

## 1. Purpose

This procedure describes the processes undertaken by the RTO to ensure that learners are supported through their training, learning needs are identified and critical incidents are managed.

## 2. Compliance

This policy relates to the following Standards: 1.7

## 3. Responsibilities

- Chief Executive Officer is responsible for overall application of this policy and procedure.
- Administration and Compliance Manager is responsible for advising in line with events that take place and appropriate countermeasures.
- All staff are responsible for communicating where a learner identifies a need or when a critical incident occurs.

## 4. Definitions

In this policy the terms:

“Employee” includes a contractor (or a contractor’s employees);

“Educator” refers to any Employee who is directly involved with the training and/or assessment of Students;

“Company” refers to Skill Hire

“Incident Management Team (IMT)” refers to the team responsible for reviewing, recording and providing advice in the event of a Critical Incident or Emergency where minors or students are affected. The IMT is made up from two or more of the following individuals as appropriate:

- Administration and Compliance Manager (ACM)
- Counsellor / Mentor
- General Manager – Training Services

“Student” includes a candidate, trainee, apprentice, participant or client who is enrolled with the Organisation for the purpose of accredited training and/or assessment;

“Minor Student” includes a candidate, trainee, apprentice, participant or client who is enrolled with the Organisation for the purpose of accredited or non-accredited training and/or assessment and is under the age of 18 years at the time of enrolment;

Critical Incident includes an incident in which there is a high likelihood of traumatic effects. A critical incident evokes unusual or unexpectedly strong emotional reactions which have the potential to interfere with the ability of the individual, group or system to function either at the time or later. For example, an on-site accident-causing death or serious injury, student or staff suicide, major vandalism, sexual assault at school,

students lost or injured on an excursion or intruders on a school site who cause harm to people or damage property.

Emergency includes an event, actual or imminent, which:

- occurs on or off site;
- endangers or threatens to endanger life, property or the environment; and
- requires a significant and coordinated response.

For example, fire or bomb threats, hazardous materials spillage, prolonged loss of a utility (for example, water or power), cyclone and floods.

Note that this policy must be considered in tandem with general OHS/WHS and emergency management policies and procedures. This policy is specifically contextualised to how the Organisation manages these issues in relation to our duty of care over students and the additional responsibilities of the Organisation, Employees and Educators in relation to duty of care for Students both over and under the age of 18 years.

## 5. Policy Objective

To ensure that the Company through the actions of its Employees and Educators provide every student with the educational support the student needs to learn and maintain positive behaviour while ensuring a safe environment. Additionally, to ensure that where the safety of Students, Employees or Educators are put at risk, these situations are managed effectively.

## 6. Commitment

At Skill Hire we are guided by the following commitments, to ensure that:

Students are supported cognitively, as well as emotionally and socially;

Employees and Educators are aware of their rights and responsibilities in relation to student support, behaviour management and duty of care;

on-site and off-site education related emergencies and critical incidents are minimised in relation trauma and distress to students and staff and damage to property and to ensure the teaching and learning programs are maintained or resumed where possible.

## 7. Overview

This policy and the relevant procedure covers:

Day to day behavioural management of students;

Effective emergency management involves coordinated actions based on management principles and designated responsibilities. This will:

- reduce the likelihood of emergencies and critical incidents;
- minimise the impact on students, staff and site activities; and
- facilitate the return of the site to normal operations as soon as possible.

Management of emergencies and critical incidents will involve consideration of: z prevention and mitigation of;

- preparedness for;
- response to;
- recovery from; and
- review of emergencies and critical incidents.

## 8. Force Majeure

### *Evacuation (Fire, Earthquake, Hazardous Substance or Bomb threat)*

#### **Response & Responsibilities:**

In the event of a fire, earthquake, release of a hazardous substance or bomb threat that results in the need to evacuate the premises, Educators are responsible for safely escorting students out of the campus.

Educators and administration staff are responsible for ensuring that parents/guardians are notified as soon as practicable in the event of a real evacuation.

#### **Preparedness:**

Evacuation drills occur on a six-month basis within the school and students are provided with information about evacuation procedures as part of their induction. Please refer to Emergency preparedness and response procedure for more information.

**Note:** Refusals to leave; where the student is under the age of 18 and the organisation has additional duty of care, educators can physically remove the minor where it is safe to do so.

**Follow up:** Counselling services to be made available to all students post event for a period of 2-4 weeks as determined appropriate by the IMT.

### *Lockdown*

#### **Response & Responsibilities:**

Lockdown occurs when isolating students, staff and visitors from a perceived threat of physical harm at the school site by confining people to classrooms or other school buildings.

This situation is most likely to occur in relation to parents or guardians seeking access to a child where there may be a breach of a court order. In the circumstance that a student identifies an individual that presents a perceived risk, the student will immediately inform the Educator. The Educator is responsible for moving the student to a secured classroom and notifying management.

Management is responsible for determining the appropriate action of confrontation with the individual in question, contacting local police or emergency response.

Where a student who is minor refuses to leave with an individual, permission from the nominated parent or guardian must be sought and recorded.

Educators and administration staff are responsible for ensuring that parents/guardians are notified as soon as practicable in the event of a lockdown.

### Preparedness:

All minors are enrolled with permission of a nominated parent or guardian. The enrolment form allows individuals to identify where court orders are in place which the Organisation needs to be aware of. This information will be passed on to Educators where relevant.

The Organisation provides for counselling and mentoring services where this information can be noted or identified.

## 9. Student Behaviour

The Administration and Compliance Manager will document a whole Organisation plan to support positive student behaviour that includes:

- a student code of conduct stating the behaviours that students are required to learn and maintain at the school;
- the roles and responsibilities of staff in implementing whole school behaviour support;
- training and student management strategies that support positive student behaviour including:
  - the management of the education environment to promote positive student behaviour;
  - the organisation's strategy for communicating to parents/guardians on under 18 students' behaviour;
  - the organisation's strategy for deciding on the application of disciplinary measures;
  - the organisation's approach to coordinating with external agencies where required;
  - measures to address:
    - all forms of bullying;
    - aggression;
    - drug and alcohol misuse by students, including provision of evidence-based drug and alcohol education;
    - the presence of weapons on site;
    - risks of suicidal behaviour and/or non-suicidal self-injury, including risks associated with cumulative harm from child maltreatment;
- the rules regarding personal use of mobile and other electronic devices, and responses to breaches of these rules; and
- the strategy for record keeping, and use of data in assessing the effectiveness of whole school behaviour support.

## *Bullying, harassment or assault (sexual or physical)*

The Organisation must advise students that if they find themselves in a situation where they experience bullying, harassment or assault during a program, they must immediately inform:

- the Educator;
- and/or the Counsellor/Mentor, Administration and Compliance Manager and General Manager

Educators or Staff who become aware of any bullying, harassment or assault of students must inform the Administration and Compliance Manager or General Manager to determine appropriate action.

Upon notification of sexual harassment during the Program, the Educator or Staff member will inform the General Manager and CEO who will follow departmental policy and procedures in conjunction with the IMT (see Child Protection in Public Schools policy).

## *Bullying, verbal abuse or intimidation*

Students agree and sign a Code of Conduct at Orientation, where an Educator or Staff member become aware of this the measure which can be taken include but are not limited to:

- **Initial Verbal Warning** (this should be done one on one with the student in private, where the behaviour is clearly identified, e.g. “*John, this is a first verbal warning that (INSERT BEHAVIOUR “swearing to other students/using that word”) is not appropriate. If you continue to (INSERT BEHAVIOUR), the next step will be a formal written warning or removal from class.*”)
- **Formal Written Warning** (Verbal discussion with the student and a formal email or letter identifying the behaviour, reference to breach of Code of Conduct, explanation of possible further actions)
- **Removal from class**; Where the behaviour presents a gross breach of code of conduct or where previous actions above have not been effective, the student is removed from class. This can be done by an Educator but with approval from management. A formal written response must be provided in line with above, examples may include where bullying or abuse is consistent or where it is a gross abuse or where the nature of the verbal abuse is presenting as an obstacle to the ability of all students within the environment to continue to engage with the training and assessment.

## *Physical assault on student or staff member*

Any instance where a student physically assaults another student or staff member will result in immediate removal from class, a formal written warning, development of an IEP and consideration in relation to cancellation of the student’s enrolment.

At all times the health, safety and welfare of Students and Staff are paramount. No Staff member or Educator should willingly place themselves in danger.

The Organisation has an ethos and environment where using physical contact to manage student behaviour is not necessary. However, at times, a situation may arise where physical contact or physical restraint is

warranted. Regulation 38 of the School Education Regulations 2000 states that school staff may, under certain conditions, use physical contact with students.

Staff may take action, including physical contact with a student or a student's property, as is reasonable to:

- manage or care for a student; or
- maintain or re-establish order; or
- prevent or restrain a person from placing at risk the safety of any person.

For an understanding of how and under what circumstances this is appropriate please refer to the [Physical Contact with Students Guidelines](#).

After consideration of risk actions may include but are not limited to:

- physical intervention;
- physical intervention with support from other Educators;
- removal of other students from the area; and/or
- calls to local police or emergency services.

For further information on how this matter will be handled, please refer to Incident Reporting Procedure & Incident Investigation, Corrective and Preventative Action Procedure.

The IMT will be responsible for determining further actions as well as identifying appropriate individuals to make contact with parents/guardians and/or emergency contacts.

### *Accident/injury while on campus*

For further information on how this matter will be handled, please refer to Incident Reporting Procedure & Incident Investigation, Corrective and Preventative Action Procedure.

The IMT will be responsible for determining further actions as well as identifying appropriate individuals to make contact with parents/guardians and/or emergency contacts.

### *Destruction to property*

Any instance where a student wilfully causes damage to Organisational property will result in immediate removal from class, a formal written warning, development of an IEP and consideration in relation to cancellation of the student's enrolment.

At all times the health, safety and welfare of Students and Staff are paramount. No Staff member or Educator should willingly place themselves in danger. Physical contact with students is not allowed in order to prevent damage to property, with the exception of a circumstance where the behaviour also presents significant risk to the students own physical safety or the safety of others.

The process for management of this includes:

- removal of other students from the area;

- verbal notification to the student to stop the behaviour and identification that the behaviour is a breach of the Code of Conduct;
- notification to management of the incident;

Upon completion of the damage, Educators should remove the student from training for discussion and further action.

It is recommended that the student speak with the Counsellor/Mentor or ACM to document the incident and liaise with the IMT on further actions.

### *Major accident or incident resulting in death on campus*

For further information on how this matter will be handled, please refer to Notifiable Incident Reporting Procedure, Incident Reporting Procedure & Incident Investigation, Corrective and Preventative Action Procedure.

The IMT will be responsible for determining further actions as well as identifying appropriate individuals to make contact with parents/guardians and/or emergency contacts.

Any incident resulting in a death on campus will trigger an Evacuation and be classified as a Critical Incident. The IMT is required to convene and determine the extent to which counselling and support services will be provided to Staff and Students. Support services should include but are not limited to:

- review of directly affected Students and Staff for signs of Post Traumatic Stress Disorder;
- grief counselling services for all Staff and Students;
- presentations by grief counselling services to affected Students & Staff.

### *Disclosure of abuse*

#### **Mandatory Reporting Legislation**

Legislation requiring teachers, doctors, nurses, midwives, police and boarding supervisors to report beliefs of child sexual abuse to the Mandatory Reporting Service of Child Protection and Family Support. Legislation covering mandatory reporting of child sexual abuse is the Children and Community Services Act 2004.

Mandatory reporting only applies when a teacher, registered with the Teacher Registration Board of WA, or boarding supervisor is working in their role as a teacher or boarding supervisor either in a paid or voluntary capacity.

Educators and Staff are not required to report, however, where a Student discloses to an Educator or Staff member of any abuse, the Educator or Staff member are required to provide this information to the General Manager or AdminiGeneral Manager such that advise can be sought on the most appropriate actions.

The protection from incurring civil or criminal liability or professional misconduct when providing confidential information concerning suspected child abuse in good faith to Child Protection and Family Support or WA

Police and prescribed authorities and/or authorised entities. Refer to section 28B of Children and Community Services Act.

## *Illegal objects/substances on site*

There is no general right for the RTO staff, trainers and assessors to search student possessions and confiscate student property. Educators are not vested with the same powers as Police.

The School Education Regulations 2000 permit a principal or teacher to take possession of hazardous objects (for example, knives) brought to school by a student. RTO policy states that students and staff are not allowed to bring weapons or drugs on campus and that in the event of this, the RTO reserves the right to take temporary possession of hazardous objects.

In the event that illegal objects such as weapons, drugs or drug paraphernalia are found on campus, the RTO reserves the right to confiscate these items and alert police to their presence.

As such, response measure may include searching bags and lockers where there is a reasonable suspicion that such an object is in the possession of the student. It is always preferable for staff to request students to open their own bags and lockers for inspection. If the student is not sufficiently mature to make a reasonable and informed decision to permit a search of their possessions, the RTO should obtain the consent of the parent. If the student is sufficiently mature to make the decision and refuses permission, the search should not be conducted unless:

- staff have reasonable suspicion that the student is in possession of a hazardous item such as a weapon or drugs **AND**
- the item poses an *immediate threat* to the safety and welfare of students and staff.

Consideration should be given to whether Police assistance should be sought to conduct a search.

Any search of a student's bag should be undertaken in a private setting away from other students and dealt with in a sensitive manner. Treating a student with respect, informing them of the reasons for the search and allowing them to be present with an independent observer, such as a member of staff, makes the process less intrusive and the student is more likely to cooperate.

## *Disclosure of self-harm or intent to self-harm*

Organisational staff need to be mindful, however, that some students will experience emotional and/or psychological distress during their school years, and that some students are exposed to trauma and cumulative harm. These factors, amongst others, could lead to an increase in the risk of mental health problems and, in some cases, suicidal behaviour and/or non-suicidal self-injury (NSSI). It is therefore of significant concern when suicide and self-harming behaviour is seen in students, and it is important to take action. In Australia, suicide was the leading cause of death for children aged between 5 and 17 years in 2015



according to the Australian Bureau of Statistics. The Organisation and Educators can promote the mental health and wellbeing of students and members of their communities.

Suicidal behaviour includes suicidal ideation, suicide attempts and suicide.

- Suicidal ideation refers to an individual's thoughts about ending their life.
- An attempt refers to an individual harming themselves with the intent to die but not resulting in death.
- Suicide is a deliberate act to end one's life resulting in death. This is usually termed 'death by suicide' or 'suicided'.

A **direct disclosure** is when a student informs an Educator or Staff member of any feelings, thoughts or actions associated with suicidal behaviour or NSSI. This may include verbal disclosure or disclosure through an assessment where there has been an expression of suicidal behaviour or NSSI.

An **indirect disclosure** is when information or concerns for a student are brought to the attention of an Educator or Staff member by a third person such as another student, Staff, parent/guardian or community member.

At no time can staff maintain absolute confidentiality with a student who has disclosed suicidal behaviour or NSSI.

Staff and Educators must follow the [Department of Education School response and planning guidelines for students with suicidal behaviour and non-suicidal self-injury](#)

Nominated Staff for notification within the Organisation are the CEO, ACM or HR Manager.

Nominated Staff to be able to conduct Suicide Risk Assessment is Ronel Derman; ACM.

## *Under the influence on site*

The RTO has a policy that students and staff are not allowed on site under the influence of drugs or alcohol. Any person under the influence represents a risk to themselves and other students and staff. Particularly in light of the training offered, students under the influence are not able to safely operate potentially dangerous equipment such as saws, hammers and power tools.

Staff need to be aware of the potential signs of students and/or staff under the influence. Symptoms associated with substance abuse are dependent upon the type of substance used. The following outlines observable symptoms for drugs and alcohol abuse for students;

- Physical and health warning signs of drug abuse
- Eyes that are bloodshot or pupils that are smaller or larger than normal
- Changes in appetite or sleep patterns
- Sudden weight loss or weight gain
- Deterioration in personal grooming or physical appearance.

- Impaired coordination, injuries/accidents/bruises that they won't or can't tell you about - they don't know how they got hurt.
- Unusual smells on breath, body, or clothing
- Shakes, tremors, incoherent or slurred speech, impaired or unstable coordination.

Behavioural signs of alcohol or drug abuse

- Skipping class, declining grades, getting in trouble at school;
- Drop in attendance and performance at work - loss of interest in extracurricular activities, hobbies, sports or exercise - decreased motivation;
- Complaints from co-workers, supervisors, teachers or classmates;
- Missing money, valuables, prescription or prescription drugs, borrowing and stealing money;
- Acting isolated, silent, withdrawn, engaging in secretive or suspicious behaviours;
- Clashes with family values and beliefs;
- Preoccupation with alcohol and drug-related lifestyle in music, clothing and posters;
- Demanding more privacy, locking doors and avoiding eye contact;
- Sudden change in relationships, friends, favourite hangouts, and hobbies;
- Frequently getting into trouble (arguments, fights, accidents, illegal activities.);
- Using incense, perfume, air freshener to hide smell of smoke or drugs;
- Using eyedrops to mask bloodshot eyes and dilated pupils.

Psychological warning signs of alcohol or drug abuse;

- Unexplained, confusing change in personality and/or attitude;
- Sudden mood changes, irritability, angry outbursts or laughing at nothing;
- Periods of unusual hyperactivity or agitation;
- Lack of motivation; inability to focus, appears lethargic or "spaced out.";
- Appears fearful, withdrawn, anxious, or paranoid, with no apparent reason.

The RTO has a policy in place where students can be asked to undertake a drug test where they present with symptoms that would reasonably indicate to an Educator to be under the influence and represent an immediate threat to the safety of themselves or other students if they remain on site under the influence.

Where a student discloses that they are under the influence or where a drug test confirms a positive result, the following actions will be taken:

- Results or disclosure will be placed in the students confidential file;
- Student will be removed from the class for the day;
- The student will need to undertake counselling with the student counsellor or Quality Advisor;

- An Individual Education Plan will be put in place to identify positive behaviours and support mechanisms.

Where the student is under the age of 18 years, the results will be shared with the nominated parent or guardian.

### *Leaving campus without permission or notification*

Students under the age of 18 are not allowed to leave the campus without express permission. Permission must be granted by parent or guardians, and Educators must be aware of student's location at all times.

Written permission is sought prior to or upon enrolment from parent/guardians.

Verbal permission will be granted or denied by Educators based on the student's participation and progress within the course.

### *Unsafe use of equipment or general unsafe behaviour*

All students are provided with inductions on how to use equipment and materials safely, the occurs upon the commencement of the qualification through WHS/OHS units as well as continually throughout training as new tools and equipment are introduced.

Where students do not conduct themselves in line with OHS/WHS, the following process is applied:

- Informal verbal warning
- Formal verbal warning (conducted one on one with student privately; *"This is a formal verbal warning based on your decision to XXXX, we have to maintain a safe environment for you and everyone else, as well as apply safety standards. If you continue to XXX, then we have to remove you from practical training and issue a formal written warning.*

*I need you to explain to me how your actions have breached OHS/WHS, why it was unsafe?"*)

Once the student has acknowledged, the formal verbal warning is to be documented via email or in a note on the students aXelerate profile.

Behaviour that directly threatens the safety and welfare of another student is addressed above.

## **10. Documenting Incidents & Issues**

Where an incident of student behaviour needs to be documented, or where students participate in counselling with the counsellor, ACM or CEO, a file is created for the student in the Quality Drive/ Student Critical Incidents / Student Last Name student first name.

This folder is restricted access to the CEO, ACM and Counsellor and is to be treated as confidential.

Incidents as well as follow ups and debriefings need to be recorded and stored in the students file and within the Critical Incident Register.

Documentation should follow the templates and forms:

- Sample emergency and critical incident management plan for individual students
- Critical Incident Reporting Form

## 11. Debriefing

Debriefing should be carried out within three to seven days of the critical incident, when affected staff and students have had enough time to take in the experience. Debriefing is not counselling. It is a structured voluntary discussion aimed at putting an abnormal event into perspective. It offers individuals clarity about the critical incident they have experienced and assists them to establish a process for recovery.

The Debriefer helps individuals to explore and understand a range of issues, including:

- The sequence of events
- The causes and consequences
- Each person's experience
- Any memories triggered by the incident
- Normal psychological reactions to critical incidents
- Methods to manage emotional responses resulting from a critical incident.

## 12. Student Progression

The RTO has a range of policies and procedures in place to support the progression of students through qualifications in line with the developed TAS. The RTO has a responsibility to provide training and undertake assessment, ultimately as VET is competency based, every student will choose to learn and demonstrate competency in their own timeframe.

Where the RTO has concerns about the student's engagement in training, the following strategies are utilised, this will vary based on the age of the student and the program that they are enrolled in. Younger and less experienced students are monitored more closely whereas more experienced students who are not undertaking government funded programs are allowed more leeway in determining suitable progression timelines.

Strategies include but are not limited to:

- Emails, phone calls and texts to remind students when they are scheduled to attend training
- Emails, phone calls and texts to remind students when they did not attend scheduled training
- Emails, phone calls and texts to parents, guardians, schools and/or employers where students do not attend scheduled training
- Options for extensions for assessment submissions
- Options to be reassessed (at the discretion of the RTO)

- Options to be provided with additional or make up training or one on one support from a trainer or mentor (at the discretion of the RTO)
- Formal warnings issued via email in relation to progression and requirements to participate in Individual Learning Contracts

In extreme circumstances where multiple attempts have been made and formal warnings have been issued, the RTO reserves the right to cancel the student's enrolment. Where the student is undertaking this training as part of a Training Contract (Apprenticeship and Traineeship), the RTO will also contact and update the relevant STA, Apprenticeship Office and AASN.

## 13. Related Documents

- Assessment Appeals Policy
- Assessor Code of Practice
- Notifiable Incident Reporting Procedure
- Emergency preparedness and response procedure

## 14. Relevant legislation

- Australian Psychological Society Code of Ethics 2007
- Children and Community Services Act 2004 (WA)
- Disability Discrimination Act 1992 (Cth)
- Equal Opportunity Act 1984
- Occupational Safety and Health Act 1984
- Occupational Safety and Health Regulations 1996
- National Vocational Education and Training Regulator Act 2011
- School Education Act 1999
- School Education Regulations 2000
- Workers Compensation and Injury Management Act 1981
- Working with Children (Criminal Record Checking) Act 2004
- Working with Children (Criminal Record Checking) Regulations 2005
- WA Vocational Education and Training Act 1996
- WA Vocational Education and Training (General) Regulations 2009
- Volunteers (Protection from Liability) Act 2002

## 15. Related Department of Education Policies

- Duty of Care – VET for School Students Attending TAFEWA Colleges Program from Public Schools
- Emergency and Critical Incident Management
- Student Behaviour in Public Schools
- Keeping Our Workplace Safe Guidelines

## 16. Policy Additions or Amendments

Separate to the mandated annual review, the policy may be varied at any time due to legislative changes or to fall in line with widely accepted best practices in the workplace. In the event of any changes, the policy will be updated and relevant stakeholders advised.

## 17. Schedule of Approvals and Amendments

This document is owned by Ronel Derman, Administration and Compliance Manager

Status  Initial document / Amendment	Actioned By	Date of Review	Scheduled Review
Created & Reviewed	Lauren Hollows	01/01/2021	01/02/2022
Minor - Updates made in relation to student progression	Lauren Hollows	01/07/2021	01/02/2022
Minor updates	Lauren Hollows	14/10/2021	01/10/2022
Minor updates	Ronel Derman	09/11/2022	01/11/2023
Minor updates - Logo	Ronel Derman	15/10/2023	02/04/2024

Christine Zechowski

Chief Executive Officer