

The background is a solid orange color. A large white circle is positioned in the lower half of the frame. In the upper left, a solid brown circle contains the text 'IMPROVING SCHOOL GOVERNANCE'. To its right is a smaller circle with an orange-to-white gradient and a dotted pattern. Further right, a dark grey circle contains the number '4'. A dotted line starts from the bottom right of the white circle and extends towards the top right.

IMPROVING  
SCHOOL  
GOVERNANCE

4

# POLICY & REVIEW

**Published by the Regional Services Group**  
**Department of Education and Training**  
Melbourne  
February 2018

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2 Treasury Place, East Melbourne, Victoria, 3002.  
ISBN 978-0-646-98559-6



Education  
and Training

# 4.0 Introduction

## Goal

The goal of this module is for school councillors to understand their governance responsibilities in relation to establishing and reviewing school policies.

## Overview

A school council is responsible for developing and approving a number of policies to reflect the school's values and to support the school's broad direction, as outlined in its strategic plan. Some of the policies are required by law and the Department of Education and Training (Department), however a council may develop other policies to address local needs. It should be noted that, the day-to-day operational policies and procedures in schools are managed by the principal and staff.

Policies are made available to the school community as a means to:

- clarify functions and responsibilities
- manage change
- promote consistency of practice
- meet standards and
- 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 valid. 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 following table shows what the principal and leadership team, the school council and the school community are responsible for in terms of policy development.

The principal ...	The school council ...
<ul style="list-style-type: none"> <li>• advises council about the need for school policy to meet government policy or legislation and guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• determines the need for policy on local issues within its powers and functions</li> </ul>
<ul style="list-style-type: none"> <li>• contributes to policy development as a member of council</li> </ul>	<ul style="list-style-type: none"> <li>• develops policy including consulting with the school community if required</li> </ul>
<ul style="list-style-type: none"> <li>• implements policy</li> </ul>	<ul style="list-style-type: none"> <li>• regularly reviews existing policies</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 broad direction, as outlined in the School Strategic Plan.

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

- set out the school's position on major issues
- ensure consistency with legislation and Departmental policies
- 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.

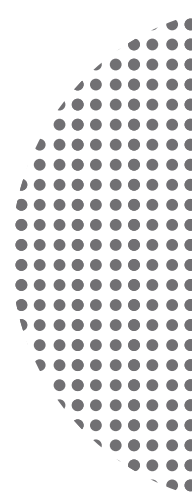
### Why the school council develops policy

A school council will develop a policy because:

- departmental policy or legislation requires a school to have a local policy in a particular topic area
- council decides to issue guidance about an aspect of how the School Strategic Plan is to be implemented
- council, within its powers and functions, decides to set out the school's position on a major issue.

### Departmental 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 table below. The requirement may be prescribed through legislation or relate to establishing a consistent, state-wide approach to ensuring student safety or the financial and reputational integrity of the school.



Topic	Coverage
Investments	Council is responsible for deciding whether, and how, to invest the school's surplus funds. As trustee of the school's funds, the school council must have a policy to adequately protect those funds by only making secure investments.
Parent payments	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.
Student dress code	School councils have the authority to develop and implement 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.
Child Safe Standards	School councils are responsible for developing and approving school-level Child Safe Standards policy and procedures in accordance with <i>Ministerial Order 870- Child Safe Standards- Managing the Risk of Child Abuse in Schools</i> .
Gifts, benefits and hospitality	All staff and school council members are to be advised of the policy requirements. The principal and council will decide whether to adopt the Department's Gifts, Benefits and Hospitality Policy or develop a policy that is more restrictive.

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

- camps, excursions and outdoor activities
- sponsorship
- community use of school facilities
- canteen and other school food services.

In developing these policies school councils must refer to Department policies and guidelines.

Information about policies school councils are required to develop or other policies and procedures developed by the school are available from the School Policy and Advisory Guide (SPAG) on the Department's website. Schools and their councils are also encouraged to use Department templates.

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 (e.g. anaphylaxis, mobile phones, and homework). Instead of schools starting from scratch and writing their own policies, schools can modify these templates to suit their local circumstances.

## School Policy and Advisory Guide

The Department's School Policy and Advisory Guide 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 Guide's information comes from a range of legislative and regulatory requirements, primarily 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 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. 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 operates under the *Education and Care Services National Law Act 2010* (National Law) and the *Education and Care Services National Regulations 2011* (National Regulations).

## Minimum Standards for School Registration

The principal and the school council president are required to show in the Annual Report that the school has met the minimum standards for registration. Schools must have the following policies and procedures in place to meet the minimum registration requirements:

- School philosophy policy
- Student enrolment policy (for Specialist and Specific Purpose Schools only)
- Curriculum framework policy
- Student engagement and inclusion policy
- Bullying and harassment policy and procedures (including cyber bullying). This can be included in the student engagement and inclusion document
- Supervision and duty of care policy
- Excursion and camps policy
- Visitors policy (this includes external providers)
- Administration of medication policy and care arrangements for ill students
- Anaphylaxis management policy and procedures
- Mandatory reporting policy
- First aid policy and procedures (including a register of staff trained in first aid)
- Internet use (ICT Acceptable Use) policy
- Emergency Management Plan
- Communication of School Policies, Procedures and Schedule Policy
- Working with Children Check policy and procedures
- Procedures to maintain staff registers (Working with Children Check, first aid and Victorian Institute of Teaching registration)
- Policies and procedures to support compliance with the Child Safe Standards.

## Resources and links

### Victorian Registration and Qualifications Authority – School Registration

→ [www.vrqa.vic.gov.au/registration/Pages/schooldefault.aspx](http://www.vrqa.vic.gov.au/registration/Pages/schooldefault.aspx)

### Support Materials for Schools – Registration Requirements for Schools

→ [www.education.vic.gov.au/school/principals/spag/governance/Pages/registration.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/registration.aspx)

### School Policy and Advisory Guide

→ [www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx](http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx)

### School Policy Templates Portal

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

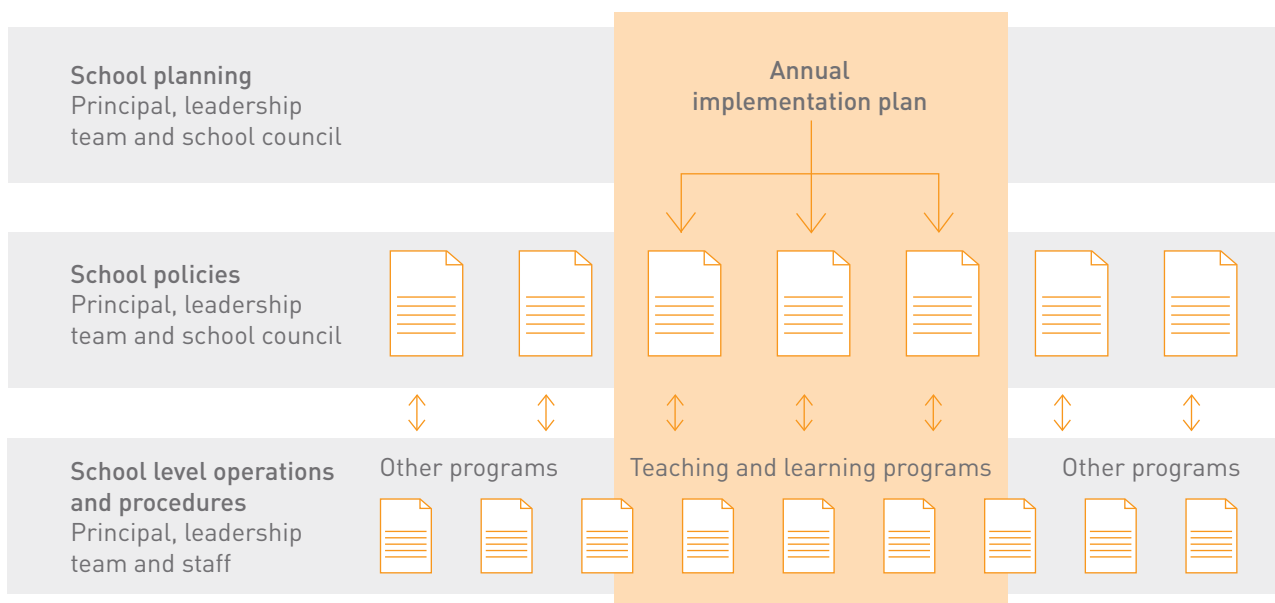
For further advice on policy development and requirements, school council members can email the School Operations and Governance Unit at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)

## Guidance about implementing the School Strategic Plan

The School Strategic Plan 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.

Council might decide to develop a policy about a particular issue to provide guidance about how the school will meet its goals and targets. For example, school 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 school's strategic plan.

### School Strategic Plan (Goals and targets)



As illustrated above, in some instances there is a direct link between the school's strategic plan, the Annual Implementation Plan and policies that might support the achievement of the goals and targets. In other instances, policies may relate to important matters beyond the strategic planning process.

## Other policy topics

From time to time, the school council or principal might identify the need to develop a policy about a school or community issue (for example, students' use of mobile phones at school, beyond curriculum purposes). Most often, this will arise from the need to set out the school's position in relation to a specific topic. In these cases, the policy would explain the purpose and intended outcome and the principal and staff would establish operational procedures to implement the policy. The views of all councillors and the school community would help inform any new or changed policy.

Such a policy 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 in *Why the school council develops policy*, councils develop policies for particular reasons, and so it is important they also understand in which areas a policy is not required.

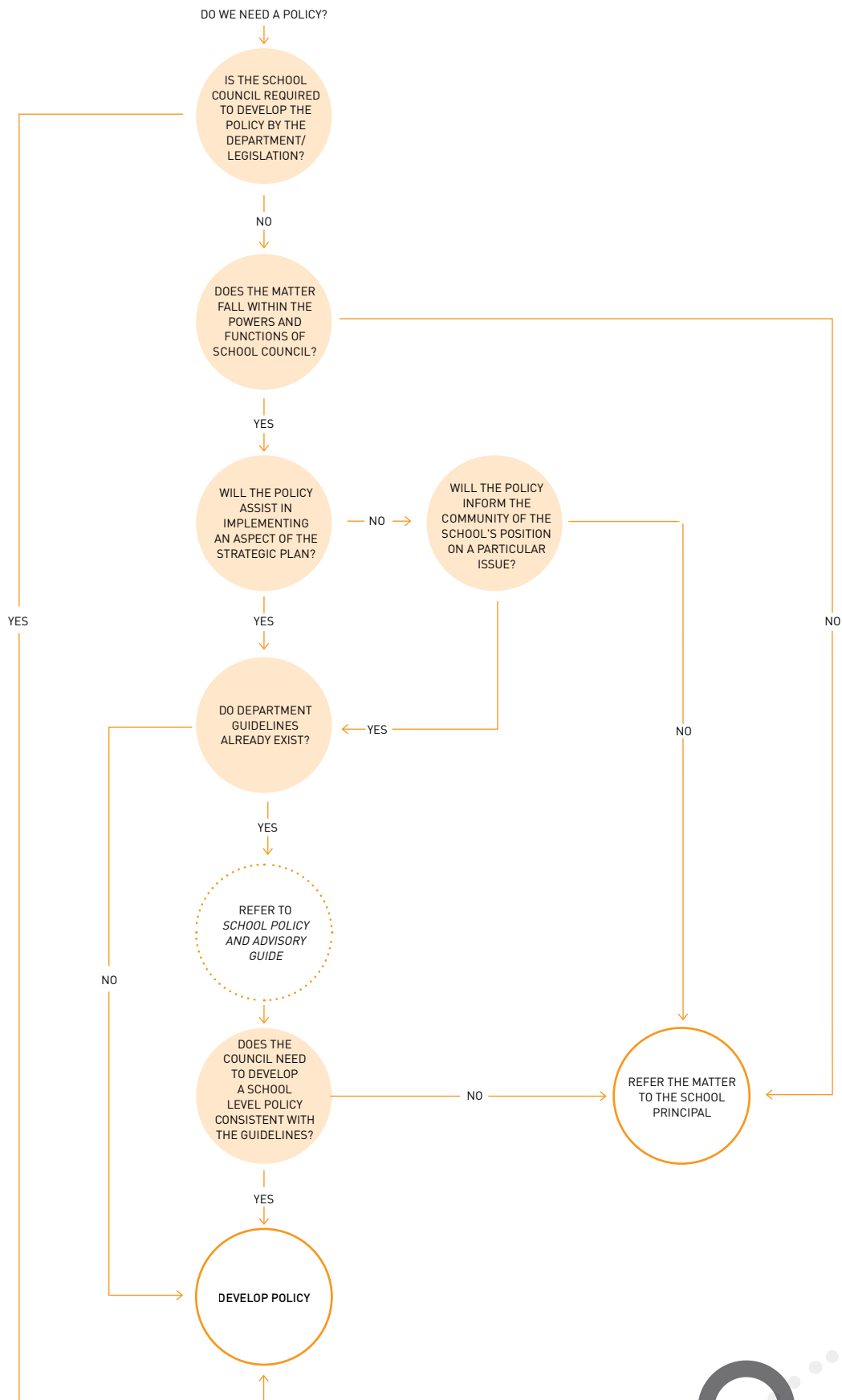
Procedural or operational matters at the school are managed by the principal and staff. The Department's School Policy and Advisory Guide contains policy, guidelines and advice about school operations such as arrangements for religious education, school hours and term dates. The principal and staff are responsible for developing policies and procedures in line with Department guidance and legislative requirements on these matters and, where relevant, advising and consulting with school council if policy issues arise.

Policies direct school operational matters, however most routine matters are best dealt with through procedures and do not require a policy.



## Do we need a policy?

The following flow chart shows the sequence of questions to ask, and steps to take, to determine whether council needs a policy on a particular topic.



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

- the matter falls within the powers and functions of school council
- Departmental 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
- the policy can be implemented ethically, legally and without breaching 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 in a policy; school councils are able to structure some policies as they wish. 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 what the policy is intended to accomplish</li> </ul>
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 good school policy should be accessible to the community and:

- be consistent with Departmental policy, legislation, values and guidelines
- be compatible with human rights and anti-discrimination legislation (including the *Victorian 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
- 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 (such as an investment policy where council considers it is adequately informed and does not need to consult)
- by an existing sub-committee which may be delegated this responsibility (such as a policy about a topic already being handled by that sub-committee)
- 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 but not necessarily by the full council).

From the 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.

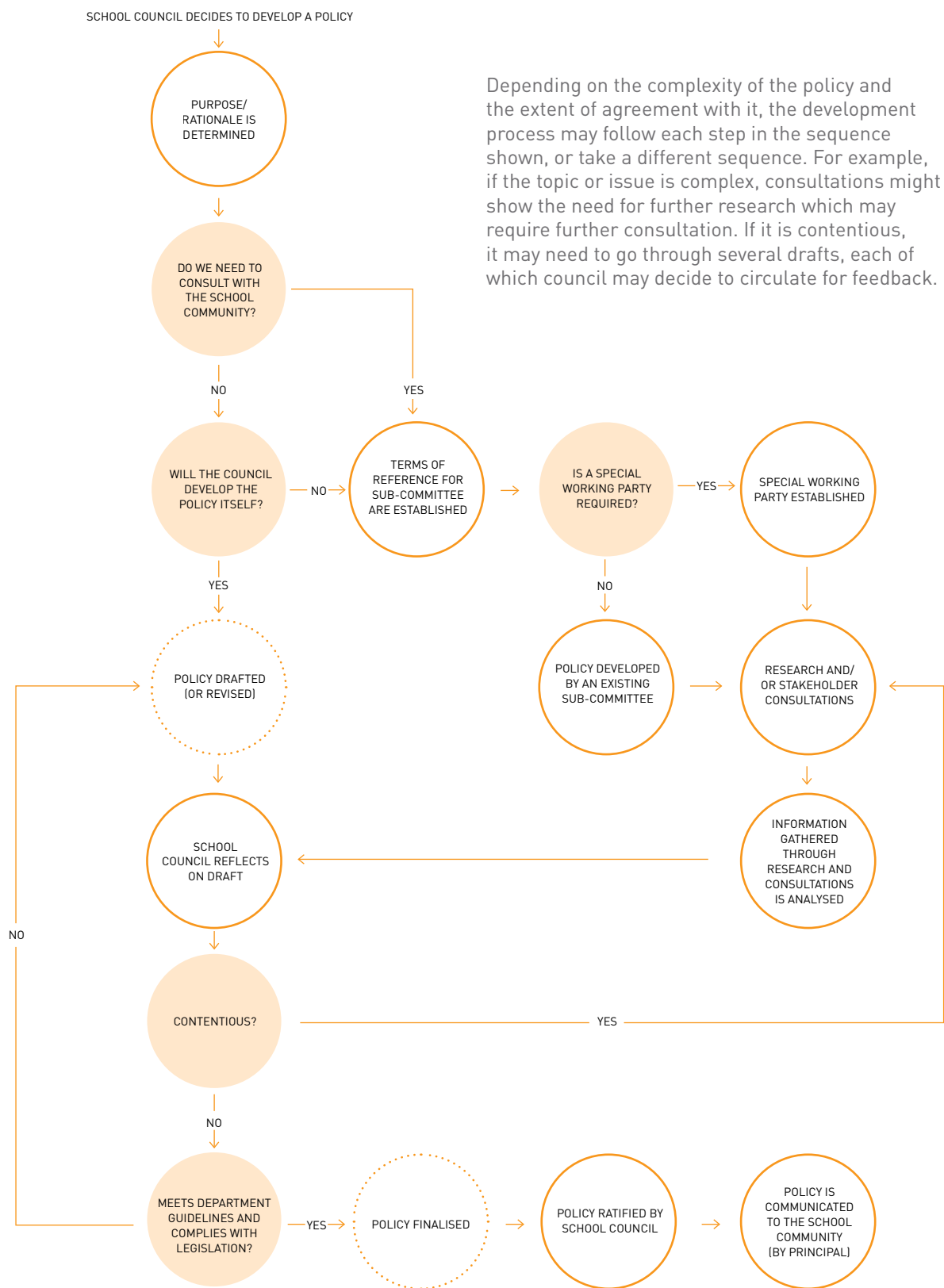
1. The issue or topic to be addressed by the policy, and the reason for the policy, is identified. For example, it might be a requirement of the Department, or a local issue that requires clarification or guidelines to inform or influence action by the school.
2. The purpose or rationale for the policy 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 sub-committee 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.
8. Council ratifies; ratifies as amended or does not approve the draft policy.
9. If council ratifies a policy, the policy should be published on the school's website or available in hard copy upon request to the school.

The following flow chart shows the steps to take in developing a new policy.



## Council decides to develop a policy



## Reviewing a policy

Councils should regularly review policies 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. 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.

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 sub-committee or a sub-committee established for the purpose of reviewing a particular policy.

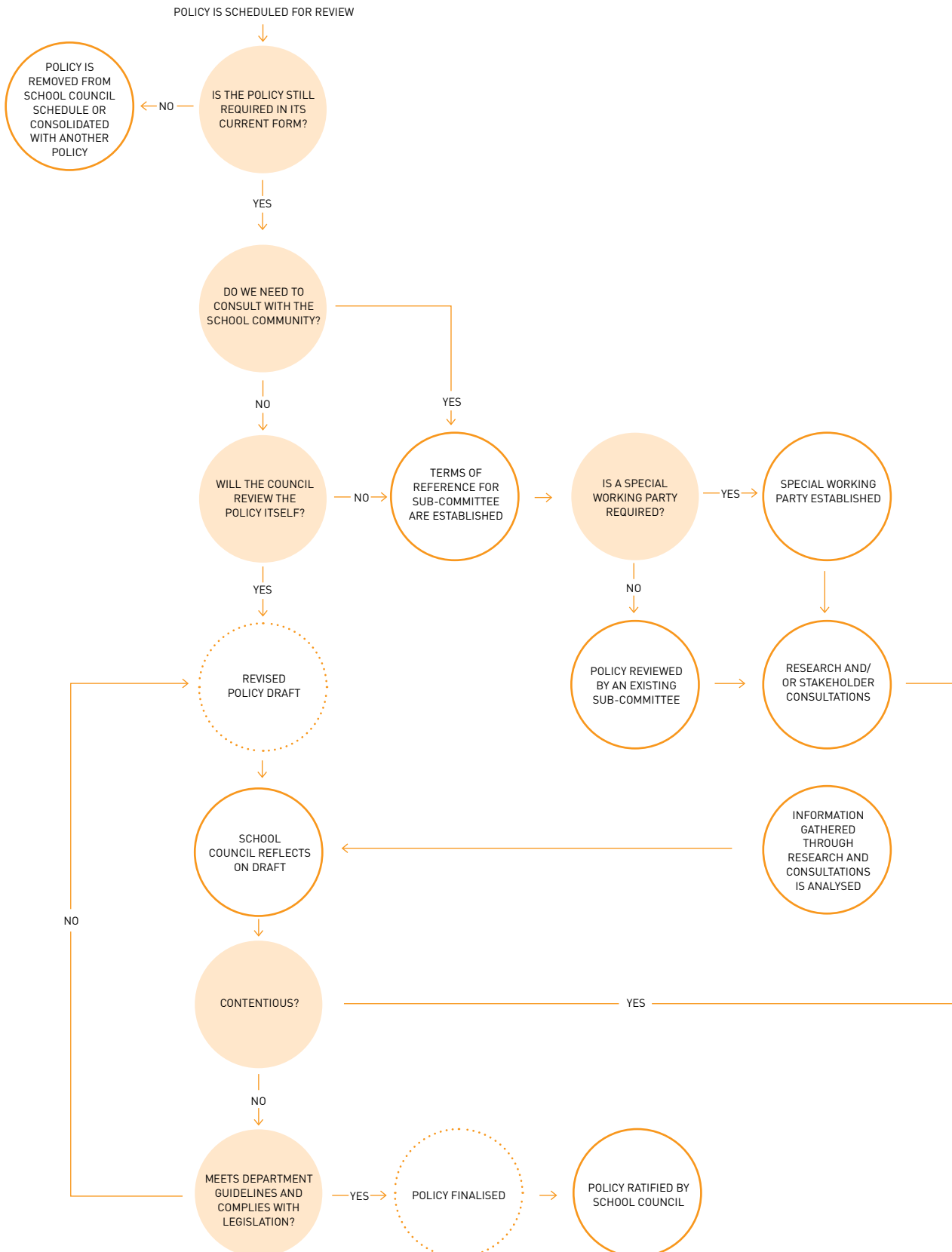
Similarly, depending on the policy topic, the review process may be an internal process involving the school council members and a sub-committee. Alternatively, an extensive review may be undertaken involving a formal consultation process with stakeholders.

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 following flow chart shows the steps in reviewing a policy.

## A policy is scheduled for review





## Resources and links

### Child Safe Standards

→ [www.education.vic.gov.au/school/principals/spag/safety/Pages/childsafestandards.aspx](http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childsafestandards.aspx)

### Emergency and Risk Management

→ [www.education.vic.gov.au/school/principals/spag/safety/pages/excursionsafety.aspx](http://www.education.vic.gov.au/school/principals/spag/safety/pages/excursionsafety.aspx)

### Safety Guidelines for Education Outdoors

→ [www.education.vic.gov.au/school/teachers/studentmanagement/excursions/Pages/outdoorguidelines.aspx](http://www.education.vic.gov.au/school/teachers/studentmanagement/excursions/Pages/outdoorguidelines.aspx)

### Emergency Management Planning

→ [www.education.vic.gov.au/school/principals/spag/management/Pages/mgtplanning.aspx](http://www.education.vic.gov.au/school/principals/spag/management/Pages/mgtplanning.aspx)

### Safety, Health and Wellbeing

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

### Registration of schools

→ [www.education.vic.gov.au/school/principals/spag/governance/Pages/registration.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/registration.aspx)

### Victorian Registration and Qualifications Authority

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

### School Policy and Advisory Guide – Ethical Decision-Making

→ [www.education.vic.gov.au/school/principals/spag/governance/Pages/ethicaldecisionmaking.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/ethicaldecisionmaking.aspx)

### School Policy and Advisory Guide – Gifts, Benefits and Hospitality

→ [www.education.vic.gov.au/school/principals/spag/governance/Pages/gifts.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/gifts.aspx)

For further advice on policy development and review, school council members can email the School Operations and Governance Unit at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)

## Learning Activity A

In discussion with council members, you can use the following table to review your understanding of policy requirements, development and the school council role.

### Is it governance or operational? Potential policy topics

Topic	Existing guidelines	Required policy	School council function	School operations
Acceptable use of ICT (could be part of the Student Engagement Policy)				
Advertising in school newsletter				
Anaphylaxis				
Anti-bullying (could be part of the Student Engagement Policy)				
Asthma				
Attendance				
Bushfire safety plan (part of the Emergency Management Plan)				
Camps and excursions				
Child Safe Standards				
Code of conduct for staff				
Code of conduct for students (could be part of the Student Engagement Policy)				
Cultural diversity				
Curriculum programs				
General educational policy including which language will be taught in the school				
Emergency Management Plan				
Environmental sustainability				
First aid				
Fundraising				
Gifts, Benefits and Hospitality				
Graduation				

Topic	Existing guidelines	Required policy	School council function	School operations
Head Lice				
Hire of Facilities				
Homework				
Investments				
Media				
Medication				
Occupational health and safety				
Outside School Hours Care				
Parent complaints				
Parent payments				
Placements of students in classes				
Program for students with disabilities				
Purchase of goods and services				
Religious education				
Student engagement				
Student Incident Management				
SunSmart (could be part of the Dress Code Policy)				
Traffic Safety				
Uniform (Dress Code)				
Use of ladders				
Use of mobile phones by students (could be part of the Student Engagement Policy)				
Visitors				
Yard Duty				

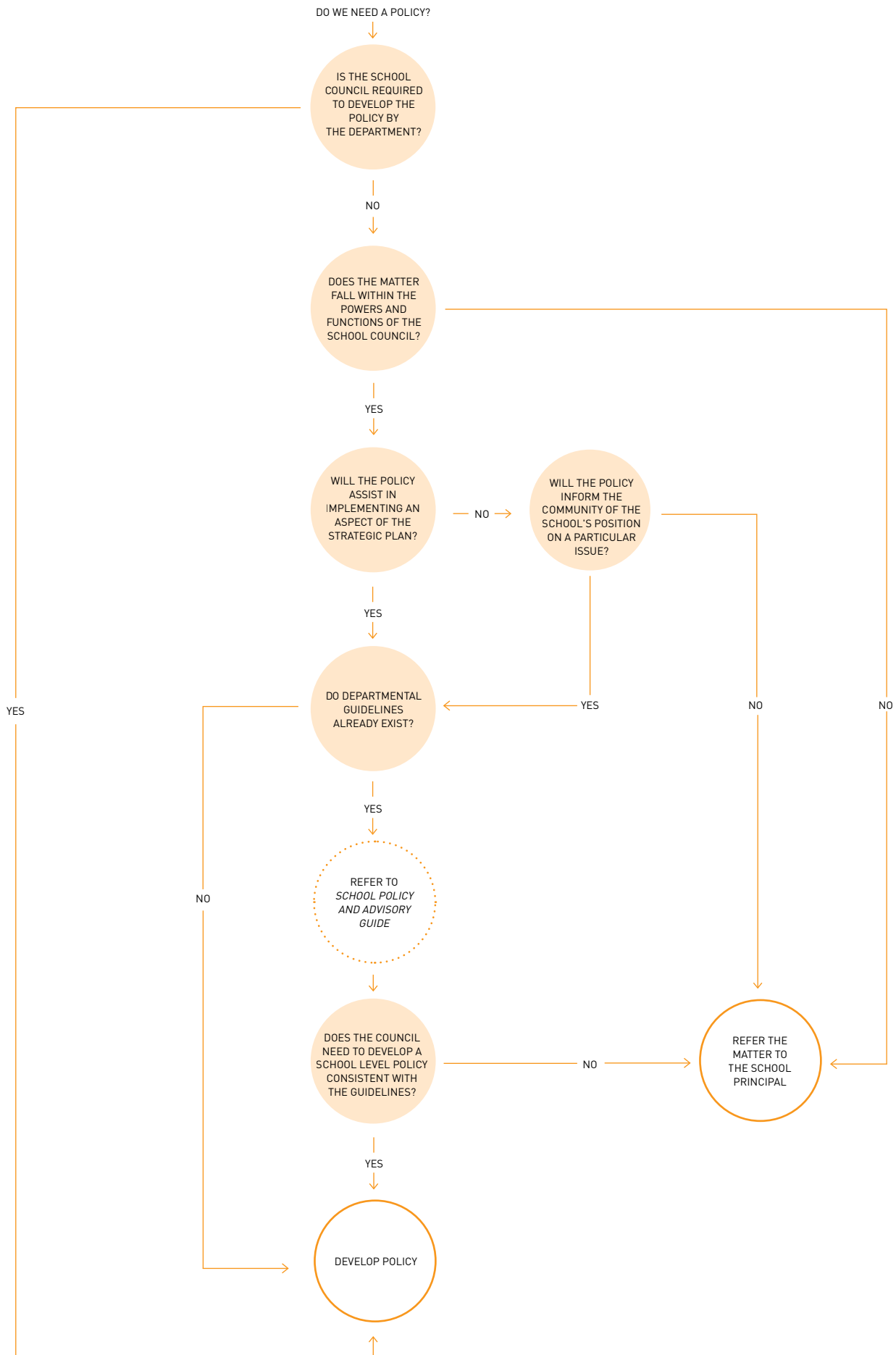
# Learning Activity A Response Guide

## Governance or operations?

Topic	Existing guidelines	Required policy	School council function	School operations
Acceptable use of ICT (could be part of the Student Engagement Policy)	✓	✓		✓
Advertising in school newsletter				✓
Anaphylaxis	✓	✓		✓
Anti-bullying (could be part of the Student Engagement Policy)	✓	✓		✓
Asthma	✓			
Attendance	✓			✓
Bushfire safety plan (part of the Emergency Management Plan)	✓	✓		✓
Camps and excursions	✓	✓	✓	✓
Child Safe Standards	✓	✓	✓	✓
Code of conduct for staff	✓	✓		✓
Code of conduct for students (could be part of the Student Engagement Policy)	✓	✓		
Cultural diversity	✓			✓
Curriculum programs	✓			✓
General educational policy including which language will be taught in the school	✓	✓	✓	✓
Emergency Management Plan	✓	✓		✓
Environmental sustainability	✓		✓	✓
First aid	✓	✓		✓
Fundraising	✓		✓	
Gifts, Benefits and Hospitality	✓		✓	✓
Graduation				✓
Head Lice	✓	✓		✓

Topic	Existing guidelines	Required policy	School council function	School operations
Hire of Facilities	✓		✓	
Homework	✓		✓	✓
Investments	✓	✓	✓	
Media	✓			✓
Medication	✓	✓		✓
Occupational health and safety	✓			✓
Outside School Hours Care	✓	✓	✓	✓
Parent complaints	✓	✓		
Parent payments	✓	✓	✓	✓
Placements of students in classes				✓
Program for students with disabilities	✓	✓		✓
Purchase of goods and services	✓	✓	✓	✓
Religious education	✓			
Student engagement	✓	✓		✓
Student Incident Management	✓	✓		✓
SunSmart (could be part of the Dress Code Policy)	✓		✓	✓
Traffic Safety				✓
Uniform (Dress Code)	✓	✓	✓	✓
Use of ladders	✓			✓
Use of mobile phones by students (could be part of the Student Engagement Policy)	✓			✓
Visitors	✓	✓		
Yard Duty	✓			✓

## Governance or operational? Do we need a policy? Flow chart



## Policy review and redevelopment: example of school uniform policy review

**The school's 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 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 school 'bomber 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 uniform committee and consider the following questions:

1. Based on what they have learnt in the workshop, what process will the committee establish to review the uniform 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?

## Policy review and redevelopment: dress code guidelines from the School Policy and Advisory Guide

### Student dress code

School councils have the authority to develop and implement dress codes for their 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 at: 'Good practice' case studies – student dress code.

### 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 a Ministerial Order 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 wearing the school uniform in accordance with any determination on school uniforms 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 the uniform 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 Victorian *Equal Opportunity Act 2010* states that an educational authority may set and enforce reasonable standards of dress and appearance for students. Under the 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.





### Under Victorian legislation, schools have the right to set and enforce reasonable standards of dress and appearance for students.

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 Victorian *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, see 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 taking into account factors such as the nature of the right, the purpose of the limitation and whether any less restrictive means could reasonably achieve the same purpose.

Where a school has good reason for restricting an individual's freedoms around dress and appearance, then the restriction of their rights may be considered reasonable. 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.

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 uniform 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 PROTECTION

A school's dress code must address issues of sun protection. In particular, schools should encourage students to wear a sun protective hat when outside during terms 1 and 4. Schools with a uniform must ensure a sun protective hat 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.

For further information about skin protection and developing sun protection policy see the School Policy and Advisory Guide-Sun and UV Protection.

### 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 or fitted school bags, or students carrying bags incorrectly or carrying loads that are too heavy. In developing their dress code, 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.

Further information about student health and schoolbags is available on the Victorian Government's *Better Health Channel*.

## 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's principal. The principal acts as a representative of State Schools' Relief and uses his/her 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 School Policy and Advisory Guide-State Schools' Relief.



## 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 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. For example, emerging safety issues or significant changes within the school community may mean changes 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 (health, domestic, financial, 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's council states that the methods of enforcement must be consistent with a Ministerial Order – Procedures for Suspension and Expulsion.

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 in a staged manner.

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. Schools may choose to include appropriate measures to enforce their dress code in their Student Engagement Policy. Students can only be excluded from school in accordance with Ministerial Order No. 625 – Procedures for Suspension and Expulsion.

## 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, see the School Policy and Advisory Guide-Dress Code Exemptions.

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.

A school council must comply with written and verbal contracts with clothing suppliers and must not make any misrepresentations while making agreements, for example, misrepresenting the number of students at the school.

School councils are strongly advised to enter into a written contract(s) with their chosen supplier(s). This enables the council to enforce the terms of its agreement and ensures that all parties are clear about their obligations. Schools should formalise arrangements with their chosen supplier by using one of the Department's three approved agreement templates. Principals can access the templates from the Department's Legal Division website.

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

1. School Council Licence – School Uniform Business. The school council licenses an area of the school to 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 (school uniforms to be supplied at supplier's retail premises). 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 on-sale by the School Council). The school council purchases school uniforms from a supplier and then sells the uniforms directly to students and their families.

## Resources and links

### School Financial Guidelines – Finance Manual for Victorian Government Schools

→ [www.education.vic.gov.au/school/principals/finance/Pages/guidelines.aspx](http://www.education.vic.gov.au/school/principals/finance/Pages/guidelines.aspx)

### School Policy and Advisory Guide

→ [www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx](http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx)

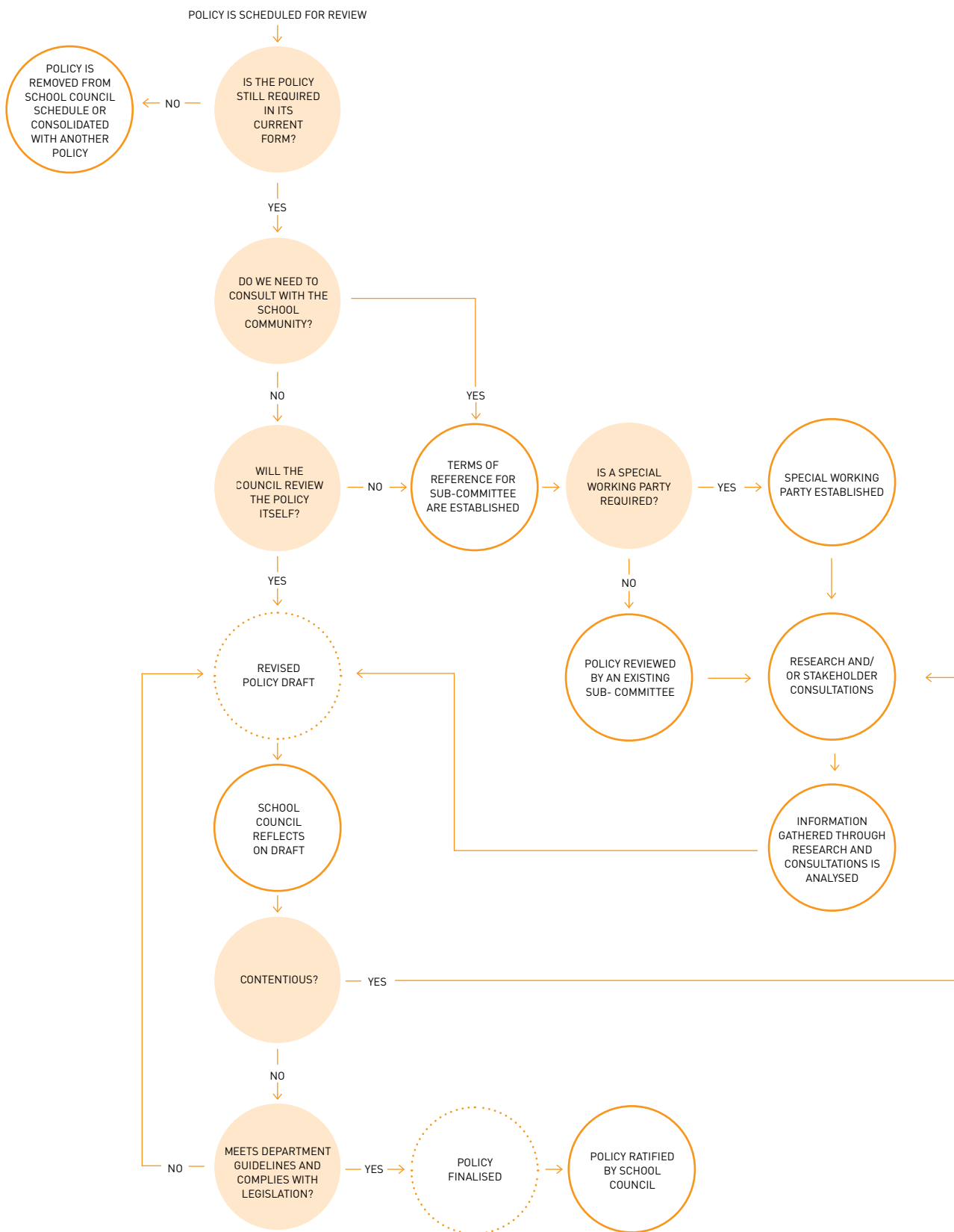
### School Procurement Policy and Procedure

→ [edugate.eduweb.vic.gov.au/sites/i/pages/production.aspx#/app/content/2089/support\\_and\\_service\\_\(schools\)%252Fprocurement,\\_funding\\_and\\_travel%252Fprocurement%252Fschools\\_procurement\\_policy\\_and\\_procedure](http://edugate.eduweb.vic.gov.au/sites/i/pages/production.aspx#/app/content/2089/support_and_service_(schools)%252Fprocurement,_funding_and_travel%252Fprocurement%252Fschools_procurement_policy_and_procedure)

### Legal Division – Purchasing, Contracts and Licensing

→ [edugate.eduweb.vic.gov.au/sites/intranet/Services/Legal-Services/Purchasing-Contracts-and-Licensing/Pages/default.aspx](http://edugate.eduweb.vic.gov.au/sites/intranet/Services/Legal-Services/Purchasing-Contracts-and-Licensing/Pages/default.aspx)

## Policy review and redevelopment: policy review flow chart





## Policy review and redevelopment: primary and secondary school examples of school uniform policies

### West Lake Primary School – Uniform 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 amongst 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, during Terms 1 and 4, all children will be required to wear a school 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)

Boys: Red monogrammed polo shirt, navy shorts, red, navy or white socks, navy monogrammed windcheater or bomber jacket, school hat.

Girls: School dress or navy shorts, red monogrammed polo shirt, navy monogrammed windcheater or bomber jacket, red, navy or white socks, school 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)

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

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

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)

Boys: Red monogrammed polo shirt, navy blue shorts and school hat.

Girls: Red monogrammed polo shirt, navy blue shorts or navy blue netball skirt and school hat.

#### HOUSE SPORT UNIFORM (YEARS 3 – 6)

House-coloured t-shirt

Sports footwear

#### SCHOOL BAGS

Monogrammed school bag is not compulsory but highly encouraged.

#### SCHOOL HATS

During Terms 1 and 4, 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 amongst 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 sub-committee 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.

### Evaluation

As part of the College review cycle the Uniform Committee will review this policy every three years. Date policy ratified: 2015. Date of next review: 2018.

