

Attendance figures are collated at mid-year and end of year to be recorded and rated on school reports, and on the school server under each student's attendance record i.e. as part of each student's Individual Student Profiles.

5. Parent / Carer Responsibilities:

Parents are required to contact the school before 9am if their child is not attending indicating the reason for 'Non-Attendance' (e.g. sick, specialist appointment).

Parents are required to provide a medical certificate if a child is away for more than two days.

Parents are expected to contact the school to ensure the school has their most up to date contact and emergency contact information.

6. Daily Routine for Absences

Taxi Coordinators must record all students who arrive at the back gate by taxi and inform a child's teacher or the Principal if a child did not come in the taxi.

The taxi checklist is presented to the school Principal (or delegated person).

Classroom teachers check at 9:15am who is present and inform the Principal in writing of any students in their class who are not present.

The Principal (or delegated person if absent) contacts the parents by phone if the student is not at school.

The Principal will provide the classroom teacher with an explanation for the 'Absence'.

The Principal records absenteeism, according to the NSW Attendance Register Codes and Procedure.

Recording of the type of absence is as per the register codes in 3.6.

A back-up electronic copy of the Attendance Register is maintained on and off the school property for a minimum of 7 years.

7. Leaving School During the School Day

If students (with parent and school permission) are to leave the school grounds, they must only do so if accompanied by a staff member, parent/carer.

8. Exemption Policy

In introducing the attendance codes, the NSW Minister for Education delegated the power to grant or cancel Exemption Certificates to non-government school principals within strict guidelines. This delegated authority ensures that The Joseph Varga School Principal can now provide an Exemption Certificate for students to be exempt from attending school for periods totalling up to 100 days in a 12 month period for the one student, or an exemption to leave school following the completion of Year 10 to undertake an apprenticeship or traineeship.

The Principal needs to strictly adhere to the processes and conditions outlined in the Exemption Guidelines and Applications and Certificates (see related documents attached in the Appendices) in order to legally apply the exemption.

The process for considering an 'Application for Exemption' is:

- Parent/s completes and submits an application to exempt his/her child from attending school (see attached), with supporting information, including a certified medical certificate, to the Principal, if appropriate.
- Principal reviews the parent's application against the criteria in the guidelines.



Student Attendance Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B05

- If the application is for over 100 days in a year, the application is sent to the appropriate officer at the AIS, and then to the Minister's Delegate, Manager, Student Behaviour & Attendance, at the Student Welfare Directorate, NSW Department of Education and Communities.
- If the application is under 100 days and is supported, the principal completes the original 'Certificate of Exemption' and issues it to the parent.
- If relevant, during the exemption period of up to 100 days, parent/s are free to seek to enrol their child in another school, if they so desire to do so on medical or other grounds. After the first 7 days of absence of this period, the school can offer to supply packages of work that the child may complete at home and return to school for marking, until such time as the matter of the child's attendance, or exemption from attendance, or enrolment, is satisfactorily resolved.
- The school keeps a copy of the application, certificate and Minister's delegation on the student's file.
- Where the application is not supported, the Principal will notify the parents in writing of the unsuccessful outcome using the format from the guidelines.
- Copies of the application and exemption certificate or notification are kept on the student's file.
- Copies of the exemption certificate should also be filed in the school's attendance records.

9. Resolving Poor Student Performance

If parent/s supply no medical certificate in support of a student not attending school, or when applying for an exemption, and the student still does not attend school, and has been away for a period greater than 14 days, then the Principal has the power to inform the parent in writing that the child is in breach of legal requirements that the child should be attending school.

If the parent refuses after a further request to supply a medical certificate, then the Principal can encourage the parents to enroll their child at another school.

If there is still no action by the parent in relation to the child returning to school, or in terms of pursuing the enrollment of their child at another school, the Principal can terminate the enrolment in writing by informing the parent/s that the child is no longer enrolled at the school, and must seek to enroll the student elsewhere.

At this point, the school will inform the local Home School Liaison Office and/or FACS Office (through a formal notification), that the child is not attending school and/or may be 'at risk' in the community.

In some circumstances, the Home School Liaison Office and The Joseph Varga School will work together to identify another school or setting (e.g. TAFE) which the target child will be able to attend.

All during these attempts to resolve poor student attendance, the school will seek advice from, and involve, doctors, experts, parents, and interested stakeholders in the consultative process.

This can involve recourse to legal action by obtaining 'Compulsory Schooling Orders' through either the Local Court or the Children's Court.

In determining a course of action under this legislation, the principal will also refer to and keep in mind the requirements under the 'Keep Them Safe' legislation.



Student Attendance Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-B05

10. Other Strategies for Increasing Attendance:

When a pattern of irregular attendance, school phobic response, or truancy has been established, whereby attendance falls below 90%, parents/carers are invited to the school for a formal meeting. While parents are reminded about the legislative requirements for students to attend school, the focus is on generating positive strategies and methods of making learning a more enjoyable and rewarding experience for the student.

The classroom teacher is involved in this discussion with parents and/or the principal to talk about the classroom environment and determine whether classroom routines or program modifications are required to support increased engagement and the desire to attend school.

Individual students are included in discussions to ascertain any difficulties the student is facing engaging in the school and classroom program.

The school will also determine the relevance and possibility of the family utilizing the Government Taxi Scheme if geographical distance and the student's needs etc, are contributing factors to the student's non-attendance.

Individual students are encouraged for e.g. to attend lunchtime sport excursions, among different school based initiatives.

11. Associated Attachments:

- a) NSW Attendance Register Codes and Roll Marking Procedure
- b) Compulsory School Attendance for Principals
- c) Compulsory School Attendance for Parents
- d) Exemption from School – Procedures – DEC Guidelines
- e) Guidelines for Exemptions from Schools (FAQ)
- f) Parental Application for Exemption from Attendance at School
- g) Parental Application for Exemption from Enrolment (Apprenticeship)
- h) Certificate for Exemption from Attendance at School
- i) Certificate for Exemption from Enrolment at School (Apprenticeship)

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Working with Children Checks Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C01

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This policy is for prospective workers and volunteers at The Joseph Varga School, if their role involves face-to-face contact with children in a child related role.

2. Commencement

This Policy will commence from February 2023. It replaces all other WWCC policies of JVS which deal with the legal requirements regarding national police check and a review of findings of misconduct involving children.

3. Application of the Policy

This policy is applicable to all persons whom commence work with the Joseph Varga School and will include but not be limited to: employees, contractors, volunteers.

4. Scope

The Principal of The Joseph Varga School must:

- Not accept letters of clearance from workers or the worker's notification letter as proof of his/her clearance because these documents may be falsified or the worker may have become barred since receiving their initial clearance.
- Register online by going to Office of the Children's Guardian <https://ocg.nsw.gov.au>
- Accurately verify every relevant new paid employee working in the school, online, before hiring him or her by logging into the school's employer account at <https://wwccemployer.ocg.nsw.gov.au/Login>
- By choosing the **Verify** Working With Children status tab, Entering the required details, and Clicking Verify, the Results appear immediately on screen.
- Results will convey one of the following Status reports:

Application In Progress – the applicant may work with children

Cleared – valid clearance until listed expiry date; can work with children

Barred – it is offence to engage this person for child-related work

Interim barred – barred from working during the course of a risk assessment; making it an offence to engage this person for child-related work

Not found – database cannot find a match due to errors with data entered, person's application has been withdrawn or terminated without an outcome; making it an offence to engage this person for child-related work.

- Ensure its own Working With Children Check is verified online by an appropriate person in the organization (employees cannot self-verify).
- Remove any barred or unauthorized person from child-related work.

The Principal of The Joseph Varga School must ensure that only checks are performed for child-related workers, where 'child-related work' is defined as 'face-to-face contact with children in a child-related sector (such as Education) or work in a child-related role' (such as an approved provider or manager of an education and care service; an assessment officer; school psychologist).



Working with Children Checks Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C01

The Principal of The Joseph Varga School may also apply to the Office of the Children's Guardian to have a special role designated as child-related if it involves access to confidential records regarding children.

There are specified Exemptions from the Working With Children Check, under Part 4, Clause 20 of the Child Protection (Working With Children) Regulation 2013, so people covered by these exemptions are not required to have a WWCC.

These exemptions cover:

- 'Administrative, clerical or maintenance work, or other ancillary work, that does not ordinarily involve contact with children for extended periods
- Work for a period of no more than five days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present
- Work with close relatives of the worker
- Volunteering by a parent or close relative of a child in activities for the child's school; except where the work is part of a formal mentoring program or involves intimate personal care of children with a disability
- Volunteering by a parent or close relative with a team, program or other activity in which the child usually participates or is a team member; except where the work is part of a formal mentoring program or involves personal care of children with a disability
- A visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out in the presence of one or more other adults
- A health practitioner in private practice, if the practice does not ordinarily involve treatment of children without one or more other adults present
- A co-worker or work supervisor where a child works
- Work by an interstate visitor in a one-off event (such as sporting event), if the event is the only child-related work carried out by the worker in NSW in that calendar year and the period of work does not exceed 30 days
- Work by an interstate visitor who holds an interstate working with children check, or is exempt from the requirement to have such a check in his or her home jurisdiction, whose child-related work in NSW is for no more than 30 days in any calendar year
- NSW Police or Australian Federal Police officers in their capacity as police officers
- People under the age of 18'.

Under Part 2 of the Child Protection (Working With Children) Regulation 2013, some work is not considered to be child-related, which means it will not require a WWCC.

This work includes:

- 'Work as a student in the course of a student clinical placement in a hospital or other health service (Clause 6[4])
- Work as a referee or likewise as a sporting official or a groundsperson, if the work does not ordinarily involve contact with children for extended periods without other adults being present (Clause 7[3])



Working with Children Checks Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C01

- Work in providing respite care or other support services for children with a disability if the work does not ordinarily involve contact with children for extended periods without other adults being present (Clause 8[2])
- Work that involves providing food, equipment or a venue at or for a sporting, cultural or other entertainment'.

5. Employee responsibilities

A child-related worker is responsible for applying for his or her own Working With Children Check.

Paid child-related workers starting a new job must apply for a check before they begin their new role (and must be verified by their employer before they start).

This policy stresses that this school, as an employer, cannot apply on behalf of a worker.

Application is a simple two-step process, with the first step requiring:

- Filling in an online form at <https://ocg.nsw.gov.au/working-children-check/applicant> (supported by an Online Tutorial and Fact Sheets) and the receipt of an application number,

while the second involves:

- The applicants, in person, taking their application number, proof of their identity and a non-refundable \$80 fee (for a 5 year period) to Service NSW Centre. (The Working With Children Check remains free for Volunteers.)

If a worker receives a clearance, he or she will be issued with a WWCC number, which is provided to their employer, along with their surname and date of birth for online verification.

Cleared applicants are still subject to ongoing monitoring.

For the record, a WWCC includes a national police check and reviews of findings of misconduct involving children.

6. Risk Assessment

Risk assessments of new prospective and currently employed workers are triggered by:

- 'An offence listed in Schedule 1 (see Fact Sheet: Assessment requirement triggers) of the Child Protection (Working With Children) Act 2012 (or equivalent records in other states and territories)'
- 'a pattern of behaviour or offences involving violence (e.g. any serious physical assault of a child) or sexual misconduct (being with or in the presence of a child, including grooming a child) that represents a potential risk to children (even if the 'records are not individually listed on Schedule 1 or 2)'
- 'findings of misconduct reported by a reporting body (as listed in Section 35 of the Child Protection (Working With Children) Act 2012 and in Clause 25 of the Child Protection (Working With Children) Regulation 2013'
- 'notifications by the Ombudsman'.

The Office of the Children's Guardian must take into consideration factors relating to: the conduct (e.g. seriousness, length of time since it occurred, age & vulnerability of the victims), the applicant (e.g. conduct since offence, age now & at time) and recurrence (e.g. likelihood of offences being repeated).



Working with Children Checks Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C01

'Applicants will be kept informed by the Office during the risk assessment process, so that if, for instance, a bar is being considered, the applicant will be invited to submit information which may affect the outcome of the final decision.'

'If the final outcome is a bar, notification will be issued by post, with barred workers free to apply for a review of the decision.'

7. Record Keeping, Notifications & Confidentiality

'Workers will be reminded to renew their Check three months before it expires but no notification will be sent to employers, since it is the responsibility of workers to apply for and renew their own WWCC'

The school, as the employer, only has the responsibility of verifying the status of Working With Children Checks.'

The school is also required to keep records (electronic or in hard copy format) of child-related workers including their: Full name, Date of Birth, WWCC number or Application Number & Expiry Date, and Date and Outcome of Online Verification. (These records must be made available if required for audit and monitoring purposes.)

If a relevant new record appears (e.g. a bar), it may lead to the worker becoming barred before the Check's five year expiry date.

If this happens, the school will be notified using information supplied during the online verification process.'

It is essential that the school verifies workers online, otherwise it will not be notified immediately if a worker is barred.

Given Privacy and Confidentiality laws, 'the Office of the Children's Guardian will only ever share with the employer, the WWCC application number of any worker; the current Check Status of a child-related worker; the Number, Type (volunteer or non-volunteer) and Expiry Date of a WWCC held by a child-related worker', with no other information – including details of work and/or criminal records ever shared.

Requests for such information must be made in the approved format required by the Office of the Children's Guardian.

Notification will be sent by letter, addressed to the individual who verified the worker. The letter will outline the legal implications of a barred status and the action required by the school.

The school, to reiterate, cannot employ a worker for child-related work (paid or unpaid) if the outcome of their online verification is: Barred, Interim Barred, Not Found.

If the school receives a letter advising it that a current employee or volunteer has become barred or has an interim bar, it must:

- immediately remove him/her from child-related work (it doesn't matter whether him/her are paid or unpaid; supervised or unsupervised)' by:
 - dismissing the worker
 - suspending the worker from child-related work pending the outcome of an appeal
 - transferring the worker to a non child-related role within the school (although the school is under no legal obligation to find an alternative position for a barred worker).



Working with Children Checks Policy

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The Office of the Children's Guardian maintains a Register for Working With Children Checks with it able to release certain information about the school including: its Trading Name, the type of child-related work it engages in, its Location or Postcode, whether Requests for information regarding a Check status were made by the employer within a specified period.

8. Other School Policies & Procedures

The Principal will annually review the school's Child Protection policy and Code of Conduct to ensure that all school policies and procedures are consistent with one another.

The school, on an ongoing basis, seeks further advice and support in the area of child protection and employment screening from the relevant advisors from the AIS of NSW.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Child Protection Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C02

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This policy sets out staff responsibilities for child protection and processes that staff must follow in relation to child protection matters. This policy applies to all staff members, which includes employees and contractors.

Staff members who fail to adhere to this policy may be in breach of their terms of employment.

The safety, protection and well-being of all students is of fundamental importance to the school.

2. Commencement and Policy source

This Policy will commence from February 2023. It replaces all other Child Protection policies of JVS which deal with the legal requirements regarding the safety, protection and well-being of all students.

This policy is primarily influenced by the policy known as 'Child Protection Policy for NSW Independent Schools' (AISNSW, 26th June 2020).

3. Application of the Policy

All staff at the school are expected to follow certain standards of behaviour in their relationships with students.

All staff have a range of different obligations relating to the safety, protection and welfare of students including:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students;
- obligations under child protection legislation; and
- obligations under work, health and safety legislation.

4. Scope and Key legislation

There are four key relevant pieces of child protection legislation in New South Wales:

- the *Children and Young Persons (Care and Protection) Act 1998* ("Care and Protection Act");
- the *Child Protection (Working with Children) Act 2012* ("WWC Act");
- the *Children's Guardian Act 2019* ("Children's Guardian Act")
- the *Crimes Act 1900* ("Crimes Act").

While the legislation requires reporting of particular child protection issues, JVS requires employees to report any concern they may have about the safety, welfare or wellbeing of a child or young person to the Principal.

If the allegation involves the Principal, employees are required to report to the Chairman of the Board of Directors.



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5. Related policies

There are a number of other Core and Supplementary School policies that relate to child protection that staff members must be aware of and understand including (but not limited to):

- Code of Conduct (Core: JVSCPH-A02) - sets out information about the standards of behaviour expected of all staff members;
- Work Health and Safety Statement (Supplementary) - identifies the obligations imposed by work health and safety legislation on the School and staff members;
- Discrimination, Harassment and Bullying Statement (Supplementary) - summarises obligations in relation to unlawful discrimination, harassment and bullying;
- Procedural Fairness Policy (Core: JVSCPH-E05) – provides the steps taken by the School in addressing complaints.

6. Compliance and records

[*The Principal or their delegate*] monitors compliance with this policy and securely maintains School records relevant to this policy, which includes:

- register of staff members who have read and acknowledged that they read and understood this policy;
- working with children check clearance (WWCC clearance) verifications;
- mandatory reports to the Department of Communities and Justice (DCJ);
- reports of reportable conduct allegations, the outcome of reportable conduct investigations, and/or criminal convictions.

7. Child Protection Ambit

The safety, protection and welfare of students is the responsibility of all staff members and encompasses:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students which could reasonably have been foreseen; and
- obligations under child protection legislation.

7.1 Children protection concerns

There are different forms of child abuse. These include neglect, sexual, physical and emotional abuse.

Neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.



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Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.

Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.

Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.

Emotional abuse can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma.

Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child.

This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation, or threatening behaviour.

7.2 Child wellbeing concerns

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold, nor risk of significant harm in section 10.1.2.

7.3 Staff member responsibilities

Key legislation requires reporting of particular child protection concerns. However, as part of the School's overall commitment to child protection, all staff are required to report any child protection or child wellbeing concerns about the safety, welfare or wellbeing of a child or young person to the Principal.

If the allegation involves the Principal, a report should be made to the **Chairman of the School Board**.

8. Training

8.1 The School

The School provides all staff members with a copy of this policy and will provide all staff members with the opportunity to participate in child protection training annually.

8.2 Staff members

All new staff members must read this policy and sign the acknowledgement that they have read and understood the policy.

All staff members must participate in annual child protection training and additional training, as directed by the Principal. The training complements this policy and provides information to staff about their legal responsibilities related to child protection and School expectations, including:

- mandatory reporting;
- reportable conduct;
- working with children checks; and



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- professional boundaries.

9. Working With Children

The WWCC Act protects children by requiring a worker to have a WWCC clearance or current application to engage in child related work. Failure to do so may result in a fine or imprisonment.

The Office of the Children's Guardian (OCG) is responsible for determining applications for a WWCC clearance. It involves a national criminal history check and review of reported workplace misconduct findings. The result is either to:

- grant a WWCC clearance (generally valid for 5 years); or
- refuse a WWCC clearance (further applications cannot be made for 5 years).

In addition, the OGC may impose an interim bar on engaging in child related work for both applicants and WWCC clearance holders.

WWCC clearance holders are subject to ongoing monitoring by the OGC.

9.1 Responsibilities for working with children checks

9.1.1 Staff members

Staff members who engage in child-related work and eligible volunteers (including those volunteers working at overnight camps) are required to:

- hold and maintain a valid WWCC clearance;
- not engage in child-related work at any time that they are subjected to an interim bar or a bar;
- report to the Principal if they are no longer eligible for a WWCC clearance, the status of their WWCC clearance changes or are notified by the OGC that they are subjected to a risk assessment; and
- notify the OGC of any change to their personal details within 3 months of the change occurring. Failure to do so may result in a fine.

It is an offence for an employee to engage in child-related work when they do not hold a WWCC clearance or if they are subject to a bar.

9.1.2 The School

The School is required to:

- verify online and record the status of each child-related worker's WWCC clearance;
- only employ or engage child-related workers or eligible volunteers who have a valid WWCC clearance; and
- advise the OGC of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OGC's Working with Children Check Directorate (WWCC Directorate). It is an offence for an employer to knowingly engage a child-related worker who does not hold a WWCC clearance or who has a bar.



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9.2 Working with children check clearance

A WWCC clearance is authorisation under the WWCC Act for a person to engage in child-related work.

9.2.1 Child-related work

Child-related work involves direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work. Child related work includes, but is not limited to work in the following sectors:

- early education and child-care including education and care service, child-care centres and other child care;
- Schools and other educational institutions and private coaching or tuition of children;
- religious services;
- residential services including boarding schools, homestays more than three weeks, residential services and overnight camps;
- transport services for children including school bus services, taxi services for children with disability and supervision of school road crossings; and
- counselling, mentoring or distance education not involving direct contact.

Any queries about whether roles/duties engage in child-related work should be directed to the Principal.

9.2.2 Application/Renewal

An application or renewal can be made through Service NSW or its replacement agency. The process for applying for and renewing a WWCC clearance with the OCG involves a national police check and a review of findings of misconduct. If the OCG grants or renews a WWCC clearance, the holder will be issued with a number which is to be provided to the School to verify the status of a staff member's WWCC clearance.

9.2.3 Refusal/Cancellation

The OCG can refuse to grant a WWCC clearance or cancel a WWCC clearance. The person is then restricted from engaging in child-related work and not able to apply for another clearance for five years. Employers are notified by the OGC and instructed to remove such persons from child-related work.

9.2.4 Interim bar

The OCG may issue an interim bar, for up to 12 months, to high-risk individuals to prevent them from engaging in child-related work while a risk assessment is conducted. If an interim bar remains in place for six months or longer, it may be appealed to the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those representing a serious and immediate risk to children.

9.2.5 Disqualified person

A disqualified person is a person who has been convicted, or against whom proceedings have been commenced for a disqualifying offence outlined in Schedule 2 of WWCC Act. A disqualified person cannot be granted a WWCC clearance and is therefore restricted from engaging in child related work.



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9.3 Ongoing monitoring

The OCG will continue to monitor criminal records and professional conduct findings of all WWCC clearance holders through a risk assessment process.

9.3.1 Risk assessments

A risk assessment is an evaluation of an individual's suitability for child-related work.

The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received which triggers a risk assessment. This may include an offence under Schedule 1, pattern of behaviour or offences involving violence or sexual misconduct representing a risk to children and findings of misconduct involving children.

9.4 Process for reporting to OCG

9.4.1 The School

Independent Schools are defined as a reporting body by the WWC Act.

The School is required to advise the OCG of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault, must be referred to the OCG's WWCC Directorate. Information must also be referred internally to the OCG's WWCC Directorate if it meets the threshold for consideration of an interim WWCC bar, as per Section 17 of the WWC Act, pending a formal risk assessment.

The School may also be obliged to report, amend or provide additional information to the OCG as outlined in the WWC Act and the Children's Guardian Act.

9.4.2 Finding of misconduct involving children

The School will report any finding of reportable conduct to the OCG.

When informing an employee of a finding of reportable conduct against them, the School should alert them to the consequent report to the WWCC Directorate in relation to sustained findings of sexual misconduct, a sexual offence or a serious physical assault.

The WWC Act enables a person who has a sustained finding referred to the OCG to request access to the records held by the School in relation to the finding of misconduct involving children, once final findings are made. The entitlements of a person to request access to information in terms of section 46 of the WWC Act is enlivened when a finding of misconduct involving children has been made.

9.4.3 Other information

The School may also be required to provide information to the OGC that is relevant to an assessment of whether a person poses a risk to the safety of children or the OCG's monitoring functions.

10. Mandatory Reporting

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm. A child is a person under the age of 16 years and a young person is aged 16 years or above but who is under the age of 18, for the purposes of the Care and Protection Act.



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Under the Care and Protection Act, mandatory reporting applies to persons who:

- in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children; or
- hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services, to children.

All teachers are mandatory reporters. Other staff members may also be mandatory reporters. Any queries about whether other staff members are mandatory reporters should be directed to the Principal.

10.1 Reports to Communities and Justice

A mandatory reporter must, where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, report to the Department of Communities and Justice (DCJ) as soon as practicable. The report must include the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

In addition, the School may choose to make a report to the DCJ where there are reasonable grounds to suspect a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns about the safety, welfare and well-being of the young person.

In the independent school sector, a mandatory reporter will meet their obligation if they report to the Principal in the School. This centralised reporting model ensures that a person in the School has all of the information that may be relevant to the circumstances of the child at risk of significant harm and addresses the risk of the School not being aware of individual incidences that amount to cumulative harm.

10.1.1 Reasonable grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

- first-hand observations of the child, young person or family;
- what the child, young person, parent or another person has disclosed;
- what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean a person is required to confirm their suspicions or have clear proof before making a report.

10.1.2 Significant harm

A child or young person is 'at risk of significant harm' if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

- the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met;
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care;
- in the case of a child or young person who is required to attend school in accordance with the



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Education Act 1990, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act;

- the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated;
- the child or young person is living in a household where there have been incidents of domestic violence and as a consequence, the child or young person is at risk of serious physical or psychological harm,
- a parent or other caregiver has behaved in such a way towards the child or young person, that the child or young person has suffered or is at risk of suffering serious psychological harm;
- the child was the subject of a pre-natal report under section 25 of the Care and Protection Act and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

What is meant by 'significant' in the phrase 'to a significant extent', is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is significant, is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being.

The significance can result from a single act or omission or an accumulation of these.

10.1.3 Threshold

Every staff member at JVS is a 'Mandatory Reporter'.

A Mandatory Reporter must, where they have reasonable grounds to suspect that a child is at risk of significant harm report directly to the Principal, as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

Given the special nature of the students at JVS, the Principal reserves the right to determine whether reportable matters relating to the suspected harm of a young person (or being placed at significant 'risk') meets the threshold for mandatory reporting.

When a disclosure from a child, direct observation, or other concern is first established by a staff member; confidential, accurate, clear and objective documentation/evidence is essential to ensuring a satisfactory outcome is achieved to keep the student safe. In most cases, the principal will be responsible for maintaining these records, and will include direct quotations and directly observed evidence (as opposed to hearsay) in such documentation.

To reiterate, any concern regarding the safety, welfare and wellbeing of a student at The Joseph Varga School must be confidentially reported to the Principal, whether it meets the mandatory reporting threshold, or not.

Furthermore, such information can only be disclosed to the Principal and/or another person that the Principal nominates. Failure to do so is a serious legal breach of the Policy.

10.2 Process for mandatory reporting

10.2.1 Staff members

Staff members must raise concerns about a child or young person who may be at risk of significant harm with the Principal as soon as possible to discuss whether the matter meets



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the threshold of 'risk of significant harm' and the steps required to report the matter.

However, if there is an immediate danger to the child or young person and the Principal or next most senior member of staff is not contactable, staff members should contact the Police and/or the Child Protection Helpline (13 21 11) directly and then advise the Principal or next most senior member of staff at the School as soon as possible.

Staff members are not required to and must not, undertake any investigation of the matter. Staff members are not permitted to inform the parents or caregivers that a report to the DCJ has been made.

Staff members are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required to comply with mandatory reporting obligations. Failure to maintain confidentiality will not only be a breach of this policy, but could incite potential civil proceedings for defamation.

10.2.2 The School

In general, the Principal will report these matters to the DCJ and where necessary, the Police. This is supported by the DCJ in accordance with best practice principles.

10.3 Process for reporting concerns about students

10.3.1 Staff members

The Care and Protection Act outlines a mandatory reporter's obligation to report to the DCJ concerns about risk of significant harm. However, to ensure centralised reporting, all staff members are required to report any concern regarding the safety, welfare and wellbeing of a student to the Principal. Staff members who are unsure as to whether a matter meets the threshold of 'risk of significant harm', should report their concern to the Principal regardless.

Staff members are required to deal with all reports regarding the safety, welfare or wellbeing of a student confidentially and only disclose it to the Principal and any other person the Principal nominates.



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11. Reportable Conduct

Section 29 of the Children's Guardian Act 2019 requires the Heads of Entities, including non-government schools in New South Wales, to notify the OCG of all allegations of reportable conduct and convictions involving an 'employee' and the outcome of the School's investigation of these allegations. Under the Children's Guardian Act 2019, allegations of child abuse only fall within the reportable conduct jurisdiction if the involved individual is an employee of the relevant entity at the time when the allegation becomes known by the Head of Entity.

Reportable Conduct:

- involves a child (a person under the age of 18 years) at the time of the alleged incident; and
- involves certain defined conduct as described in the Act (see below).

The OCG:

- must keep under scrutiny the systems for preventing reportable conduct by employees of non-government schools and the handling of, or response to, reportable allegations (including allegations which are exempt from notification) or convictions;
- must receive and assess notifications from non-government schools concerning reportable conduct or reportable convictions;
- is required to oversee or monitor the conduct of investigations by non-government schools into allegations of reportable conduct or reportable convictions;
- must determine whether an investigation that has been monitored has been conducted properly and whether appropriate action has been taken as a result of the investigation;
- may directly investigate an allegation of reportable conduct or reportable conviction against an employee of a non-government school, or the handling of or response to such a matter (eg arising out of complaints by the person who is the subject of an allegation); and
- may investigate the way in which a relevant entity has dealt with, or is dealing with, a report, complaint or notification, if the OCG considers it appropriate to do so.

11.1 Reportable conduct

Under the Children's Guardian Act 2019, *reportable conduct* is defined as:

- a sexual offence;
- sexual misconduct;
- an assault against a child;
- ill-treatment of a child;
- neglect of a child;
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.



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Reportable conduct does not extend to:

- conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- the use of physical force that, in all the circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or

11. 1.1 Definitions

The following definitions relate to *reportable conduct*:

- **Sexual offence:** an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child, such as:
 - sexual touching of a child;
 - a child grooming offence;
 - production, dissemination or possession of child abuse material.

Definitions of 'grooming', within child protection legislation, are complex. Under the Crimes Act, grooming or procuring a child under the age of 16 years for unlawful sexual activity is classed as a sexual offence. The Crimes Act (s73) also extends the age of consent to 18 years when a child is in a 'special care' relationship. Under Schedule 1(2) of the WWC Act, grooming is recognised as a form of sexual misconduct. The Children's Guardian Act 2019 and this Child Protection Policy reflect these definitions within the context of the Reportable Conduct Scheme (Division 2).

An alleged sexual offence does not have to be the subject of criminal investigation or charges for it to be categorised as a reportable allegation of sexual offence.

- **Sexual misconduct:** conduct with, towards or in the presence of a child that is sexual in nature (but not a sexual offence). The Act provides the following (non-exhaustive) examples:
 - descriptions of sexual acts without a legitimate reason to provide the descriptions;
 - sexual comments, conversations or communications;
 - comments to a child that express a desire to act in a sexual manner towards the child, or another child.

Note – crossing professional boundaries comes within the scope of the scheme to the extent that the alleged conduct meets the definition of sexual misconduct. That is, the conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

- **Assault:** an assault can occur when a person intentionally or recklessly (ie. knows the assault is possible but ignores the risk):
 - applies physical force against a child without lawful justification or excuse – such as hitting, striking, kicking, punching or dragging a child (actual physical force); or
 - causes a child to apprehend the immediate and unlawful use of physical force against them – such as threatening to physically harm a child through words and/or gestures regardless of whether the person actually intends to apply any force (apprehension of physical force)

- **Ill-treatment:** is defined as conduct towards a child that is:



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- unreasonable; and
- seriously inappropriate, improper, inhumane or cruel.

Ill-treatment can include a range of conduct such as making excessive or degrading demands of a child; a pattern of hostile or degrading comments or behaviour towards a child; and using inappropriate forms of behaviour management towards a child.

- **Neglect:** defined as a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for a child that causes or is likely to cause harm - by a person who has care and/or has responsibility towards a child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child's physical or psychological needs, or a single significant incident where a caregiver fails to fulfill a duty or obligation, resulting in actual harm to a child where there is the potential for significant harm to a child. Examples of neglect include failing to protect a child from abuse and exposing a child to a harmful environment.

- Behaviour that causes significant **emotional or psychological harm** to a child is conduct that is intentional or reckless (without reasonable excuse), obviously or very clearly unreasonable and which results in significant emotional harm or trauma to a child.

For a reportable allegation involving psychological harm, the following elements must be present:

- An obviously or very clearly unreasonable or serious act or series of acts that the employees knew or ought to have known was unacceptable, and
 - Evidence of psychological harm to the child that is more than transient, including displaying patterns of 'out of character behaviour', regression in behaviour, distress, anxiety, physical symptoms or self-harm, and
 - An alleged causal link between the employee's conduct and the significant emotional or psychological harm to the child.
- **Reportable allegation** is an allegation that an employee has engaged in conduct that may be reportable conduct.
 - **Reportable conviction** means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.
 - **Employee** of an entity includes:
 - an individual employed by, or in, the entity
 - a volunteer providing services to children
 - a contractor engaged directly by the entity (or by a third party) where the contractor holds, or is required to hold, a WWCC clearance for the purposes of their work with an entity; and
 - a person engaged by a religious body where that person holds, or is required to hold, a WWCC clearance for the purposes of their work with the religious body.
 - **ESOA** (Employee Subject of the Allegation).



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11.2 Process for reporting of reportable conduct allegations or convictions

11.2.1 Staff members

Any concerns about any other employee engaging in conduct that is considered inappropriate, or reportable conduct, or any allegation of inappropriate or reportable conduct made to the employee or about the employee themselves must be reported to the Principal. Where it is uncertain if the conduct is reportable conduct but is considered inappropriate behaviour this must also be reported.

Staff members must also report to the Principal when they become aware that an employee has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving reportable conduct. This includes information relating to the employee themselves.

If the allegation involves the Principal, the staff member must report to the Chairperson of the School Board.

11.2.2 Parents, carers and community members

Parents, carer and community members are encouraged to report any conduct that is in their view inappropriate, reportable or criminal conduct to the Principal or their delegate. All such reports will be dealt with in accordance with the School's complaint handling procedures.

11.2.3 The School

The Principal, as the Head of Entity under the Children's Guardian Act 2019, must:

- Ensure specified systems are in place for preventing, detecting and responding to reportable allegations or convictions
- Submit a 7-day notification form to the OCG within 7 business days of becoming aware of a reportable allegation or conviction against an employee of the entity (unless the Head of the Entity has a reasonable excuse).

The notification should include the following information:

- that a report has been received in relation to an employee of the School, and
- the type of reportable conduct, and
- the name of the employee, and
- the name and contact details of School and the Head of Entity, and
- for a reportable allegation, whether it has been reported to Police, and
- if a report has been made to the Child Protection Helpline, that a report has been made, and
- the nature of the relevant entity's initial risk assessment and risk management action,
- The notice must also include the following, if known to the Head of Entity:
 - details of the reportable allegation or conviction considered to be a reportable conviction,
 - the date of birth and working with children number, if any, of the employee the subject of the report,



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- the police report reference number (if Police were notified),
 - the report reference number if reported to the Child Protection Helpline,
 - the names of other relevant entities that employ or engage the employee, whether or not directly, to provide a service to children, including as a volunteer or contractor.
- Maximum penalty for failure to notify within 7 business days —10 penalty units.

11.3 Process for investigating an allegation of reportable conduct

The Principal is responsible for ensuring that the following steps are taken to investigate an allegation of reportable conduct.

11.3.1 Initial steps

Once an allegation of reportable conduct against an employee is received, the Principal is required to:

- determine whether it is an allegation of reportable conduct;
- assess whether the DCJ or the Police need to be notified (i.e., if reasonable grounds to suspect that a child is at risk of significant harm or a potential criminal offence). If they have been notified, seek clearance from these statutory agencies prior to the School proceeding with the reportable conduct investigation;
- notify the child's parents (unless to do so would be likely to compromise the investigation or any investigation by the DCJ or Police);
- notify the OCG within 7 business days of receiving the allegation;
- carry out a risk assessment and take action to reduce/remove risk, where appropriate; and
- provide an initial letter to the ESOA advising that an allegation of reportable conduct has been made against them and the School's responsibility to investigate this matter under Section 34 of the Children's Guardian Act 2019; and
- investigate the allegation or appoint someone to investigate the allegation.

11.3.2 Investigation principles

During the investigation of a reportable conduct allegation the School will:

- follow the principles of procedural fairness;
- inform ESOA of the substance of any allegations made against them, at the appropriate time in the investigation, and provide them with a reasonable opportunity to respond to the allegations;
- make reasonable enquiries or investigations before making a decision;
- avoid conflicts of interest;
- conduct the investigation without unjustifiable delay;
- handle the matter as confidentially as possible; and
- provide appropriate support for all parties including the child/children, witnesses and the ESOA.



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11.3.3 Investigation steps

In an investigation the Principal or appointed investigator will generally:

- interview relevant witnesses and gather relevant documentation;
- provide a letter of allegation to the ESOA;
- provide the ESOA with the opportunity to provide a response to the allegations either in writing or at Interview;
- consider relevant evidence and make a preliminary finding in accordance with the OCG guidelines;
- inform the ESOA of the preliminary finding in writing by the Head of Entity and provide them with a further opportunity to respond or make a further submission prior to the matter moving to final findings;
- consider any response provided by the ESOA;
- make a final finding in accordance with the OCG guidelines;
- decide on the disciplinary action, if any, to be taken against the ESOA;
- if it is completed, send the final report to the OCG within 30 days after having received the allegation, as per section 36 of the Children's Guardian Act 2019.
- should the final report be unfinished within 30 days, the Head of Entity must provide, at minimum, an interim report to the OCG within 30 days of having received the allegation, as per section 38 of the Children's Guardian Act 2019.

Submission of an interim report must include:

- a reason for not providing the final report within 30 days and an estimated time frame for completion of the report.
- specific information, including (if known); the facts and circumstances of the reportable allegation; any known information about a reportable conviction; action taken since the OCG received a notification about the reportable allegation or reportable conviction; further action the Head of Entity proposes to take in relation to the reportable allegation or reportable conviction; including if the Head of Entity proposes to take no further action; the reasons for the action taken and the action proposed to be taken or the reasons for the decision to take no further action; other information prescribed by the regulations; and
- be accompanied by copies of documents in the School's possession, including transcripts of interviews and copies of evidence.
- The steps outlined above may need to be varied on occasion to meet particular circumstances. For example, it may be necessary to take different steps where the matter is also being investigated by the DCJ or Police.

An ESOA may have an appropriate support person with them during the interview process. Such a person is there for support only and as a witness to the proceedings and not as an advocate or to take an active role.



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11.4 Risk management throughout an investigation of a reportable conduct allegation

Risk management means identifying the potential for an incident or accident to occur and taking steps to reduce the likelihood or severity of its occurrence.

The Principal is responsible for risk management throughout the investigation and will assess risk at the beginning of the investigation, during and at the end of the investigation.

11.4.1 Initial risk assessment

Following an allegation of reportable conduct against an employee, the Principal conducts an initial risk assessment to identify and minimise the risks to:

- the child(ren) who are the subject of the allegation;
- other children with whom the employee may have contact;
- the ESOA;
- the School, and
- the proper investigation of the allegation.

The factors which will be considered during the risk assessment include:

- the nature and seriousness of the allegations;
- the vulnerability of the child(ren) the ESOA has contact with at work;
- the nature of the position occupied by the ESOA;
- the level of supervision of the ESOA; and
- the disciplinary history or safety of the ESOA and possible risks to the investigation.

The Principal will take appropriate action to minimise risks. This may include the ESOA being temporarily relieved of some duties, being required not to have contact with certain students, being asked to take paid leave, or being suspended from duty. When taking action to address any risks identified, the School will take into consideration both the needs of the child(ren) and the ESOA.

A decision to take action on the basis of a risk assessment is not indicative of the findings of the matter. Until the investigation is completed and a finding is made, any action, such as an employee being suspended, is not to be considered to be an indication that the alleged conduct by the employee did occur.

11.4.2 Ongoing risk assessment

The Principal will continually monitor risk during the investigation including in the light of any new relevant information that emerges.

11.4.3 Findings

At the completion of the investigation, a finding will be made in relation to the allegation and a decision made by the Principal regarding what action, if any, is required in relation to the ESOA, the child(ren) involved and any other parties.

11.4.4 Information for the ESOA

The ESOA will be advised:

- that an allegation has been made against them (at the appropriate time in the



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investigation); and

- of the substance of the allegation, or of any preliminary finding and the final finding.

The ESOA does not automatically have the right to:

- know or have confirmed the identity of the person who made the allegation; or
- be shown the content of the OCG notification form or other investigation material that reveals information provided by other employees or witnesses.

The WWC Act enables a person who has a sustained finding referred to the OCG to request access to the records held by the School in relation to the finding of misconduct involving children, once final findings are made. The entitlements of a person to request access to information in terms of section 46 of the WWC Act is enlivened when a finding of misconduct involving children has been made.

11.4.5 Disciplinary action

As a result of the allegations, investigation or final findings, the School may take disciplinary action against the ESOA (including termination of employment).

In relation to any disciplinary action the School will give the ESOA:

- details of the proposed disciplinary action; and
- a reasonable opportunity to respond before a final decision is made.

11.4.6 Confidentiality

It is important when dealing with allegations of reportable conduct that the matter be dealt with as confidentially as possible.

The School requires that all parties maintain confidentiality during the investigation including in relation to the handling and storing of documents and records.

Records about allegations of reportable conduct against employees will be kept in a secure area and will be accessible by the Principal.

No employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Principal to do so.

Staff members who become aware of a breach of confidentiality in relation to a reportable conduct allegation must advise the Principal.

12. Staff Professional Development

Staff are regularly involved in child protection related discussions at staff meetings, about such topics as 'any behaviour that may cause psychological harm to a child whether or not, it is with the consent of the child'.

At such time the school's Code of Conduct is also examined.

Professional development, of related matters, such as conduct that is 'reasonable for the purposes of the discipline, management, or 'care of children', having regard to the profile of the child and professional standards, also occurs through in-services and relevant conferences and workshops.

Other issues such as: the use of trivial or negligible 'physical force' and 'other conduct' that is exempted from notification are likewise discussed via these means in similar contexts.



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13. Criminal Offences

In 2018 the Crimes Act was amended to adopt recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse*. The new offences are designed to prevent child abuse and to bring abuse that has already occurred to the attention of the Police.

13.1 Failure to protect offence (Crimes Act 1900 – NSW)

An adult working in a school, therefore all staff members, will commit an offence if they know another adult working there poses as serious risk of committing a child abuse offence and they have the power to reduce or remove the risk, and they negligently fail to do so either by acts and/or omissions.

This offence is targeted at those in positions of authority and responsibility working with children who turn a blind eye to a known and serious risk rather than using their power to protect children.

13.2 Failure to report offence (Crimes Act 1900 – NSW)

Any adult, and therefore all staff members, will commit an offence if they know, believe or reasonably ought to know that a child abuse offence has been committed and fail to report that information to Police, without a reasonable excuse. A reasonable excuse would include where the adult has reported the matter to the Principal and is aware that the Principal has reported the matter to the Police.

13.3 Special Care Relationships (Crimes Act 1900 – NSW)

It is a crime in NSW for a staff member, volunteer or contractor to have a sexual relationship with a student where there is a special care relationship. The Act provides that a young person is under an adult's special care if the adult is a member of the teaching staff of the School at which the young person is a student; or has an established personal relationship with the young person in connection with the provision of religious, sporting, musical or other instruction.

The Special Care (sexual intercourse) offence under s73 was supplemented by an additional special care offence involving sexual touching now under s73A of the Crimes Act. The new offence under s73A will expand special care offences to also apply to non-penetrative sexual touching. The offence will protect children aged 16-17 years from inappropriate sexual contact with teachers and others who have special care of the child.

14. Further Information

For further information from the government about child protection, please view such websites as:

NSW Department of Communities and Justice

<https://www.dcj.nsw.gov.au>

The Office of the Children's Guardian

<https://www.kidsguardian.nsw.gov.au>



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Department of Premier and Cabinet – Keep Them Safe

www.keepthemsafe.nsw.gov.au

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.

15. Acknowledgement

I _____ have read, understood, and agree to comply with the terms of this Child Protection Policy.

Signed _____

Dated _____



CCTV Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-C03

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy covers the use and exposure to Closed Circuit Television Monitors and Recordings.

2. Commencement

This Policy will commence from February 2023. It replaces all other CCTV policies of JVS which deal with viewing and recording of video of staff and students.

3. Application of the Policy

The school Board have identified that we must exercise an exemplary level of duty of care towards our students and staff.

The purpose of the CCTV system is to assist in achieving:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students and staff.
- Individualised educational programming, relating to academic, behavioural, emotional, and social development by being task analytic in daily school interactions.
- the facilitation of reflection and learning.
- obligations under child protection legislation; and obligations under work, health and safety legislation.

4. Scope

Access to the CCTV recorded footage is limited to authorised staff, authorised Police and Security Personnel with a legitimate reason to view and/or otherwise use the captured footage, including the provision of evidence in support of prosecution of criminal or illegal behaviour.

Authorisation to review any footage will be given at the discretion of the Principal. Incidents involving the Principal should be directed to the Chairperson.

Any use of this system or material produced which is frivolous, or for private purposes, or is otherwise inconsistent with the purpose and procedures outlined within this policy will be considered gross misconduct, and disciplinary action will be taken against anyone in breach of this policy.

Explicit signage must be in place to notify all persons entering JVS that CCTV cameras are in use, and accordingly that they may be filmed during their visit.

Installation of CCTV cameras are in JVS:

- Classrooms
- Offices
- Hallways
- Kitchen
- Outdoor playing area



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- Sensory room
- Entry points of premises.

**Cameras will not be installed in private areas such as toilets & change rooms.
Hidden or covert cameras are also prohibited.**

5. Management Responsibility

The Principal is charged with:

- Controlling the operation of the CCTV system to ensure that it is within the requirements of Government legislation and JVS policies;
- Providing advice on the location of and utility of cameras and storage mediums; and
- Supporting the maintenance and upgrade of the cameras where necessary.

A regular review program will also be undertaken to ensure that existing cameras are situated in the most appropriate locations, and are correctly installed so as to ensure the most effective coverage. This review will also assess the effectiveness of the coverage provided by the network, and make recommendations to the Board of Directors for any further improvement of its capabilities.

6. Operating Staff Rules

All persons involved in the operation of the CCTV system are expected to exercise care to ensure appropriate viewing of cameras and to prevent improper disclosure of the recorded material.

The JVS Principal is the only authorised person to access/review stored footage and this viewing is limited to a response to a logged incident report or activities regarding student behaviour requiring real-time monitoring to support further safety and supervision.

7. Storage of Footage

Electronic media is kept for a period of up to 25 days. If no request has been made to view or access footage during this period, the electronic media is overwritten, and lost for ever. No backup media is in place to retain footage beyond this period.

Footage may be retained in relation to a serious incident or otherwise required by law for present and future risk management.

8. Access to and disclosure of images to third parties.

All employees, parents, visitors, and students should be aware of the restrictions set out in this policy in relation to access to, and disclosure of, recorded images.

Access to recorded images will be restricted to the Principal who will need to have access in order to achieve the purpose(s) of using the CCTV equipment.

Disclosure of the recorded images to third parties should be limited to the following classes of persons/agencies.

- Law enforcement agencies, where the images recorded would assist in a specific enquiry;
- Law enforcement agencies where the images would assist a specific criminal enquiry;
- Relevant legal representatives.



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Recorded images will not be made available to parents nor teachers without the approval and presence of the Principal. The Principal reserves the right to allow the parent/s and teacher/s the right to view footage if such viewing is warranted as being key to parent and teacher effectiveness

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Reserves the right to vary, replace or terminate this policy from time to time.



Planning & Programming Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-D01

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy sets out the school's commitment to plan curriculum and develop teaching programs that are consistent with the Act/Regulation requirements and are in accordance with NSW Education Standards Authority (NESA) syllabuses for the Australian Curriculum and meet NESA credentialing requirements.

2. Commencement

This Policy will commence from February 2023. It replaces all other Planning / Programming policies of JVS.

3. Application of the Policy

The JVS Curriculum planning and teaching programs will meet the Policy Standards outlined in this Policy:

- Teaching programs will be based on ongoing diagnosis and individualisation as the integral component.
- Teaching programs will indicate the goals and/or outcomes being addressed, the teaching strategies and activities planned and the support resources.
- Curriculum planning and programming will account for the needs of all students on a highly individualised basis whereby each child is placed on their own special curriculum that may/may not include adjustments to the regular curriculum.
- For students enrolled in the primary school (K-6) 'substantial' and/or 'extensive' adjustments can be made to the curriculum. However, if these adjustments are not sufficient and appropriate the students will be regarded as being enrolled in a school of a kind.
- Students in the high school are all identified as students pursuing only a curriculum associated with a registered school of a kind thereby requiring special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.
- The top curriculum priorities at JVS include communication, literacy, numeracy, life-long learning and living skills, as well as the transitional skills to participate beyond leaving JVS in disability employment programs, higher learning (with disability support), or secure potential employment with a suitable employer.
- In so doing, each child is fully accepted and will be able to fulfil their potential, relatively, as a whole person, irrespective of difference or disability, in mainstream society.
- Implements a collaborative planning process to make teaching and learning decisions so each student is supported to participate fully in their individualised curriculum pathway that celebrates their uniqueness.
- All JVS students, regardless of profile, are therefore not following age/stage curriculum expectations of NSW Education Standards Authority (NESA).
- Ongoing consultation about curriculum outcomes and content is fundamental to this process and occurs through regular Individual Education Planning (IEP) Meetings.



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4. YEARS K – 6 / SCHOOL OF A KIND

Where learning programs are based on NSW Education Standards Authority (NESA) syllabuses, JVS works towards achieving 'minimal standards' by adjusting the curriculum in all relevant Key Learning Areas.

This is flexibly achieved by JVS teaching staff adopting 'integrated' programs, while adhering to the NSW Education Standards Authority (NESA) requirement that:

- Approximately 50% of time is allocated for English and Mathematics and 40% of time for the other KLAs and personal development activities.
- As part of the 40% allocation, JVS includes two hours per week for planned physical activity, including in Years 3 – 6, a minimum of one hour for personal development/social development activities.

There are no additional K – 6 curriculum requirements for JVS to meet.

5. YEARS 7– 12 AS A SCHOOL OF A KIND

On being registered as a school of a kind, the special instruction for high school students is mostly derived, where appropriate, from significant adjustments to the Early Years Learning Framework (EYLF), the K-6 regular curriculum and/or (NESA) Life Skills high school course content.

In doing so JVS is cognisant of meeting each child 'where they are at' and providing each individual with a necessary broad range of subject orientated curriculum, in such areas as: English, Mathematics, Science, HSIE, Geography, History, Technology, Music, Visual Arts, as well as a significant time allocation to PDHPE.

In saying this, the curriculum, is fundamentally experiential and multi-sensory based whereby the school capitalises on a child's modality sensory strength/s to foster global development.

Such coverage of the high school curriculum is achieved by adopting: 'hands on multisensory real-life experiences', 'topics', 'themes', and 'appropriate special interests', across the curriculum. The school also has a strong emphasis on supporting students to develop competency of a technology-based language device.

On occasions, discrete items of content or information within any curriculum, needs based interest area can become the focus of the development of self-expression, literacy, numeracy etc by providing the stimulus for engagement and learning.

6. LIFESKILLS COURSES

The JVS brand of Life Skills is primarily designed to help students directly, wholistically and authentically engage with learning, living, and growing rather than focussing exclusively on conventional life-skills course outcomes. It is again for such reasons, that JVS is a school of a kind.

7. PLANNING REQUIREMENTS

For each calendar year the planning requirements for each classroom are:



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- General Profile of the class addressing diagnosis, age, grade, and stage for each child with justifications for placement decisions that have made about any child (for example, realistic functional levels of achievement in each Key Learning Area).
- IEPs, as living, ongoing, cumulative plans of action, for each child in the classroom reflect functional life-skills and any adjustments to the regular curriculum, especially in the primary school.
- The scope and sequence of learning / units of work are defined by situating the desired outcomes for an individual child in relation to NESA standard outcomes, adjustments and/or Life-Skills syllabuses for each KLA, and/or outcomes from the Early Years Learning Framework (EYLF).
- List of Resources and equipment.
- Timetable and Hours for each KLA in your class ensuring NESA expectations are met in the primary school, together with a suitable balance of cross curriculum links in the high school.
- Given the integrated nature of learning at JVS whereby new learning is generically practiced, reinforced, and consolidated in a range of different contexts with more and more ease, Assessment targets both the acquisition of skills (for example saying 'hello') and their generalisation from familiar contexts (with parents and teachers) to new contexts (with visitors and friends).

This increasing control of specific skills, tasks, behaviours or attitudes become more and more automatic, the more the child learns to naturally self-correct, with the teacher providing suitable explicit models that tap into the child developing control of a range of lifelong learning skills.

Samples of performance relating to the child's learning against identified goals will be monitored and recorded in the student's portfolio on an ongoing basis across the social, emotional, academic, psychomotor growth of each child.

- Reflection/evaluation of the effectiveness of teaching and learning activities - for example, evaluation of unit, children, self.

JVS is committed to scaffolding the growth of individual children to realistic outcomes in life, rather than to outcomes that may never be achieved, thereby accommodating children with special needs who traditionally fall through the gaps in mainstream education.

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Reserves the right to vary, replace or terminate this policy from time to time.



Collaborative Planning & IEP Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-D02

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the collaborative processes and formation/implementation of each child's Individual Education Program (IEP), incorporating emotional, behavioural, physical, and daily functional skills domains.

2. Commencement

This Policy will commence from February 2023. It replaces all other Collaborative and IEP policies of JVS.

3. Application of the Policy

At JVS we implement a collaborative planning process to make decisions that allow adjustments to teaching and learning so each student is supported to participate fully in our wholistic curriculum.

4. Scope

JVS provides regular opportunities for parents and specialists to meet at the school for formal Individual Education Programming (I.E.P) conferences with their child's teacher.

The purpose of the meeting is for parents to:

- Be informed of their child's evidence-based classification and the level of adjustments and monitoring provided in accordance with the National Consistent Collection of Data on School Students with a Disability.
- Understand the evidence of the changing levels their child is demonstrating at school across key developmental domains.
- Work with the teacher to establish priorities and formulate specific academic, behavioural, social, emotional, and functional life skills for their child for the term.
- Become aware of the steps the school is taking to cater for and support their child to achieve the set goals.
- Work collaboratively with the teacher to make:
 - evidence based decisions on their child's learning program;
 - appropriate adjustments to support their child's progress; and
 - 'realistic' decisions about how to address their child's 'real' needs.
- Inform the teacher of important information the teacher should know about their child to help optimise their child's learning.

5. Requesting a meeting

JVS will notify parents at the beginning of each term so that they can request a meeting. It is a parent's responsibility to return the request form to the school and an appropriate time will be arranged for the meeting.

The school will do its best to meet the requested time.

Parents who have concerns regarding their child's education are encouraged to contact the



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Principal at any time during school hours to discuss issues.

Joseph Varga School

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Assessment & Reporting Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-D03

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to assessment and reporting requirements.

2. Commencement

This Policy will commence from February 2023. It replaces all other Assessment and Reporting policies of JVS.

3. Application of the Policy

Over the Semester each student's overall achievement in each Key Learning Area (KLA) of the NSW Education Standards Authority (NESA) curriculum is reported by grading which range from Very High to Very Limited (VH-VL).

A student's grading is supported by evidence-based assessment and work samples. When grading academic progress on the report, we measure a student's progress against the expected academic achievement of all students at their stage/year level across the State.

4. Scope

JVS Plans assessment so that:

- Students can demonstrate achievement of outcomes for the relevant stage of learning.
- Valid and reliable assessment strategies are used.
- The timing, frequency and nature of the assessment processes are time efficient and manageable for teachers and students

Teachers plan assessment strategies when developing teaching programs and will also make additional assessment judgments in the course of teaching and learning.

Teachers use a variety of appropriate assessments for judging student achievement.

Teachers collect and record assessment information to:

- Guide ongoing teaching and learning
- Monitor and evaluate student progress
- Report achievement to parents and relevant authorities in accord with school and statutory requirements.

JVS is required to undertake assessment to collect information about students' learning. This will occur through both formal and informal activities.

Assessment of student learning will be undertaken for all learners from K-12 including students accessing life skills outcomes and content in Years 7-10 to following life skills patterns of study in Years 11 and 12.

When students are provided with compatible adjustments to support student learning, accommodations will also be provided during assessment activities.



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5. Reporting to Parents

Components of the written report:

JVS will provide parents/carers, throughout the school year, with formal and informal opportunities to receive information about their child's learning and for opportunities to discuss it.

The parents of all students are to be provided with a written report twice a year. The written report for each student will:

- Use plain language.
- Provide information on a student's learning in each of the key learning areas (KLAs) or subjects reported using a 5-point scale, clearly defined against specific learning standards.
- Include teacher comments for each KLA or subject; comments will identify areas of student strength and for further development.
- Have information about the student's attendance at school.
- Provide information about student achievement in relation to school programs that extend or are additional to syllabus requirements e.g. emotional/behavioural and life skill domains of personal development which includes developmental milestones.
- Provide information about the student's overall development and commitment to learning.

Syllabus Standards:

Syllabus standards are described by the components of a syllabus. The components that contribute to teachers' understandings of syllabus standards include: objectives, stage or foundation statements, syllabus outcomes and syllabus content or indicators. Foundation statements (K-6) and Stage statements (Years 7-10) encompass, at a broader level than syllabus outcomes, the nature and scope of learning in each stage.

Achievement in Each Key Learning Area

Years K – 6

JVS will report annually on the six key learning areas of English, Mathematics, Science and Technology, Human Society and Its Environment, Personal Development, Health and Physical Education and Creative Arts.

In English and Mathematics, reports will show achievement information for each broad syllabus strand.

In Kindergarten, reports will include English and Mathematics and other key learning areas covered in the reporting period.

Years 7 – 10

Schools will report on subjects or courses studied in the eight key learning areas of English, Mathematics, Science, Technology, Human Society and Its Environment, Personal Development, Health and Physical Education, Creative Arts and Languages.

In all KLAs, reports will show information for components of each subject.

Years 11 – 12



Assessment & Reporting Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-D03

Schools will report on subjects studied. In all subjects reports will show information for components of each subject.

Students for whom Accommodations and/or Learning Adjustments have been made

All students enrolled at JVS require accommodations and/or learning adjustments to be made to allow them to access the curriculum.

JVS will provide information about learning for these students:

- in K – 6, in each of the six key learning areas,
- in 7 – 10, in subjects or courses studied in the eight key learning areas or, where undertaken, life skills outcomes and content,
- in 11 – 12, in subjects studied, or where undertaken, subjects undertaken as part of life skills patterns of study.

For students for whom learning adjustments have been made, the report will show achievement in components of the negotiated, adjusted program in each KLA or subject.

- Accommodations are changes to an environment that will allow students with additional needs to participate fully in the same learning, working towards the same syllabus outcomes and content, as all other students of the same age/stage.

Accommodations could include sign language, Braille, a reader or scribe, access to technology, personal carer support or modifications to equipment, furniture and learning spaces.

- Learning adjustments are measures or actions taken in relation to teaching, learning and assessing that enable a student to access and participate in achieving syllabus outcomes and content, that are different from those for the age/stage group, and that meet the student's personalised learning needs.

NB: The grading system can be demoralising for students who are predominantly achieving far below 'mainstream' cohort expectations and have a history of disengagement in mainstream school contexts. The school upon request, will provide for families an additional separate academic report that measures a child's progress against outcomes from a prior stage or from selected syllabus outcomes identified through the collaborative planning process as appropriate for their child's individual learning needs and priorities.

Comparing student achievement against statewide syllabus standards in each key learning area.

NAPLAN results are communicated to parents to provide this comparative information.

Currently, teaching staff utilise 'Assessment Methods', in accordance with School-Based Manuals (based on NSW Education Standards Authority (NESA) Policies and Procedures relating to e.g. Grades) by which outcomes are assessed.

Kindergarten

Reports will describe how a child's achievement compares with syllabus standards through teacher comments.

Years 1 – 10

JVS will use a five-point achievement grading scale to report to parents for students in Years 1 – 10. Achievement is judged in relation to syllabus standards.



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An achievement scale is used for reporting all KLAs or subjects, except VET courses, where competency will be reported.

Achievement Grading

Very High (VH)	The student has an extensive knowledge and understanding of the content and can readily apply this knowledge. In addition, the student has achieved a very high level of competence in the processes and skills and can apply these skills to new situations.
High (H)	The student has a thorough knowledge and understanding of the content and a high level of competence in the processes and skills. In addition, the student is able to apply this knowledge and these skills to most situations.
Sound (S)	The student has a sound knowledge and understanding of the main areas of content and has achieved an adequate level of competence in the processes and skills.
Limited (L)	The student has a basic knowledge and understanding of the content and has achieved a limited level of competence in the processes and skills.
Very Limited (VL)	The student has an elementary knowledge and understanding in few areas of the content and has achieved very limited competence in some of the processes and skills.

Years 11 – 12

JVS currently reports on 'outcomes achieved' with regards to meeting NSW Education Standards Authority (NESA) syllabus requirements to convey what the student knows and can do in relation to syllabus standards in each course. Due to the nature of the students and their needs, assessment scores and grading are considered counter-productive in relation to developing a sense of self-worth and developing engagement in learning. In the case of Life Skills, criteria includes the extent to which a student can satisfactorily achieve an outcome independently.

For each subject a JVS student is studying through Distance Education, Distance Education will provide achievement grades and descriptors to clearly convey what the student knows and has achieved in relation to syllabus standards.

6. Audience and applicability

This policy applies to all staff employed at JVS. It also applies to students who attend JVS and has implications for the JVS school community.



Assessment & Reporting Policy

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Effective: February 2023

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7. Responsibilities / delegations

The Principal of The Joseph Varga School has the delegated authority by the JVS Board of Directors to review and modify this Policy in consultation with the NSW Education Standards Authority (NESA) requirements and changes to relevant legislation.

The JVS Board of Directors are responsible for the governance of JVS and in ensuring policies are adhered to and meet legislative requirements.

8. Monitoring, evaluation and reporting requirements

This Policy, and related procedural statements, are reviewed on a regular basis.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Discipline Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSPH-E01

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the discipline of students at The Joseph Varga School. JVS is committed to consistently and positively caring for whole individuals in need. There is only ever a need for discipline, if this program breaks down, or the level of stress that individuals exhibit, becomes overwhelming, undermining the School ethos.

2. Commencement

This Policy will commence from February 2023. It replaces all other Discipline policies of JVS.

3. Application of the Policy

The School is committed to providing a safe environment for students where the risk of harm is minimised and students feel secure and safe.

JVS is a highly supportive educational environment that is focused on fostering the social, academic, physical and emotional development of students.

However, there exists situations where protective limits need to be placed on violence, physical threats, verbal abuse, threatening gestures, sexual harassment, racial vilification, and controllable anxiety-based repetitive tics (cf. uncontrollable motor/ nervous system vocals), which effect the safety and well-being of staff, other students and themselves.

The parent(s) / carer(s) / guardian(s) also understand that if their child demonstrates high risk and high safety concern behaviours then the school's generic support policy via its 'disciplinary' response will escalate, in accordance with the school's relevant policies and procedures.

This will result in a standard process, beginning with, for instance, a Behaviour Contract, moving through to Suspension, and in some cases, Expulsion and Exclusion.

Disciplinary measures and penalties related to the above, are based on pastoral care and welfare of the child as well as a process of procedural fairness, at all times.

4. Scope

The ultimate goal becomes 'Self-Discipline' through self-control, self-regulation and the development of the skills required to self-manage and self-monitor.

Traditionally, discipline is applied by external agents to get students to change their behaviour, whereas self-discipline springs from self-regulatory and self-reinforcing mechanisms; without the need for the intervention of external disciplinarians and reinforcers, but within the child him/herself. The rewards are intrinsic rather than extrinsic.

In this kind of approach, discipline is effective, but is not a rigid Policy, rather it is flexible, dynamic, responding to individual student's needs, thereby not carrying with it the repressive nature of many other mainstream formal approaches to discipline.

It is School policy, that the virtues of orderly conduct and polite manners form part of mutual respect (which also develops in hand with self-respect).

Discipline problems can frequently be pre-empted, redirected or rectified before they occur within classrooms and the school generally, by a firm, sensitive, consistent limit setting



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approach.

The key to the effectiveness of school wide behaviour management rests on the staff consistently applying, consolidating, and extending the agreed 'student code of conduct'.

This also requires staff to regularly review and discuss best practices and strategies with a view to encouraging students to accept more and more responsibility for managing and disciplining themselves.

Part of these discussions involves identifying, modeling and engendering the use of explicit strategies and tools (e.g., anger control), that students themselves can use to regulate their own behaviours in natural situations. This kind of instruction to students frequently occurs in natural contexts as part of the resolution of the issue at hand.

Another important aspect of this discipline policy is that the school ethos ensures that while students are likely to make mistakes in judgment and choices as part of their learning development, no punitive record or 'demerit' system is used to record or recall these mistakes; instead each day represents a new baseline for the child.

The only exception to the application of this policy occurs in situations where the behaviours of the child may constitute a risk to him/herself, to others, or to school property.

This ensures disciplinary matters can be dealt with quickly and effectively in a positive and productive manner, as they immediately arise naturally in real-life situations, both within and outside the school.

In this mix, it is also not unusual for 'Negotiation', 'Conflict-Resolution Techniques' and 'Cognitive Behaviour Therapy (C.B.T)' strategies to be implemented by the trained teachers and/or specialists, in order to help students re-pattern or re-program their own responses.

Students are emotionally challenged to employ meta-cognitive processes including mindfulness, self-awareness, meditation and self-talk to help them establish appropriate limits on their own behaviour.

Such School staff also work as active listeners and can be humorous to help diffuse volatile situations.

5. Procedures:

The ultimate objective of the school's discipline policy is to reiterate student 'Self-Discipline', though this is built up progressively and cumulatively over a period of time, in the following manner:

- Remind student about 'Code of Conduct'
- Verbal discussion with student about the reasons for the behaviour
- Discussion of alternative ways of coping
- Modeling approaches and learning to take other people's perspectives
- Learning to acknowledge that one has acted inappropriately
- Classroom teachers implement classroom-based strategies to increase a target child's acceptance of responsibility and behavioural skillset e.g.:

*Distinguishing between comforting the child, re-directing the child, or rewarding the child verse the child learning to accept his/her own responsibility for the inappropriate behaviour, with the teacher having to 'read the moment'.

*Explicit teaching of desired and appropriate behaviours



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*Visual stories, posters, and memory aides to cue self-regulatory habits

*Coach, mentor and encourage an individual child through issues or how to problem solve

*Realistic goal setting

*Role playing situations where the protagonist and victim exchange roles

*Cooperative activities and behaviours

*

*Trust exercises

- Conference with Principal
- Psychological counseling
- Breaking down the student's (verbal, behavioural, attitudinal, abusive) defensiveness by using strategies (e.g., that directly confront the child with evidence from his or her own behaviours, to working through inconsistencies in how the participants justify their actions), in order to accept mutually agreed consequences.
- Where there are repeated inappropriate behaviours, the school can rely on for example:
 1. Isolated break (with supervision and support)
 2. Loss of excursions
 3. Loss of computer or technology or an identified reward.
- In-school consequences for severe inappropriate behaviours include for e.g.:
 1. Collaborative conference and behavioural/emotional planning with parents/carers present.
 2. Individualised Behaviour Contract imposing more and more limits on the target behaviours of the target child in specific contexts.
- At home consequences established by parents include e.g. loss of television, electronics, technology, pocket money, leisure activities.
- If contract is breached, another parent conference. Student is 'suspended' (refer to Policy: Procedural Fairness JVSCPH-E05).
- The disciplinary procedures undertaken by the School will vary according to the seriousness of the alleged offence and the individual student and could result in expulsion.
- For more serious offences that involve physical abuse, either of peers or staff, Medical Staff, Community Services, and Police Liaison Officers may be involved in the management and resolution of the issues.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Safety Intervention Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E02

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the school's 'Behavioural Response', in terms of its Safety Intervention Policy, by focussing on 'crisis prevention' and working towards a 'Restraint-Free' environment, and the use of Restraint appropriately.

2. Commencement

This Policy will commence from February 2023. It replaces all other Management of Aggression policies of JVS.

3. Application of the Policy

The school policy focuses on pre-emption, and intervention, as well as 'the creation of restraint-free environments'.

Physical restraint is only recommended when 'less-restrictive methods of intervening have been exhausted, and when the individual presents a danger to self or others'.

Staff are expected to be fully conversant with 'Understanding The Risks of Restraints'.

'Even when physical restraint is employed, it is used in such a way to allow the person an opportunity to calm down at his/her own pace and to assist in the process of re-establishing Therapeutic Rapport'.

4. Scope

Physical intervention procedures' are therefore only adopted 'as a last resort', and only employed if staff have sufficient skill and confidence in safely managing such 'Emergency' techniques and situations, only after suitable training, practice and rehearsal.

It should be emphasized that any physical intervention is potentially dangerous and should be looked at as an emergency response procedure, with risks minimized if staff regularly undergo training, practice, self-evaluations and debriefings.

The school policy involves staff becoming familiar with the 'Personal Safety Techniques' employed by the Crisis Prevention Institute (CPI) in Safety Intervention (SI).

At all times, the teacher's primary concern, to reiterate, is to maintain Care (showing compassion & empathy), Welfare (supporting emotional & physical well-being), Safety (prevents danger, risk & injury) and Security.

The intervention techniques turn on: 'What I Think?' [stay calm, have a plan, use an element of surprise), 'What Can I Do?' (identify the weak point, create leverage from it, use momentum) and 'What Tools do I have to help me?'

The intervention techniques are specific, and may be examined in print and image, on application to the Principal.

Any physical intervention is only considered 'when the danger presented by the acting-out individual outweighs the risks of physical intervention'.

Any physical intervention, to repeat, is only used when all other options have been exhausted, including continuing verbal intervention, removing dangerous objects, calling for further assistance and when an individual is a danger to self or others.



Safety Intervention Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E02

5. Physical Intervention and Restraint Methods

In employing restraint methods, it is critical that staff understand the legal implications of their physical intervention (see Child Protection Policy JVSCPH-C02).

Safety Intervention only becomes necessary if any physical intervention is regarded as 'appropriate' and 'reasonable' for the management, care and welfare of the child, given the school's relevant codes of conduct and professional standards..

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Behaviour Management Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E03

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the school's 'Behavioural Response' strategies in managing severe inappropriate behaviours.

2. Commencement

This Policy will commence from February 2023. It replaces all other Behaviour Management strategy policies of JVS.

3. Application of the Policy

The parent(s) / carer(s) / guardian(s) also understand that if their child demonstrates high risk and high safety concern behaviours then the school's disciplinary response will escalate, in accordance with the school's relevant policies and procedures.

This results in a standard process, beginning with a Behaviour Contract, moving through to Suspension, and in some cases, Expulsion and Exclusion.

Disciplinary measures are always based on a process of procedural fairness following evidence of ongoing support and intervention with no improvement.

The disciplinary procedures undertaken by the school will vary according to the seriousness of the alleged offence and the individual student.

4. Scope

When serious ongoing concerns have arisen, the school will provide a process to implement a behavioural contract as the first step in management of the high-risk concerns.

A behavioural management contract is initiated by Principal to address serious behaviour concerns. It is the outcome of extensive evidence of support offered by the school and communicated to the parents to address the concerns. In some instances, it can be activated immediately to address serious risks of harm.

The contents of a behavioural contract will impose specific conditions for the child's enrolment to continue at the school. A contract will include:

- Assessment of identified issues against evidence of the frequency, severity, and intensity of high-risk behaviours and the failure of explicit support measures.
- Clear conditions indicating limits associated with the need for safety and high-risk behaviour.
- Student commitment to issues identified (as required)
- Parent commitment to issues identified
- A breach of contract on repeatedly breaking commitments and/or engaging in actions that could put the student's own safety at risk and causes distress or harm or safety concerns to others – usually, in the first instance, will involve a suspension and a follow up conference.



Behaviour Management Contract Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E03

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Suspension and Expulsion Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E04

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the school's 'Behavioural Response' strategies relating to Student Suspension and Expulsion.

2. Commencement

This Policy will commence from February 2023. It replaces all other suspension and expulsion policies of JVS.

3. Application of the Policy

The parent(s) / carer(s) / guardian(s) also understand that if their child demonstrates high risk and high safety concern behaviours then the school's disciplinary response will escalate, in accordance with the school's relevant policies and procedures.

This results in a standard process, beginning with a Behaviour Contract, moving through to Suspension, and in some cases, Expulsion and Exclusion.

Disciplinary measures are always based on a process of procedural fairness following evidence of ongoing support and intervention with no improvement.

The disciplinary procedures undertaken by the school will vary according to the seriousness of the alleged offence and the individual student.

4. Scope

When a Behaviour Management contract has been implemented and the contract has been breached, the Principal reserves the right to consider suspension leading to possible expulsion.

The process for this action requires:

- the Principal to meet with the family and the student to offer procedural fairness and assess the behaviour / breach;
- provide, for example, the student with a reasonable opportunity to respond or put his/her case, either in writing or orally;
- consider the response to the incident / breach in question, in relation to all facts available (daily behaviour review, CCTV, incident reports).

An email will be provided to parents informing them of the outcome of the school's decision, and if considered appropriate the suspension/expulsion will be effective immediately.

The school will consider (but not guarantee) the reimbursement of current term fees should a student be expelled.

This decision is final and is at the discretion of the Principal (after considering all facts and evidence relating to the matter.)

Parents however can make and appeal to the Chairperson of the JVS Board if they feel the decision is unfair, as a matter of procedural fairness (JVSCPH-E05).

	<h1>Suspension and Expulsion Policy</h1>	Authorised by: Directors
		Effective: February 2023
		Policy Number: JVSCPH-E04

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Procedural Fairness Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-E05

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the 'Procedural Fairness' when considering action and/or application of school policy.

2. Commencement

This Policy will commence from February 2023. It replaces all other procedural fairness policies of JVS.

3. Application of the Policy

Policies and procedures relating to student discipline and general student behaviour management issues, along with all grievances and complaints by students, parents, teachers, are always treated by The Joseph Varga School in a manner consistent with the basic rights of 'Procedural Fairness'.

This rests on the principles of '**being heard**' and '**the basic right to an unbiased decision**', in cases where allegations, problems, issues, complaints, arise.

4. Scope

All, or where appropriate, some, of the elements of Procedural Fairness invoked at The Joseph Varga School include:

- Nominating a staff member to conduct the investigation as soon as possible;
- Ensuring that the person does not decide a case in which he/she has a conflict of interest;
- Acting fairly and without bias;
- Informing, for example, the student, of the substance, with as much detail as possible, of the allegation(s) or complaint(s) made against him or her;
- Providing, for example, the student with a reasonable opportunity to respond or put his/her case, either in writing or orally;
- Considering, for example, the student's response;
- Making reasonable inquiries or investigations before making a decision;
- Considering all relevant available evidence, including evidence that supports the allegation and evidence that does not support the allegation;
- Providing a preliminary view and the intended likely action to the person under investigation;
- Informing, for example, the student, parent/s and significant others that the preliminary decision can be commented upon or appealed to the Principal;
- Allowing an additional submission from, for example, the student, parent/s and significant others before the Principal make a final decision;;
- The Principal makes a final decision;
- The decision of the Principal of The Joseph Varga School; can be appealed by making a final representation to the Chairperson of the JVS Board if they feel the

	<h1>Procedural Fairness Policy</h1>	Authorised by: Directors
		Effective: February 2023
		Policy Number: JVSCPH-E05

decision is unfair.

Joseph Varga School

Reserves the right to vary, replace or terminate this policy from time to time.



Performance Management Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-F01

1. Purpose

The Joseph Varga School (JVS) is a registered special education school, which caters specifically for children 'of a kind' who require special instruction due to a diagnosis of Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This Policy relates to the Performance Management and Professional Development (PD) of staff.

2. Commencement

This Policy will commence from February 2023. It replaces all other performance management policies of JVS.

3. Application of the Policy

Joseph Varga School (JVS) is dedicated to continual reflection and improvement in our efforts to offer 'best practice' education to our students. To achieve this we expect our teachers to be open to new ideas and strategies in their efforts to reach all students and make learning meaningful; and to embrace the full charter and ethos of this school.

Performance management and professional development at JVS is designed to enhance performance. The school uses performance review questionnaires and the National Professional Standards for Teachers Checklist to audit professional standards against the national standard and guide future professional development opportunities that target improvement in specific standards. The school has a particular ongoing focus on providing Professional Development that will upskill teacher knowledge, catering for students with Autism Spectrum Disorder (ASD) and/or other sensory, physical, Intellectual, or emotional disabilities.

This policy applies to all permanent JVS staff and temporary staff employed for periods greater than eight weeks consecutively in any one year.

Conditions of staff employment, including performance management principles, are contained in Multi-Enterprise Agreements, and policies, procedures, circulars and other administrative documents issued by the JVS.

4. Scope

Joseph Varga School believes that effective PD must:

- Directly connect to the work of teachers and the learning of their students.
- Be participant driven and grounded in enquiry, reflection and experimentation.
- Engage teachers in practical tasks and provide opportunities to observe, assess and reflect on the new practices.
- Provide support through modelling, coaching and the collective solving of problems.
- Be collaborative and involve the sharing of knowledge
- Be sustainable, on-going, and cumulative, in that new knowledge, skills, and attitudes naturally augment and integrate with pre-existing attitudes and competencies.

5. Objectives

Performance management and appraisal is a critical process in achieving school objectives in that it links those objectives with employee goals and achievements. It focuses on



Performance Management Policy

Authorised by: Directors

Effective: February 2023

Policy Number: JVSCPH-F01

improving performance through matching outcomes against individual, team and organizational objectives.

Performance management and development is an essential element in the creation of an organizational culture which promotes high quality performance and the individual acceptance of responsibility and accountability commensurate with the individual's position and role.

Performance management and development is integral to the continuous process of reflecting on, negotiating, developing, reviewing, and making decisions about an individual employee's performance in achieving organizational goals.

Performance management and development processes complement other management practices of providing ongoing feedback, review and development of staff.

The Principal regularly refines the school's own method of reviewing performance which is designed to encourage staff to think about their own performance, as a basis to facilitate their own performance development through focused and directed reflection, discussion and action.

6. Responsibilities and Delegations

All staff are responsible for:

- Participating in a performance management and appraisal process consistent with this policy and their conditions of employment as per the Multi-Enterprise Agreement.
- Demonstrating and being accountable for their performance in relation to the implementation of organizational and workplace goals
- Participating in ongoing review and formal performance review meetings
- Participating in appropriate and related professional development as required.

In addition, teachers are required to:

- Meet the Professional Teaching Standards (NSW Education Standards Authority (NESA) in order to attain and maintain registration as a practicing teacher.

The Principal is responsible for:

- Exercising leadership by working with staff members to implement the performance management and development process consistent with the policy and staff members' conditions of employment
- Providing continuing support and feedback to staff members
- Assisting in the identification of and participation in appropriate and related professional development as required.

The Principal (or delegated Supervisor) and staff member will identify appropriate goals for the staff member and ensure appropriate progress towards their achievement in accordance with established timeframes as outlined in support and implementation documents to be provided at the beginning of an Annual, and/or Termly, Performance review cycle.

7. Monitoring, Evaluation and Reporting Requirements

The Principal and the delegated supervisor, if required, will report on the effectiveness of the policy and teacher development annually, or as required, to the Board of Directors.

The Principal, and the delegated Supervisor, are responsible for the operation of this policy and the implementation of the procedures for the relevant staff.

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Joseph Varga School

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