

PROCEDURE:

INTERNAL REVIEW OF AN ONGOING SCHOOL COMMUNITY SAFETY ORDER

PROCEDURE TO BE PUBLICALLY AVAILABLE
STATUS: APPROVED

OVERVIEW

Internal reviews of ongoing school community safety orders must be conducted in accordance with Division 4 of Part 2.1A of the Education and Training Reform Act 2006 (Vic), the School Community Safety Order Scheme Ministerial Guidelines (Ministerial Guidelines) and the school's internal review procedures. The school's internal review procedure must be published on the school's website.

DETAILS

1. A person who is the subject of an ongoing school community safety order (Applicant) may submit a written application to the Principal's Office for an internal review of a decision to:
 - make the ongoing school community safety order (Ongoing Order)
 - vary the Ongoing Order on the Authorised Person's own motion
 - refuse an application by the subject of the Ongoing Order for a variation to the Ongoing Order; or
 - refuse to revoke the Ongoing Order.
2. The Principal's Office must refer the application to the Principal as soon as is practicable, along with any supporting documentation or submissions received.

3. The Principal will nominate a person who, or a panel which, is independent of the original decision under review and the Ongoing Order, to conduct the review as soon as practicable after receiving the application (Reviewer). The Reviewer will conduct the review in accordance with Part 2.1A, Division 4 of the Education and Training Reform Act 2006 (Vic) and the Victorian Department of Education and Training's School Community Safety Order Scheme Ministerial Guidelines.
4. Woodleigh will make all reasonable efforts to ensure that the internal review decision is fair, unbiased and objective.
5. Where an application for a review has been submitted, the Ongoing Order continues to be in force in accordance with the period specified in the Ongoing Order until the review is completed.
6. The Applicant can make written submissions or, if permitted by the Reviewer, oral submissions. In addition, they can be represented, accompanied or assisted by another person.
7. Within the agreed period (28 days, or longer if an extension has been made), the Reviewer must inform the Applicant in writing of:
 - the outcome of the internal review application
 - the reason/s for the decision
 - information about their right to seek external review of the decision at VCAT
 - information on how to access an interpreter, legal assistance (such as Victorian Legal Aid help phonenumber) and mental health support (such as Parentline and Beyond Blue).

A person wishing to appeal the outcome of an internal review decision must submit an application to VCAT within 28 days of the day on which the decision is made.

SOURCE OF OBLIGATION

Education Training and Reform Act 2006 (Vic), School Community Safety Order Scheme Ministerial Guidelines