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# 4

## **Policy & Review**

**Improving School Governance**

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## 4.0 Introduction

### Goal

**The goal of this module is for school councillors to understand the role of school councils in the development, review and approval of local school policies.**

### Overview

The vast majority of policies that schools are required to comply with are Department policies, available on the School Policy and Advisory Guide, which will be transitioning to the Policy and Advisory Library (PAL) for schools in Term 1, 2020.

A number of local school policies will be required by law, the Minimum Standards for School Registration or by the Department. Where the topics covered by these local policies fall within the scope of the functions and responsibilities of a school council, the council will have a role in the development, review and approval of these policies.

It should be noted that the day-to-day operational policies and procedures in schools are managed by the principal and staff. A council may also develop other policies on topics that are within the scope of their functions and responsibilities to address local needs.

Many policies are published on school websites and are made available to the school community as a means to:

- communicate important information
- clarify functions and responsibilities
- manage change
- promote consistency of practice
- meet Department requirements and standards
- ensure decision-making is transparent.

Policy development offers council the opportunity to engage with the school community on matters of importance to the community.

Councils should regularly review their policies to ensure that they remain relevant and current. As a result of this review, they may decide to update a policy, bring a number of policies into a single policy or decide that a particular policy is no longer required. A limited number of key policies are preferable to many.

The School Policy Templates Portal is a resource available to Department staff and school council presidents on the Department's intranet site which assists in developing local policies. Councillors can work with the president and principal to gain access to the portal.

The following table shows what the principal and school leadership team, and the school council are responsible for in terms of local policy development.

The principal ...	The school council...
<ul style="list-style-type: none"> <li>• advises council about the requirement for certain local school policies to meet Department policy or legislation and guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• responds to the advice for certain local policies on issues within its powers and functions; for example, the school council is the legal entity (approved provider) under the National Law for outside school hours care (OSHC). The council is responsible for ensuring the service meets minimum requirements</li> </ul>
<ul style="list-style-type: none"> <li>• contributes to policy development, review and approval as a member of council and also as the principal</li> <li>• develops, reviews and applies policy in accordance with the Victorian Public Sector Values</li> </ul>	<ul style="list-style-type: none"> <li>• develops policy in accordance with any relevant Department policy requirements</li> <li>• develops, reviews and applies policy in accordance with the Victorian Public Sector Values</li> <li>• consults with the school community as required</li> </ul>
<ul style="list-style-type: none"> <li>• implements policy in conjunction with staff and other relevant professionals</li> </ul>	<ul style="list-style-type: none"> <li>• regularly reviews existing policies which fall within its functions and responsibilities</li> </ul>

# 4.1

## Determining the need for policy

### Why is this topic important?

Documented policies are the means by which the Department and the school community set out the school's position on a particular topic.

They are important tools that reflect the school's values and support the school's compliance with the Minimum Standards for School Registration, including the Child Safe Standards.

**Policies are important for good governance because they provide the means for the school council to:**

- set out the school's position on certain topics
- comply with Department and other requirements expected of schools
- engage with and inform the school community on matters of importance to the school.

Effective policies facilitate action, rather than control or constrain what people do. They assist school councils to influence actions and behaviours on the school's improvement journey.

**On completing this unit, school councillors should understand:**

- the reasons why the school council might need a policy on a particular topic
- which policies councils must develop
- that the principal and staff establish policies and procedures for school operational matters or other matters falling outside the scope of the functions and responsibilities of school councils.

## Why the school council develops policy

A school council will develop a policy because:

- Department policy, the Minimum Standards for School Registration or legislation requires a school to have a local policy in a particular topic
- council decides to issue guidance about an aspect of how the School Strategic Plan is to be implemented, where this is not in conflict with or overlapping with any whole-of-Department policies
- council, within its functions and responsibilities, decides to set out the school's position on a specific topic, where this is not in conflict with or overlapping with any whole-of-Department policies.

### Department requirements

The Department requires schools to have policies about certain topics, some of which are the responsibility of council to develop, for example those included in the following table.

The requirement may be prescribed through the Minimum Standards for School Registration, legislation or the Department's requirements to ensure schools have considered local issues in setting policies for their community.

Topic	Requirements
<b>Student dress code</b>	School councils have the authority to develop and approve dress codes for their students. The development of, or amendment to, a dress code is the responsibility of the school council in consultation with its school community.
<b>Parent payments</b>	School councils must adopt the Department’s parent payments policy, using the Department’s template. This outlines key school requirements. School councils must also outline school-level parent payment arrangements, addressing the requirements listed in the template, and ensuring these are compliant with the Department’s parent payments policy.
<b>Child Safe Standards</b>	School councils are responsible for approving the Child Safety Code of Conduct, in accordance with Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools, to the extent it applies to school council employees and members, unless delegated to the principal.
<b>Finance</b>	School councils are responsible for approving a range of finance policies such as: Cash handling, Electronic funds management, Petty cash and School purchasing card.





## Investments

From 14 February 2019, schools are no longer permitted to establish new term deposits or extend existing term deposits. All term deposits with a maturity beyond 14 February 2019 must be rolled into the Centralised Banking System (CBS) linked High Yield investment account upon maturity.

Schools should retain their current investment policy and register until all investment accounts have been transferred to the Centralised Banking System. Once school investments have been transferred the school and school council is no longer required to maintain an investment policy or register.

**Typically, school councils also develop, or are consulted on, policies on a small number of other topics common to most schools, such as:**

- fundraising
- canteen and other school food services
- school philosophy and statement of values
- use of social media
- visitors to schools
- emergency management plan for OSHC and kindergarten programs.

In developing all policies school councils must refer to Department policies and guidelines to ensure locally developed policies are consistent with them.

During 2020 all Department policy will be available in the Policy and Advisory Library (PAL) for schools on the Department's website. This includes information about the policies school councils are required to develop or other policies and procedures developed by the school. Schools and their councils are also encouraged to use Department templates where available.

The School Policy Templates Portal is an important and useful resource for schools and is designed to reduce principal and school workload in the area of policy development. The link for this site can be found under the 'Resources and links' section.

The site contains a number of policy templates for Victorian government schools to download and use, for example, anaphylaxis, child safety, mobile phones, and homework. Instead of schools starting from scratch and writing their own policies, schools can locate Department policies and selected policies that can be modified to suit their local circumstances. The portal also includes policies that school council can be involved in developing and approving.

## Policy and Advisory Library (PAL) for schools

In 2020 the School Policy and Advisory Guide (SPAG) will be transitioned to the Policy and Advisory Library (PAL) for schools. This will be a public facing website that provides Victorian schools with quick and easy access to governance and operational policies and advice. It directs users to Department and external online resources and relevant supplementary information.

The Library's information comes from a range of legislative and regulatory requirements, including the *Education and Training Reform Act 2006* and the Education and Training Reform Regulations 2017.

## Outside School Hours Care

Where a school has an early childhood education and care service, i.e. an outside school hours care (OSHC) or kindergarten service, there are policies required under the National Quality Framework (NQF) for the service to be compliant.

For a school council-managed OSHC, the service's policies will need to be developed and reviewed as part of the policy cycle.

For a third party provided OSHC service, it is important that relevant policy information is shared between the school and the service to support quality provision, for example: the anaphylaxis management policy, child safety policy, and emergency management plan. The third party provider should report regularly to school council as specified in the requirements of the licence agreement.

The NQF provides a national approach to the regulation and quality assessment of early childhood education and care services, which includes OSHC and kindergarten.

The NQF includes:

- the National Law and National Regulations (the *Education and Care Services National Law Act 2010* and the Education and Care Services National Regulations 2011)
- the National Quality Standard
- the assessment and quality rating process
- national learning framework—My Time, Our Place: Framework for School Aged Care in Australia and the Victorian Early Years Learning and Development Framework.

In Victoria, the Quality Assessment and Regulation Division (QARD) is responsible for regulating OSHC and kindergarten services.

## Minimum Standards for School Registration

The Annual Report is required to be endorsed by school council and noted in the meeting minutes. The principal and the school council president are required to attest that the school has met the minimum standards for registration in the Annual Report. The attestation is made in the Strategic Planning Online Tool (SPOT).

Schools must have the following policies and procedures in place to meet the minimum registration requirements. *Note: not all the policies listed below are the responsibility of school council to develop as many are operational, or otherwise outside the scope of the powers and functions of school council:*

- School philosophy policy or statement
- Complaints policy
- Student enrolment policy: for Specialist and Specific Purpose Schools only
- Curriculum framework policy, plan or statement
- Student engagement policy: sometimes called Student wellbeing and engagement policy or Student engagement and inclusion policy
- Bullying and harassment policy and procedures, including cyber bullying. This can be included in the Student engagement policy or can be a standalone document
- Supervision and duty of care policies: for example, Supervision and yard duty policy, Duty of care policy
- Camps and excursions policy and procedures: to cover requirements relating to offsite supervision, and ensuring safety of students learning with external providers
- Visitors policy, including the Child Safe Standards screening requirements
- Administration of medication policy and care arrangements for ill students: for example, Medication policy, First aid policy and procedures
- Anaphylaxis management policy and procedures
- Internet use policy: for example, Digital Technologies policy and ICT Acceptable Use policy
- Emergency Management Plan – although consultation with school council is not required for this policy as it is operational, principals may choose to present it to school council for noting. Also, principals and school councils should know if the school is listed on the Bushfire At-Risk Register (BARR)
- Communication of school policies, procedures and schedule
- Working with Children Check procedures: for employees, consistent with whole-of-Department requirements and covered, for example, in Visitors and Volunteers policies at the local level
- Procedures to maintain staff registers: for example, Working with Children Check, First aid policy and procedures and Victorian Institute of Teaching registration
- Policies and procedures to support compliance with the Child Safe Standards, including:
  - Child Safety Policy/Statement of Commitment to Child Safety
  - Child Safety Code of Conduct
  - Child Safety Responding and Reporting Obligations Policy and Procedures
  - Child Safety Risk Assessment Register or another document that demonstrates that the school assesses, monitors and evaluates risk.

## Guidance about implementing the School Strategic Plan

The School Strategic Plan (SSP) sets out the school's strategic direction for the following four years and drives the school's programs and processes.

The strategic plan's goals and targets set a clear course of action for the school, giving the school community a clear sense of the learning outcomes the school is striving to achieve, how they intend to achieve them and how they will know when they have been successful.

School council can be consulted and included in the development of a policy about a particular topic to provide guidance about how the school will meet its goals and targets. For example, the school principal, leadership team and council could develop a policy to set out the school's expectations about environmental sustainability and how those expectations support student learning, as part of the SSP.

Further information on strategic planning can be found in the Improving School Governance (ISG) module – Strategic Planning.

## Other policy topics

From time to time, the school council or principal might identify the need for the school to develop a policy about a school or community issue for example, homework. Most often, this will arise from the need to set out the school's position in relation to a specific topic. For matters outside the scope and functions of school councils, the principal can still choose, and is strongly encouraged, to seek the views of the school council and the broader school community where appropriate to inform any new or changed policy.

### Such an approach can be useful to:

- promote fairness, consistency and transparency across the school
- provide the means to engage the community in achieving an agreed approach in response to a specific topic
- manage or prevent controversy
- inform the school community about the school's position in relation to a particular matter.

Depending on the topic, the Department may have issued advice, which must be used as a guide for policy development by the school.

## Procedural or operational matters

As noted earlier in this module, councils develop policies for particular reasons, and so it is important that they also understand in which areas a policy is not required.

Procedural or operational matters at the school are managed by the principal and staff. The Department's Policy and Advisory Library (PAL) for schools contains policy, guidelines and advice about school operations such as arrangements for, school hours and term dates, health support planning, child safety, managing family disputes, attendance, enrolment, excursions and a vast number of other topics relevant to school operations.

The principal and staff are responsible for implementing Department policies and acting in accordance with relevant policies, guidelines and procedures set by the Department, where applicable.

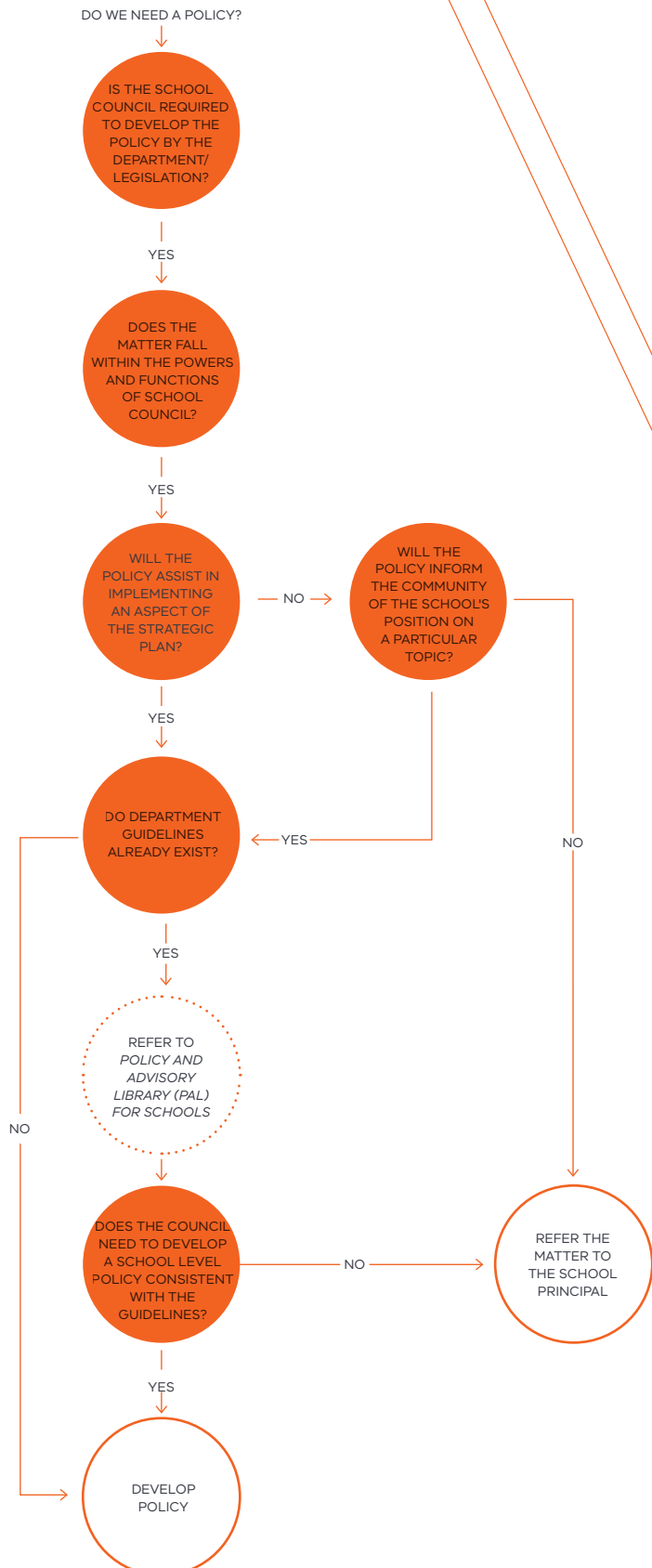
Policies direct school operational matters, however most routine matters are best dealt with through procedures and do not require a policy. It is also very important to check if the Policy and Advisory Library (PAL) for schools already sets a policy that schools are required to follow. The school can simply follow the policy as it applies across government schools, rather than developing a local policy which may be inconsistent with the Department's policy and procedures.

## Do we need a policy?

This flow chart shows the sequence of questions to ask, and steps to take, to determine whether council needs a policy on a particular topic, and whether it is the council's responsibility to develop the policy.

When determining if a policy is required, councillors should ask if:

- the matter falls within the powers and functions of school council
- Department policy and/or guidelines already exist
- the Department/legislation requires council to develop a local policy
- the policy will assist in implementing an aspect of the strategic plan
- the policy will inform the community of the school's position on a particular issue, in the absence of any other Department position or guidance that applies to all Victorian government schools
- the policy can be implemented ethically, legally and in accordance with the Department's values
- the school is required to develop a policy for school registration or review requirements?



## 4.2

# Developing and reviewing policy

### Why is this topic important?

The process of developing and reviewing policy provides the opportunity for a school council to engage with the school community about matters of importance to the school. It demonstrates council's commitment to representing the views of the community and consulting widely where appropriate.

**On completing this unit, school councillors should:**

- understand what is usually in a policy
- understand the characteristics of a good policy
- be able to contribute to developing or reviewing a policy and determine the level of consultation required within this process.

## What is in a policy?

The table below suggests what might be included in a policy. When developing policies, in the first instance, the council must refer to Department policies, guidelines and templates.

Section	Features
Purpose or rationale	<ul style="list-style-type: none"> <li>• briefly explains why the policy is required</li> <li>• may also explain the educational, environmental, legal, regulatory or other factors that led to the development of the policy</li> </ul>
Policy statement	<ul style="list-style-type: none"> <li>• briefly states the key elements of the policy</li> </ul>
Policy (action guidelines)	<ul style="list-style-type: none"> <li>• provides broad guidelines about the actions/information required to implement the policy and where appropriate, exemptions and discretion</li> <li>• may also set out differing requirements for various groups within the school community: students, staff or parents/guardians</li> <li>• outlines who will be responsible for various parts of the implementation process</li> </ul>
Monitoring, reporting and review	<ul style="list-style-type: none"> <li>• explains how the policy will be monitored for relevance, how compliance will be reported and when the policy will be reviewed</li> </ul>
Definitions	<ul style="list-style-type: none"> <li>• only included if the use of words or concepts unfamiliar to the general public is unavoidable</li> </ul>
References	<ul style="list-style-type: none"> <li>• references to source documents or relevant legislation are included with extracts of relevant text</li> <li>• only include if the policy cannot be adequately understood and implemented without this additional information.</li> </ul>



## Policy characteristics

A school policy should be accessible to the school community where it applies to more than just staff, and:

- be consistent with legislation
- be consistent with Department policy, values and guidelines
- be compatible with human rights and anti-discrimination legislation, including the *Charter of Human Rights and Responsibilities Act 2006*
- focus on a single topic
- be based on a clear statement of purpose that either arises from the goals in the School Strategic Plan or clearly supports those goals and the underlying values of the school
- reflect the views of the school community where possible and appropriate
- clearly indicate what actions are required by relevant groups within the school community
- acknowledge and take account of the rights of relevant groups
- contain guidelines for how the stated purpose will be achieved
- indicate what the school expects of those subject to the policy
- be written in a style that can be easily understood by the general public
- outline how it will be monitored and feature a date for review
- may need to be provided in a range of community languages
- typically, be one or two pages in length, except where the Department requires specific policy content.

## Developing a policy

Approaches to developing school policies will vary according to the topic, the size of the school and the school council's committee structures.

For example, a policy might be developed:

- by the council itself, where the council considers it is appropriately informed
- by an existing subcommittee which may be delegated this responsibility, such as a policy already being handled by that subcommittee
- by a working party established for the purpose of developing the policy, such as a policy that needs considerable research, consultation and small group discussion.

From a governance perspective, the most important thing is that councillors consider the impact on all stakeholders when developing or changing a policy. This does not mean that everyone in the school community needs to be consulted about every policy as it is being developed. Council should determine when consultation with stakeholders is appropriate.

**To develop a policy, a council typically takes the following steps.**

1. The issue or topic to be addressed by the policy, and the reason for the policy, is identified. For example, it might be a requirement of the Department, or a local issue that requires clarification or guidelines to inform or influence action by the school. The School Policy Templates Portal available on the Department's intranet is a good starting point.
2. The purpose or rationale for the policy is identified.
3. The council decides whether a special working party needs to be established for the purpose of developing the policy or whether the council itself, or an existing subcommittee of the council, will develop the policy.
4. If council considers it appropriate, the school community is consulted about some or all aspects of the policy.

Consultative activity may include:

- consultations through a community meeting or through focus groups
  - distributing a survey to gather views about the topic to determine key points that need clarification and actions which should occur in the implementation of the policy
  - distributing a draft policy via the school newsletter for comment.
5. The policy, including the policy statement, action guidelines and monitoring, reporting and review arrangements, is drafted.
  6. If council considers it appropriate, feedback on the draft policy is sought from those previously consulted.
  7. Any feedback is considered and the policy finalised and recommended to council for approval.
  8. Council approves as amended or does not approve the draft policy.
  9. If council approves a policy, the policy should be published on the school's website or other communication channels for parents/carers or be available in hard copy upon request to the school.

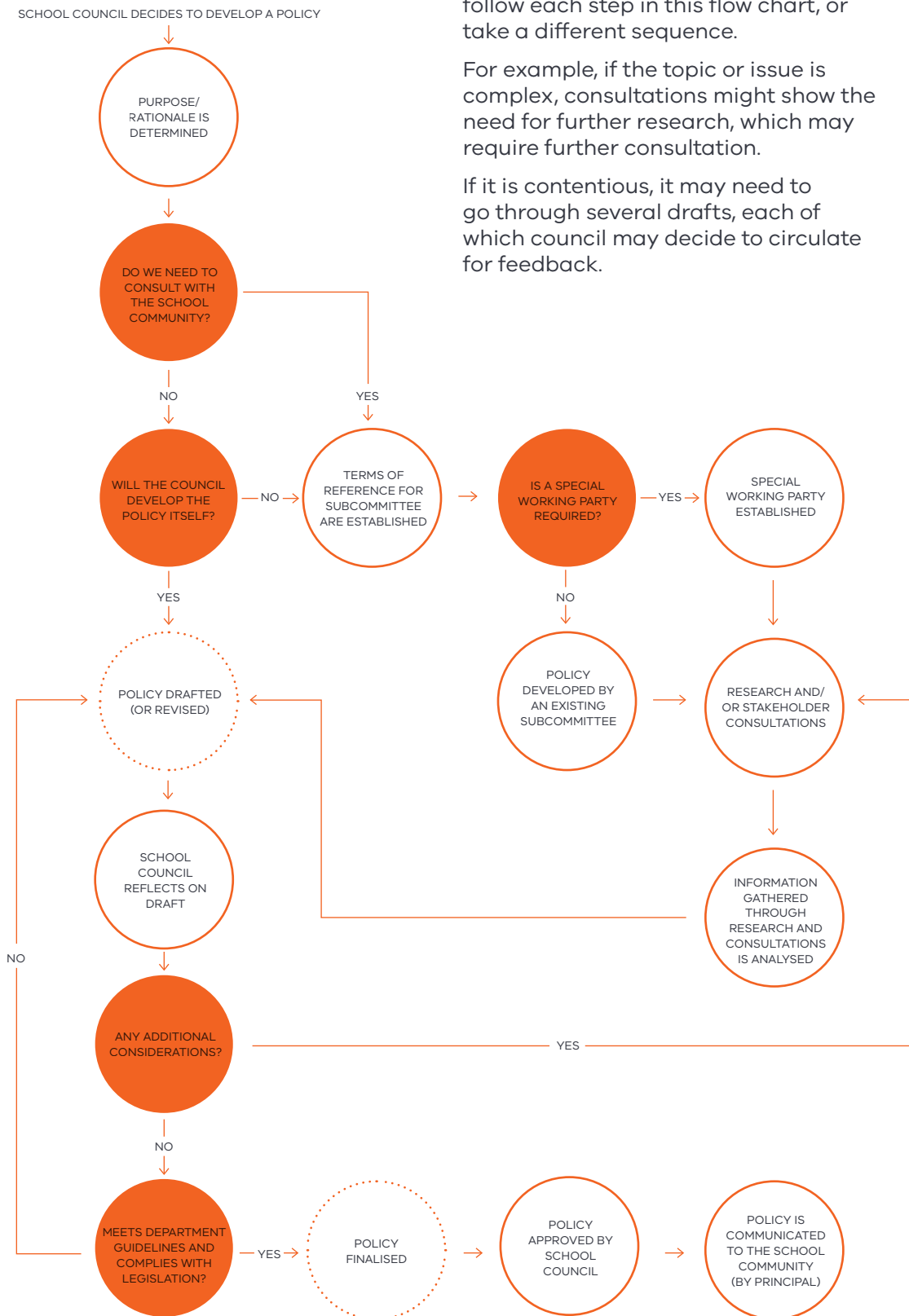


The flow chart below shows the steps to take if school council decided to develop a new policy.

Depending on the complexity of the policy and the extent of agreement with it, the development process may follow each step in this flow chart, or take a different sequence.

For example, if the topic or issue is complex, consultations might show the need for further research, which may require further consultation.

If it is contentious, it may need to go through several drafts, each of which council may decide to circulate for feedback.



## Reviewing a policy

Councils should regularly review policies on a cyclic basis to ensure that the school remains compliant with relevant legislation and the Department's requirements, and to ensure that each policy remains relevant and valid, for example: all finance policies are to be reviewed annually.

As part of this review process, a council may decide to develop a new policy, update a policy, combine a number of policies into a single policy or withdraw a policy that is no longer required.

To ensure it reviews policies regularly, council should maintain a register of its existing policies noting the date that each policy was approved and the scheduled date to review it. At the beginning of each new council term, school council may consider developing an annual work plan that includes policies to be reviewed that year and a timeline to schedule the work.

As with the policy development process, and depending on the policy topic, the size of the school and the structure of the school council, a review might be conducted by the council as a whole or by an existing subcommittee or a subcommittee established for the purpose of reviewing a particular policy.

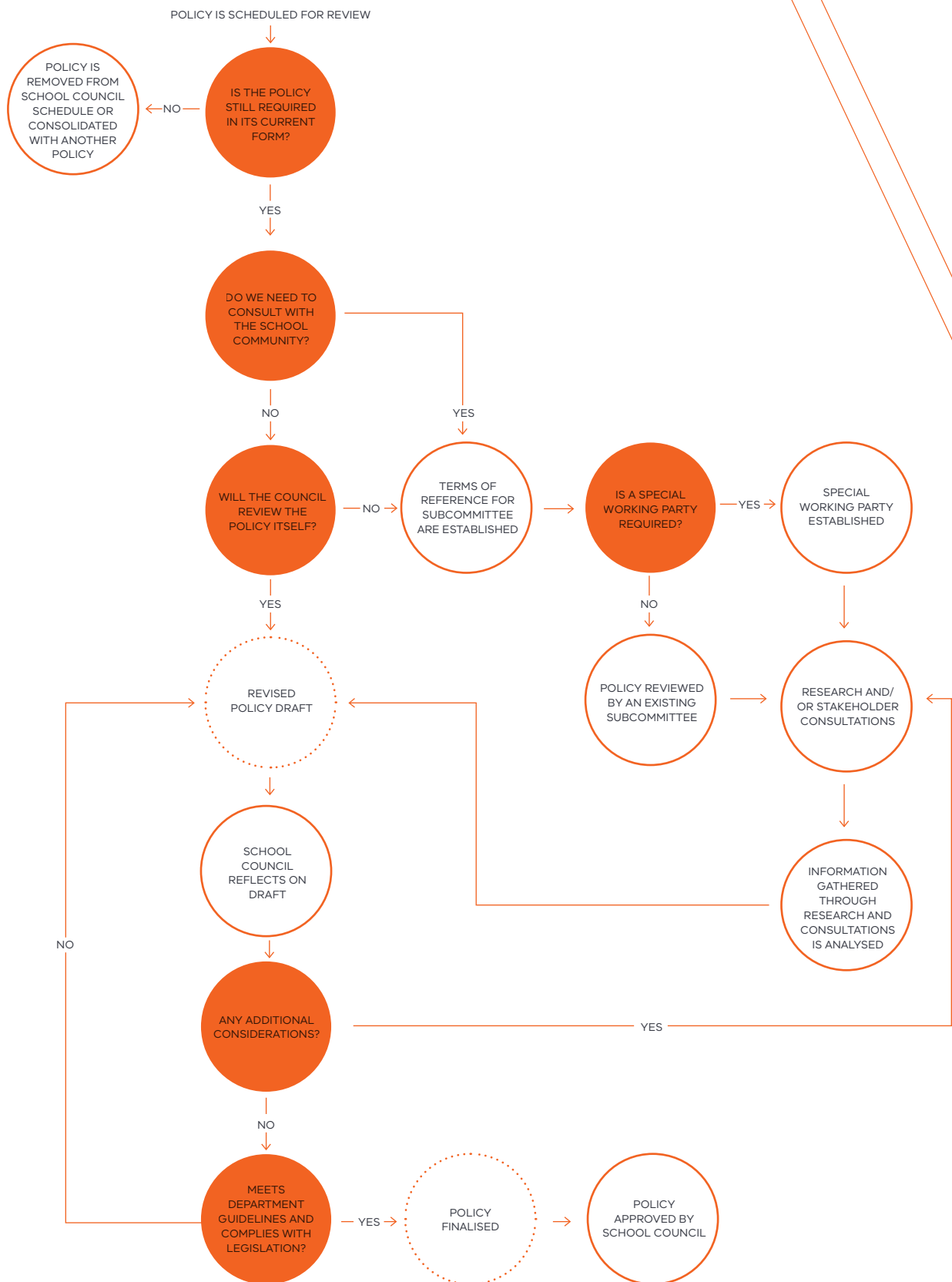
Similarly, depending on the policy topic, the review process may be an internal process involving the school council members and a subcommittee. Alternatively, an extensive review may be undertaken involving a formal consultation process with stakeholders including parents, families, staff and students.

Aside from the regular cycle of review, a policy may need to be reviewed where the circumstances that led to the original policy being established have changed. Reasons for policy review may include:

- the policy is no longer followed as a matter of course during school operations
- the policy is no longer effective or having the desired impact
- individuals or groups within the school community view elements of the policy as contentious
- new issues have arisen that the policy needs to be amended to address
- changes to Department policy or legislation make the existing policy redundant or non-compliant.



The flow chart below shows the steps in reviewing a policy.



## Support to school councillors

The School Operations and Governance Unit (SOGU) of Schools and Regional Services provides advice and guidance to school councils on a range of governance issues. Councillors can contact SOGU directly at [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au) or **03 7022 1343** or **03 7022 1345** for information and advice.

**Councillors can also contact their regional office for information and advice.**

The Department offers comprehensive face to face training free of cost to school councils of Victorian Government schools. The training is based on four modules of the **Improving School Governance (ISG) materials; Governance, Strategic Planning, Finance and School Council President**. Face to face training is accessed by contacting the provider, Synergistiq on **03 9946 6801** or email Synergistiq: [sct@synergistiq.com](mailto:sct@synergistiq.com)

**The ISG modules are also available online, on the Department's website. To access the online training, see: the Policy and Advisory Library (PAL) for schools: School Councils on the Department's website.**

## Student Dress Code policy review: example

The school's student dress code (uniform) policy is due for review. The council will need to determine the nature and extent of school community consultation, which will be undertaken as part of the review process.

The school council expects that a draft of the revised policy will be presented at the meeting after next, that is, in two months' time.

The review of the student dress code (uniform) policy is timely as three issues have arisen which the policy does not cover.

Firstly, the school's student demographics have changed significantly in recent years. An increasing proportion of students are from culturally and linguistically diverse backgrounds. Some of these families find that the uniform in its current form presents difficulties with their cultural beliefs about appropriate attire.

Secondly, the school's supplier has sold the business to a larger outlet that has informed the school that some items will no longer be available.

Thirdly, the Student Representative Council (SRC) has asked the school council for a special school 'jacket' to be included as a uniform item for students in their final year at the school (VCE or Year 6).

Councillors should imagine themselves as members of the school's student dress code committee and consider the following questions:

1. What process will the committee establish to review the student dress code policy? Who in the school community will they consult? How will such consultation take place? What recommendations will the committee make to the school council about communicating the revised policy to the school community?
2. Of the issues listed above, are there distinctions between governance and operational considerations?
3. Drawing on their individual experiences as a school councillor, how do they think each of the three issues above should be addressed?
4. What would be some suitable statements to include in the policy that would address the three issues?



# Dress code guidelines: policy development and review

## Student dress code

School councils have the authority to develop and implement dress codes for their school's students. A dress code is a detailed written statement of the expectations that a school council has regarding student appearance. The code applies during school hours, while travelling to and from school, and when students are engaged in school activities out of school hours. The dress code may require students to wear a school uniform and may define specifications for garment design, material and colour, and standards for the general presentation of students. Alternatively, the dress code may set out broad guidelines about student appearance.

The development of, or amendment to, a dress code is the responsibility of the school council in consultation with its school community. To enable a dress code to be fully workable, it should reflect the values of its school community. The school council should inform itself and take into account any views of the school community through collaboration with students, parents or carers and teachers.

**The purposes of a dress code should be clearly identified prior to its development. These purposes may include:**

- promoting students' sense of identity with and pride in the school
- allowing all students to feel equal
- promoting cohesion and good order in the school
- ensuring that students' appearance reflects the expectations of their community
- preventing bullying and reducing competition between students on the basis of clothing
- strengthening the spirit of community within the school
- enhancing the profile, image or identity of the school and its students within the wider community
- enhancing individual student safety and group security
- ensuring students are dressed safely and appropriately for school activities
- preparing students for the expectations of workplaces
- encouraging students to present themselves appropriately for a particular role and develop pride in their appearance.

Some examples of good practice with regard to dress code issues can be found in the Policy and Advisory Library (PAL) for schools on the Department's website.

## The legislative basis for dress codes

All school councils have the authority to develop and implement student dress codes at their schools. This authority arises from the Ministerial Order that constitutes each school council, under the *Education and Training Reform Act 2006*. The dress code may cover any matters a school council considers appropriate in relation to clothing and other items worn, carried or used by students, grooming, physical appearance and the general presentation of students.

According to regulation 26(1)(c) of the Education and Training Reform Regulations 2017, the principal of a government school may determine the consequences to be imposed on a student for not adhering to the dress code in accordance with any determination on dress codes made by the school council and any Ministerial Order in relation to student discipline. However, the principal must be satisfied that a student's failure to wear a uniform or follow the dress code policy was because of the student's disobedience, that the consequences must be reasonable and that the dress code policy has been brought to the attention of the student and parents or carers.

Section 42 of the *Equal Opportunity Act 2010* states that an educational authority may set and enforce reasonable standards of dress and appearance for students. Under this Act a standard of dress and appearance for students is considered reasonable when the views of the school community have been taken into account in setting the standard.

## Human rights and anti-discrimination requirements

**By complying with human rights and anti-discrimination legislation through their dress codes, schools can:**

- support a safe and inclusive school environment where the school community feels welcome, supported and physically and emotionally secure
- ensure that their dress code enables all students to participate fully in school life
- increase the sense of belonging to, and engagement with, schools for students from all backgrounds, such as cultural, linguistic, religious etc., and regardless of personal characteristics, such as disability, health condition, gender identity etc.
- model appropriate behaviour for resolving issues and promote mutual respect for all members of the school community
- build effective relationships with parents or carers, students and staff from diverse cultural, linguistic and religious backgrounds.

Human rights and anti-discrimination legislation requires schools to treat students equally and to ensure that no student is treated less favourably because of personal characteristics, such as age, disability, gender identity, physical features, race, religious belief, sex or sexual orientation. A full list of personal characteristics protected under State equal opportunity law is available at the Victorian Equal Opportunity and Human Rights Commission.

The *Charter of Human Rights and Responsibilities Act 2006* requires schools and their councils to act and make decisions consistent with human rights. For more information on the Charter, including training modules and policy guidance, refer to the Human Rights Charter.

Under Victorian legislation, schools have the right to set and enforce reasonable standards of dress and appearance for students. A standard is considered reasonable if the school has taken into account the views of the school community in setting it. The more extensive, engaging and collaborative the consultation process, the more likely it is to be considered reasonable.

In addition, under the Charter, when developing and implementing dress codes, schools need to balance the rights of individual students against the best interests of the school community as a whole. Rights may be subject to reasonable limits that can be demonstrably justified in a free and democratic society.

A school should consider ways of accommodating individuals' rights while maintaining a suitable standard of dress and appearance, for example, through an exemption process, or through providing suitable options within the dress code.

## Discrimination

Under federal laws it is unlawful to discriminate on the basis of sex, disability, age and race. This applies regardless of whether the views of the school community have been taken into account.

Direct discrimination may occur where a school has different dress code requirements for students with different personal characteristics and this difference results in one group being treated less favourably than another.

Indirect discrimination occurs when treating everybody the same way disadvantages someone because of a personal characteristic. For example, a school's physical education uniform could discriminate indirectly against female Muslim students, if by wearing it they are not able to conform to their cultural or religious requirement to dress modestly.

Dress codes with gender specific requirements are not necessarily discriminatory under the law. However, schools and their councils are expected to develop, as far as practicable, dress code requirements that are similar for both sexes. Where options are available, they should be available to all students. In particular, all schools must allow girls the option of pants or shorts in their dress code.

## Health and safety considerations

### Sun and UV protection

A school's dress code must address issues of sun protection and promote sun safe practices. When UV levels are 3 and above, generally from September to April in Victoria, sun protection should be used when outdoors.

This protection includes hats, sunscreen, clothing, shade and sunglasses. Schools with a uniform must ensure a sun protective hat which protects the face, neck, and ears is included, at least as an option, as part of the uniform. Schools without a uniform must permit sun protective hats in their dress code.

School uniforms or dress codes should also include sun-protective clothing using loose closely woven fabrics, and include shirts with a collar and/or higher necklines, tops with elbow or long sleeves, longer style shorts, skirts and rash vests or t-shirts for outdoor swimming activities.

A combination of sun protection measures should be put in place from September to the end of April and whenever UV levels reach 3 and above.

For further information about skin protection and developing sun protection policy see the **Policy and Advisory Library (PAL) for schools: Sun and UV Protection at the Department's website.**

### Cords, chinstraps, drawstrings or jewellery

Hat cords, chinstraps and drawstrings on clothing or jewellery worn by students, may present risks of strangulation or other injury. This is of particular concern for primary students engaged in active outdoor play if they are wearing hats with cords or chinstraps, garments with drawstrings or cords in the head and neck area or items of jewellery. Schools should consider these risks when deciding on the design of school uniform items or the jewellery that students are allowed to wear. In particular, schools should consider selecting hats without cords or chinstraps, or with safety cords that are designed to release if caught.

### School bags

Carrying school bags may pose risks to students of back pain or damage due to poorly designed school bags, or students carrying bags incorrectly or loads that are too heavy. Schools should consider selecting school bags that minimise the risk of back injury to students.

It is recommended that schools select school bags that are endorsed by an Australian professional organisation such as the Australian Physiotherapy Association or the Chiropractors' Association of Australia. Schools should also consider developing strategies to ensure students are not carrying loads that are too heavy.

## Support for families

Schools should investigate options for supporting families who may have difficulty meeting the cost of uniform items. Schools should include information about support options or strategies in their dress code and communicate this information to the school community.

State Schools' Relief provides assistance with school clothing and footwear via the school principal. The principal is a representative of State Schools' Relief and uses professional judgement to decide on the appropriateness of individual requests for assistance.

State Schools' Relief either provides items for students directly to the school or through an authorisation to the school clothing shop or local supplier. For further information see the **Policy and Advisory Library (PAL) for schools: State Schools' Relief** at the Department's website.

## Developing and reviewing a dress code

The following advice should be read in conjunction with the other sections of the dress code guidelines.

It should be noted that legislative requirements, the Department's advice and individual school student dress code policies are used by bodies such as Ombudsman Victoria in resolving disputes referred to them by aggrieved parties.

Introducing a student dress code or undertaking a full review of a dress code is a major decision for the school and for the parents or carers of children attending the school. The school council should give careful consideration to the form of consultation that will be undertaken: for example, letters to parents and carers, surveys, information in newsletters, public meetings, student meetings, focus groups, information on the school website.

The development and review of a student dress code policy is the responsibility of the school council in consultation with its school community.

### The school council should ensure its consultative process:

- explains the purposes of the dress code and the reason for any changes
- guarantees opportunity for the viewpoints of students, parents or carers, and teachers to be expressed. The mechanism for consultation should be identified in the student dress code policy or, alternatively, be recorded in school council minutes
- provides for careful consideration of any information and viewpoints collected in the consultation process before finalising its decision
- seeks out and considers the views of different groups within the school community: such as those from different cultural, religious or ethnic backgrounds or other groups that may have special needs
- where appropriate, translates material into community languages and employs an interpreter for meetings
- allows for careful consideration of the practicality and cost implications of garment design and materials used in construction
- provides a realistic timeline for implementation of the dress code.

The school council must be able to demonstrate to its school community that it has considered the cost implications of its selected school uniform and taken into account the ability of its parent population to afford it.

Schools should be aware that some students may wish to observe particular religious and cultural requirements while also complying with the school dress code. These could include, but are not limited to, head coverings, facial hair, clothing lengths and certain adornments, such as jewellery. Schools should discuss these requirements with students and parents or carers to ascertain their cultural and religious significance and how they might be accommodated within the school's dress code policy.

The requirements of the school's dress code take precedence over a student's individual preference in matters of dress. Consequently, in determining a student dress code policy, a school council should consider the following criteria:

- is the dress code compatible with both state and federal human rights and anti-discrimination legislation? See the Human Rights and Anti-Discrimination Requirements within Related Policies
- is it respectful of the cultural norms of the school community?
- does it ensure that any gender specific requirements accord with school community standards and anti-discrimination legislation?
- are the rights and responsibilities of parents and carers, students and the school clearly outlined?
- is it reasonable by contemporary standards and does it avoid unnecessarily intruding on students' rights in matters of personal appearance?
- does it allow for individual expression through alternatives within overall garment requirements?
- is it suitable to the role of being a student and the tasks and functions they perform?
- have appropriate health and safety issues been considered?
- does the dress code policy ensure that students will be able to dress comfortably for all weather conditions?
- is the required clothing for sports or physical education practical and will all students feel comfortable wearing it?
- does the dress code policy support informal or incidental physical activity, such as lunchtime sporting activities, walking or cycling to school?
- has the dress code policy been communicated to parents or carers and students prior to enrolment, thereby providing a basis of agreement?
- are the requirements of the dress code able to be met by all students? The range and choice of specified garments, their cost and availability must reflect the capacity of parents and carers to provide them
- have strategies been developed to support families who may have difficulty meeting the cost of uniform items?
- have the rights and responsibilities of parents and carers, students and the school been made clear in the dress code policy?
- does the policy outline what parents, carers or students should do if they have a concern or complaint relating to the dress code?
- does it outline the consultation and decision-making processes for reviews and amendments?
- does the policy include provision for review if circumstances change significantly?

School councils are strongly advised to document their dress code consultation and development process as evidence that they have adequately consulted with their school community.

Each year school councils should consider their dress code to determine if either a full review of the dress code or minor amendments are required. It is recommended that the dress code outlines the consultation and decision-making processes for review and amendment.

## Dress code exemptions

The dress code should provide grounds for exemption to ensure that school councils comply with their obligations under human rights and anti-discrimination legislation. Allowing for exemptions means that a school can impose uniform standards on all students, but still recognise cases in which the application of those standards affects some students unequally. The exemption process should only be necessary in exceptional circumstances. In general, the school dress code should accommodate the needs of all students.

**Schools should ensure that students and parents and carers are aware that they can apply to the principal for an exemption from the dress code.**

The principal is responsible for managing and conducting the exemption process. In exceptional circumstances another staff member at the school or regional office may be appointed to consider an exemption request.

**Legal requirements necessitate that grounds of exemption must be provided where:**

- an aspect of the dress code prevents students with any of the personal characteristics referred to in Human Rights and Anti-Discrimination Requirements from being able to attend school or participate in school activities on the same basis as other students
- an aspect of the dress code offends a religious belief held by the student, parents or carers
- an aspect of the dress code prevents the student from complying with a requirement of their religious, ethnic or cultural background
- the student has a particular disability or health condition that requires a departure from the dress code
- the student or the parents or carers can demonstrate particular economic hardship that prevents them from complying with the dress code.

**Additional grounds for exemption should be allowed at the discretion of the principal.**

Where there are issues of a very personal nature: such as health, domestic, financial, and/or racial, that need to be revealed to substantiate the request for exemption, strict confidentiality must be guaranteed.

If an exemption is sought, the principal should consider what kind of exemption is required and explain the process to the applicant. The applicant should be encouraged to support their case with evidence, so that an informed decision can be made by the principal. Where possible, a resolution acceptable to all parties should be negotiated. In some cases, a slight modification of the dress requirements may be all that is needed, rather than a full exemption.

When considering whether an exemption on the grounds of economic hardship should be made, the principal will need to decide whether or not to grant assistance to the parent or carer to enable the student to comply with the dress code without stigma or undue embarrassment. This may be appropriate where the school wishes to uphold a sense of school identity through the dress code.

If an exemption is not granted, the applicant must be provided with the reasons for the rejection in writing. The principal should keep a written record of all decisions and the reasoning behind each decision in case a decision is questioned.

If the principal is consistently granting exemptions for the same issue, the school should review its dress code to see how these needs can be met within it. This will also help to increase the engagement of the affected students with the school.



## Enforcement of dress codes

The measures used to enforce a school council dress code must be consistent with the Student Engagement and Inclusion Guidance and with the school's student engagement policy.

The constituting Order of each school council states that the methods of enforcement must be consistent with a Ministerial Order 1125 – Procedures for Suspension and Expulsion of Students in Government Schools.

**The Student Engagement and Inclusion Guidance supports schools to create a positive school culture, clearly articulating school-wide expectations and consistent processes to address areas of concern.**

Any infringement of a dress code is not usually linked to interference with the rights of other students or the capacity of a teacher to teach a class, and therefore withdrawal from classroom instruction or other school activities should not normally apply. Students should not normally be excluded from class for minor infringements of the student dress code. Exceptions to this might include issues of safety or a possible danger being posed, whether actual, perceived or threatened, to the wellbeing of any person or where students are representing the school. Students should only be excluded from school in situations where all other measures have been implemented without success.

## Communication of the dress code

Information about the student dress code, including any changes in dress requirements, should be communicated widely throughout the school community. All prospective students and parents or carers should be notified of the dress code requirements prior to enrolment at the school and be provided with a copy of the dress code policy. Where appropriate, information regarding the dress code should be provided in community languages, or conveyed through an interpreter, for example, at an information night.

When changes are proposed to the dress code, school councils should:

- consult with parents and carers, teachers and students, where applicable, about the proposed changes
- communicate widely the procedures to be used for consultation and decision-making
- publish details of the implementation strategy and timeline for a new or amended dress code to be implemented
- devise a means of acknowledging and supporting any significant financial costs to parents or carers that may be brought about through changes in the dress code
- make prior contact with any suppliers with whom the school has a contract to negotiate a timeline for implementing the changes to the dress code.

## Dress code concerns and complaints

Parents, carers or students with a specific complaint about the school dress code should, in the first instance, raise the matter with the school. For further information on this process refer to the Parent Complaints website. In some cases, it may be possible to apply to the principal for an exemption.

Parents, carers or students who would like to see the school dress code policy changed should be advised that they can bring these concerns to the attention of the school council for consideration in the next review of the dress code.

## Uniform supply arrangements

**When making arrangements to allow parents or carers to purchase uniforms, schools should consider the following:**

- cost
- quality of items
- quality control of the supplier
- reliability, continuity and lead time of supply
- ability of manufacturers to meet required delivery deadlines
- selecting Australian-made items or using local businesses
- selecting manufacturers that can provide evidence that they meet ethical manufacturing standards
- sustainable production of items
- how and where parents or carers can purchase items
- cleaning requirements and costs
- returns policy for faulty stock
- re-use or recycling of items.

Schools are encouraged to make arrangements promoting Australian-made uniform items, the use of local businesses, and the selection of manufacturers that can provide evidence that they meet ethical manufacturing standards.

School councils are strongly advised to enter into a written contract(s) with their chosen supplier(s). Both the school council and their chosen supplier(s) must comply with written contracts. The school council must not make any misrepresentations while making agreements, for example, misrepresenting the number of students at the school.

This enables the council to enforce the terms of its agreement and ensures that all parties are clear about their obligations. Schools should use one of the Department's three approved agreement templates. Principals can access the templates from the Department's Legal Division intranet site.

**The three agreement templates for ensuring parents or carers can purchase the school uniform are:**

1. School Council Uniform Business Licence. The school council licenses a supplier to sell the uniform from a designated area on the school premises.
2. School Council Agreement for the Appointment of School Uniform Supplier. The school council appoints a supplier to sell the uniforms from the supplier's retail premises.
3. School Council Agreement for the purchase of school uniforms for sale by the school. The school council purchases school uniforms from a supplier and then sells the uniforms directly to students and their families.

## Resources and links

Further information, related policies and advice can be found on the Policy and Advisory Library (PAL) for schools on the Department of Education and Training website [education.vic.gov.au](http://education.vic.gov.au) including:

- Child Safe Standards
- Emergency and Risk Management
- Emergency Management Planning
- Ethical Decision-Making
- Finance Manual for Victorian Government Schools
- Gifts, Benefits and Hospitality
- Outside School Hours Care
- Parent Payments
- Purchasing
- Registration of schools
- School Procurement Policy
- State Schools' Relief
- Student Dress Code
- Sun and UV Protection

## Further information

**Australian Children's Education and Care Quality Authority and the National Quality Framework**

[acecqa.gov.au](http://acecqa.gov.au)

**PROTECT website**

[education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx](http://education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx)

**Safety, Health and Wellbeing**

[education.vic.gov.au/hrweb/safetyhw/Pages/default.aspx](http://education.vic.gov.au/hrweb/safetyhw/Pages/default.aspx)

**School Policy Templates Portal – Login required**

[edugate.eduweb.vic.gov.au/edrms/keyprocess/cp/Pages/home.aspx](http://edugate.eduweb.vic.gov.au/edrms/keyprocess/cp/Pages/home.aspx)

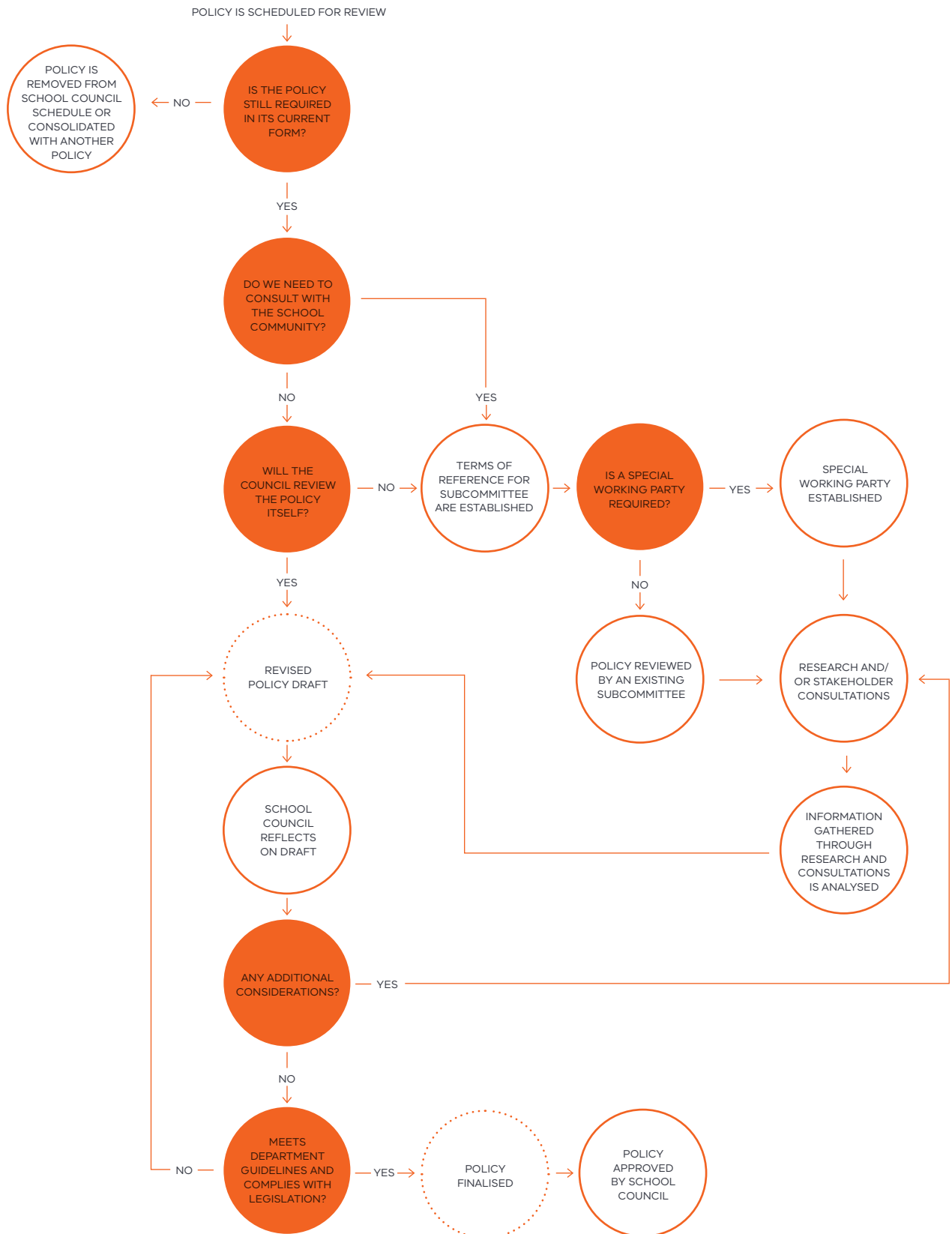
**SunSmart website**

[sunsmart.com.au](http://sunsmart.com.au)

**Victorian Registration and Qualifications Authority website**

[vrqa.vic.gov.au/Pages/default.aspx](http://vrqa.vic.gov.au/Pages/default.aspx)

### Policy review and redevelopment: flow chart



# Primary and secondary school student dress code: examples

## West Lake Primary School – Student Dress Code Policy

### Rationale

School council has approved compulsory wearing of school uniform for all children attending West Lake Primary School. A uniform reinforces in students a pride in their appearance, instils recognition of themselves as an integral part of the school community and assists in developing pride in representing their school. Issues of equality, health and safety and expense are also factors that contribute to the establishment of this uniform policy.

The school believes the following are the benefits derived from the wearing of school uniform by all children:

- families have the opportunity to purchase economical, durable, functional and practical clothing items
- wearing a uniform improves school tone and atmosphere and helps develop a sense of pride and identification with the school
- compulsory uniforms assist to eliminate peer group pressure to wear less appropriate clothing, reduces competition among children and removes pressure on families to provide 'fashionable' items for daily wear
- prepares children for the expectations and uniform policies of secondary schools which West Lake children will attend in future years
- promotes equality among all students
- assists with student identification and safety in public places
- maintains the high public and community regard for the school and its students.

### Implementation

Summer and winter uniforms as well as sports uniforms will be prescribed and are required to be worn during school hours, while travelling to and from school and when students are representing the school during outside school hours occasions.

Providing items are in a clean and good condition, uniform items bearing either the 'new' or 'old' logo may be worn.

All children representing the school for any event or activity may only do so when wearing full school uniform.

For safety reasons, jewellery, with the exception of watches and plain stud or small 'sleeper' earrings, is not permitted.

Obvious hair colouring and extreme or attention-seeking hairstyles are not permitted. For safety and health reasons it is recommended that children with shoulder length or longer hair should have it tied back.

Other than clear nail polish, coloured nail polish and other cosmetics are not permitted.

## SunSmart policy

In line with this policy, from the beginning of September to the end of April, and on days of UV level 3 and above, all children will be required to wear a school sun protective hat when outside. This includes lunchtime, recess, and Physical Education classes and sports sessions. Hats should not be worn inside.

The Student Dress Code, including details of uniform items and places of purchase, will be published in the school newsletter.

Sports uniform and runners are prescribed for participation in Physical Education or sporting activities.

The principal is responsible for the implementation of the Dress Code.

Parents seeking an exemption from the Dress Code, for example, due to religious beliefs, ethnic or cultural background, student disability, health conditions or economic hardship should apply to the principal.

**A uniform reinforces in students a pride in their appearance, instils recognition of themselves as an integral part of the school community and assists in developing pride in representing their school.**

### Principal's responsibilities

The principal is responsible for:

- prescribing alternative clothing to be worn for special occasions or camps, excursions
- excusing a student from wearing school uniform in exceptional circumstances
- assisting students in financial need to acquire uniform items.

### Uniform

The uniform will consist of the following items:

#### Summer Uniform (Terms 1 & 4)

Red monogrammed polo shirt, navy long shorts, school dress, red, navy or white socks, navy monogrammed windcheater or bomber jacket, school sun protective hat.

#### Footwear

Black school shoes, runners or school sandals with covered-in toes. For safety reasons no thongs or surf style sandals or heeled shoes are to be worn at school.

#### Winter Uniform (Terms 2 & 3)

Red monogrammed polo shirt, red skivvy, navy track pants, navy monogrammed windcheater or bomber jacket, navy pinafore.

#### Footwear

Black school shoes or runners are preferred. For safety reasons no thongs or surf style sandals or heeled shoes are to be worn at school.

#### Year 6

Red polo shirt, red windcheater with names of students printed in white on the back.

**Sports Uniform (for Years 5–6 only)**

Red monogrammed polo shirt, navy long shorts, navy netball skirt and school sun protective hat.

All children will wear a rash vest or t-shirt over bathers for outdoor swimming activities.

**House Sport Uniform (Years 3–6)**

House-coloured t-shirt with collar or high neckline.

Sports footwear.

School bags.

Monogrammed school bag is not compulsory but highly encouraged.

**School hats**

From the beginning of September to the end of April, and on days of UV level 3 and above, all children will be required to wear a SunSmart school hat, legionnaire or broad brimmed style, navy with school logo when outside. This includes lunchtime, recess, and Physical Education classes, sports sessions and other outside class activities.

**Extreme Weather**

On very cold days, children may wear coats, hats or scarves to and from school.

## Greenvale Secondary College – Uniform Policy

### Rationale

The wearing of school uniform promotes equality among students at Greenvale Secondary College, a sense of belonging to the school and helps to ensure that students are safe within the school environment. The school uniform policy also states items that are specifically banned including some jewellery.

### Aims

- that students at Greenvale Secondary College are identifiable while at school, attending school activities and travelling to and from school
- that the school uniform meets the requirements of Occupational Health and Safety
- that parents are provided with an affordable, durable range of clothing for their children to wear while at school
- that the school accommodates religious and cultural requirements of our students in relation to clothing.

### Implementation

- the Uniform Committee is a subcommittee of Greenvale Secondary College School Council. This committee is open to all parents with students enrolled at the College. Meetings are held as needed and advertised in 'Greenvale News'
- any recommendations of the Uniform Committee are voted on by the college's council
- information relating to the details of the school uniform is available in the school handbooks and the Student Planner on the school's website
- all members of the teaching staff are responsible for ensuring that students are wearing the correct school uniform
- students who are out of uniform are expected to provide a note stating the reason for this
- students who are out of uniform without a valid reason will face sanctions.





### **Definition**

A school uniform consists of a limited range of clothing, including footwear and headwear. It identifies students as belonging to a particular school. Greenvale Secondary College students are expected to wear the uniform during school hours, while travelling to and from school and when engaged in school activities out of school hours. This policy also covers the Greenvale's Secondary College sports uniform, which students are required to wear while participating in all Physical Education and sports activities.

The school uniform items include a range of sun-protective clothing using loose closely woven fabrics, and includes shirts with a collar and/or higher necklines, tops with elbow or long sleeves, longer style shorts and skirts.

A combination of sun protection measures will be in place from September to the end of April and whenever UV levels reach 3 and above.

### **Evaluation**

As part of the College review cycle the Uniform Committee will review this policy every three years.

**Date policy ratified: 2017.**  
**Date of next review: 2020.**

