

POLICY AND REVIEW

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 particular policies to reflect the school's values and support the school's broad direction, as outlined in its strategic plan. Legislation and Departmental imperatives require councils to develop some policies, and they may develop other policies to address local needs.

Council needs to know that policy is required when it relates to the governance of the school. This includes the implementation of government policy and guidelines.

The day-to-day operational policies and procedures in schools are managed by the principal and staff.

School council policies are documents that are made available to the school community as a means to clarify functions and responsibilities, manage change, promote consistency, meet standards and make decision-making transparent. Policy development offers council the opportunity to engage with the school community on matters of importance to that community.

Councils should review their policies regularly to ensure that they remain relevant and valid. 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">advises council about the need for school policy to meet government policy and guidelines	<ul style="list-style-type: none">determines the need for policy on local issues within its powers and functions
<ul style="list-style-type: none">contributes to policy development as a member of council	<ul style="list-style-type: none">develops policy including consulting with the school community if required
<ul style="list-style-type: none">implements policy	<ul style="list-style-type: none">regularly reviews existing policies

4.1

Determining the need for policy

Why is this topic important?

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

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 enable action rather than control or constrain what people do. They assist school councils to influence actions and behaviours for the betterment of the school.

On completing this unit, school councillors should:

- understand the reasons why the school council might decide to develop a policy and what policies councils must develop
- understand that for operational matters the principal and staff establish procedures
- be able to decide if a council needs a policy on a particular topic.

Why the school council develops policy

A school council will develop a policy because:

- Departmental policy requires a school to have a policy on a particular topic
- council decides to issue guidance about an aspect of how the school strategic plan is to be implemented
- council decides to set out the school's position on a major issue within its powers and functions.

Departmental requirements

The Department requires schools to have policies about certain topics, for example those included in the following table. The requirement may be prescribed through legislation or relate to establishing a consistent, statewide approach to ensuring student safety or the financial integrity of the school.

Topic	Coverage
Education Maintenance Allowance	The Education Maintenance Allowance helps low-income families with the costs of essential educational items for their children. The EMA amount is divided equally between the school and the parent/guardian. Council must develop a policy on the use of EMA funds allocated to the school and communicate the policy to parents/ guardians annually.
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 making only secure investments.
Parent complaints	All government schools are required to have a school-level parent complaints policy and procedures to provide practical assistance in communicating effectively with parents. Schools are expected to adopt an open, consistent approach that is courteous, efficient and fair, to best address parent concerns. Such an approach provides opportunities to build partnerships between schools and families.
Parent payments	All government schools are required to have a policy regarding parent payments for essential education items, optional extras and voluntary financial contributions that schools may request, and the parameters, terms and conditions within which these requests may be made.
Student engagement/ well being	All government schools are required to develop a Student Engagement Policy which articulates the school community's shared expectations in the areas of student engagement, attendance and behaviour. The policy supports the rights and articulates the expectations of every member of the school community to engage in and promote a safe and inclusive educational environment.
Visitors to schools	Council must have a policy about how visitors will be managed to ensure safety and security. While schools value the contribution of parents/guardians and others, schools should not be seen as public places.
Criminal record checks	Council is responsible for developing a policy concerning which volunteers they require to undergo a criminal record check. In establishing their policy, council considers such matters as the level of supervision, the frequency of engagement and any other factors which determine the level of risk.

Information about all required policies is available from the *Victorian Government Schools Reference Guide* on the Department's website.

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

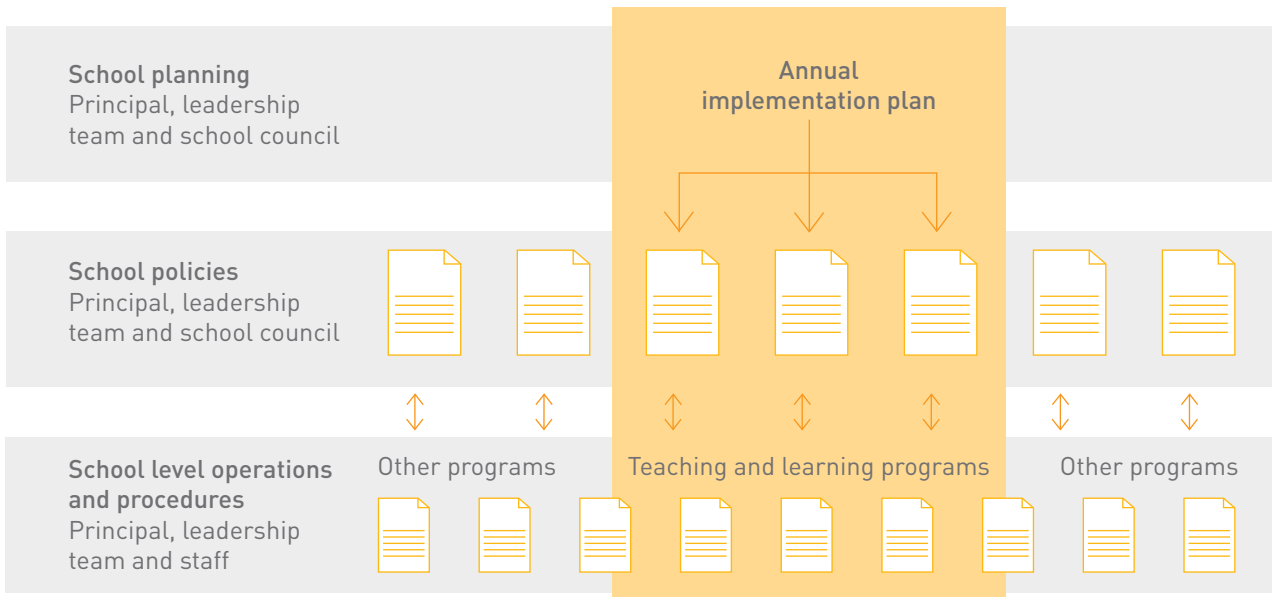
- dress code
- camps, excursions and outdoor activities
- homework
- SunSmart
- sponsorship
- community use of school facilities
- canteen and other school food services.

Guidance about implementing the school strategic plan

The school strategic plan drives the school's programs and processes. The strategic plan's goals and targets set a clear course of action for the school and give the school community a clear sense of what the school is accountable for and how it will measure its performance.

Council might decide to make a policy about a particular issue to provide guidance about how the school will meet its goals and targets. For example, it could make a policy to set out the school's expectations about what homework students should do to support the student learning and student engagement goals in 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 strategic plan, the annual implementation plan and policies which 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 might identify the need to develop a policy about a particular school or community issue (for example, about students' use of mobile phones). Most often, this will arise from the need to set out the school's position in relation to a specific topic. In these cases, school council's policy would explain its purpose and intended outcome and the principal and staff would establish operational procedures to implement the 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

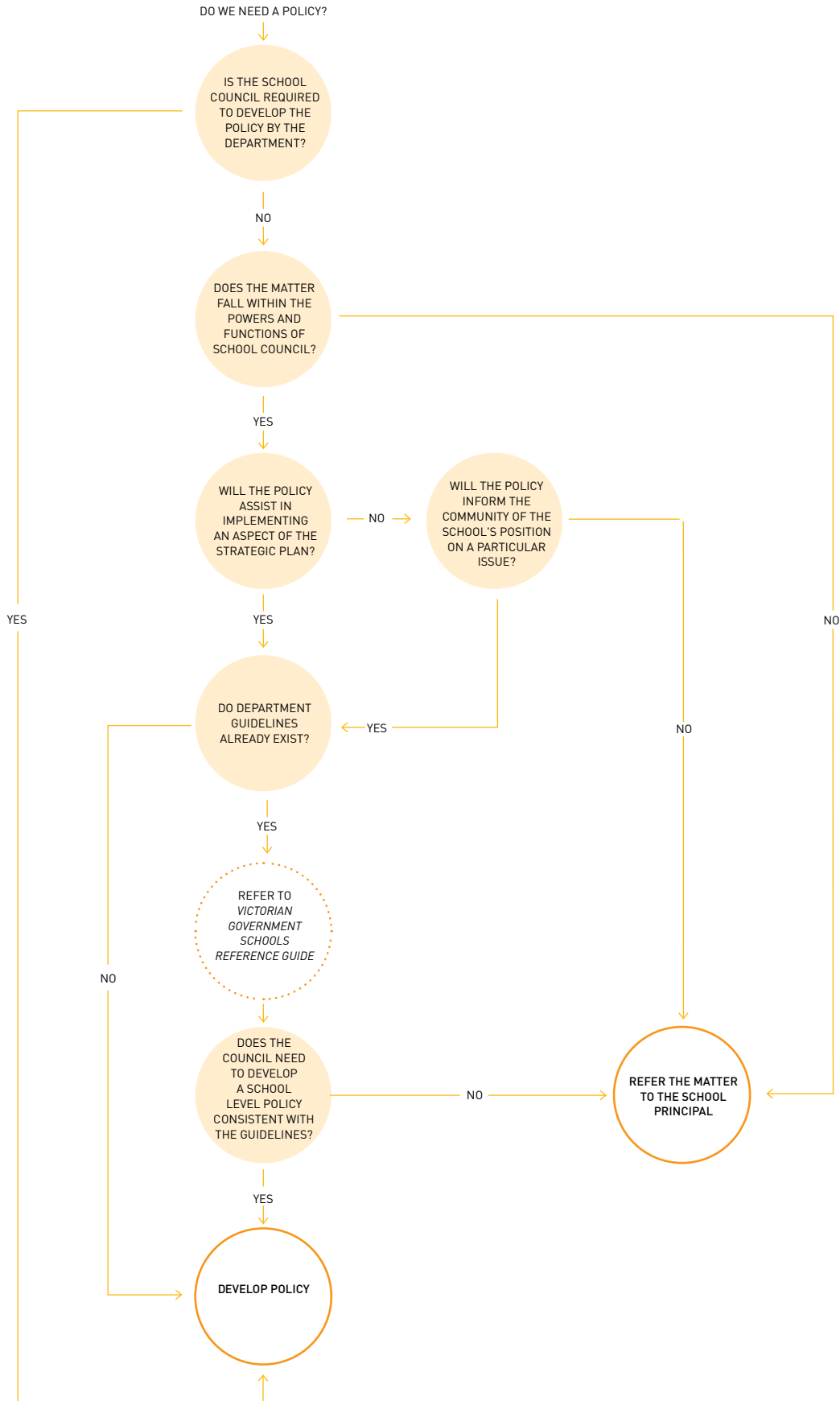
As noted in *Why the school council develops policy*, councils develop policies for specific reasons and need to know when policy is not required.

Procedural or operational matters at the school are managed by the principal and staff. The Department's *Victorian Government Schools Reference Guide* contains 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 procedures in line with Departmental guidance on these matters and advising the school council if policy issues arise. Policies guide operational matters.

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 Department requires council to develop a policy
- the matter falls within the powers and functions of school council
- 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
- Departmental guidelines already exist
- council needs to develop a school level policy consistent with the guidelines?



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 free to structure their policies as they wish.

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



Policy characteristics

A good school policy should be accessible to the community and:

- be consistent with Departmental policy/guidelines
- be compatible with human rights and anti-discrimination legislation (including the Victorian Charter of Human Rights and Responsibilities)
- 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 readily 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.







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).

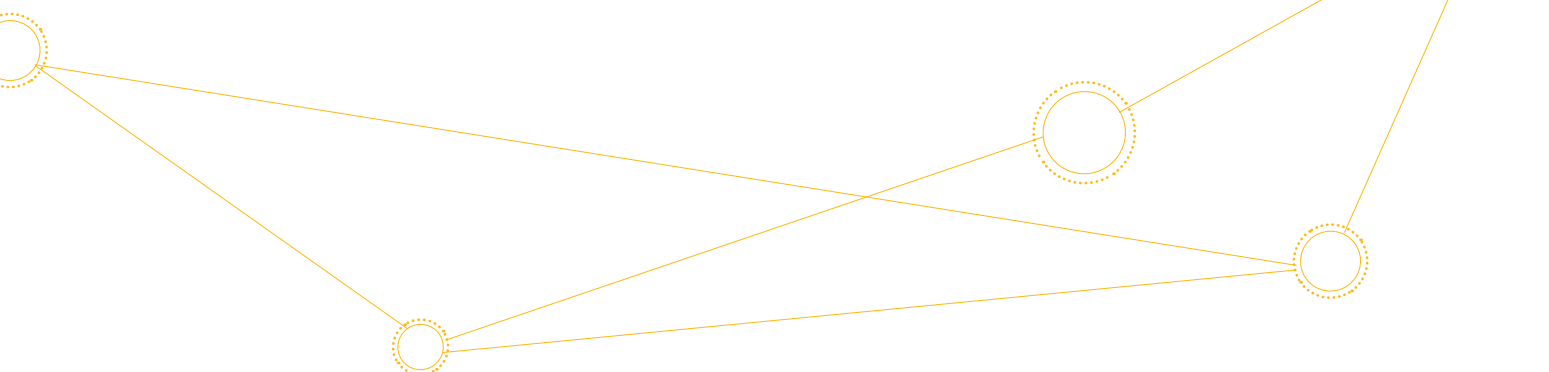
From the governance perspective, the most important thing is that councillors consider the impact on all stakeholders when developing or changing a policy. This does not mean that everyone in the school community needs to be consulted about every policy as it is being developed. Council should determine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

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

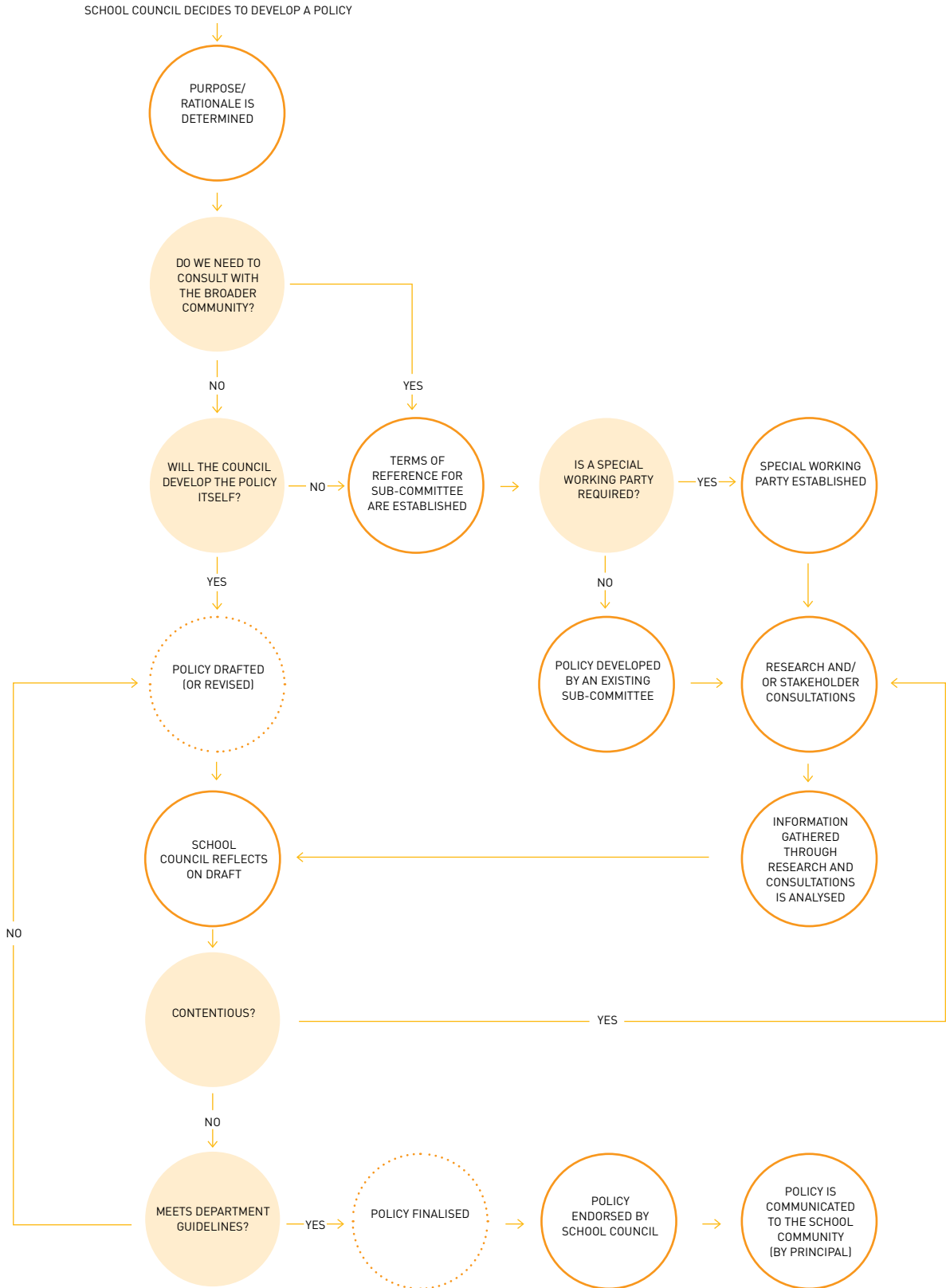
1. The issue or topic to be addressed by the policy, and the reason for the policy, is identified. For example, it might be a requirement of the Department, or a local issue which requires clarification or guidelines to inform or influence action by the school.
2. The purpose or rationale for the policy 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 endorses, endorses as amended or does not approve the draft policy.

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



Council decides to develop a policy



Depending on the complexity of the policy and the extent of agreement with it, the development process may follow each step in the sequence above, 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 review their policies regularly 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, an existing sub-committee or a sub-committee established for the purpose of reviewing a particular policy.

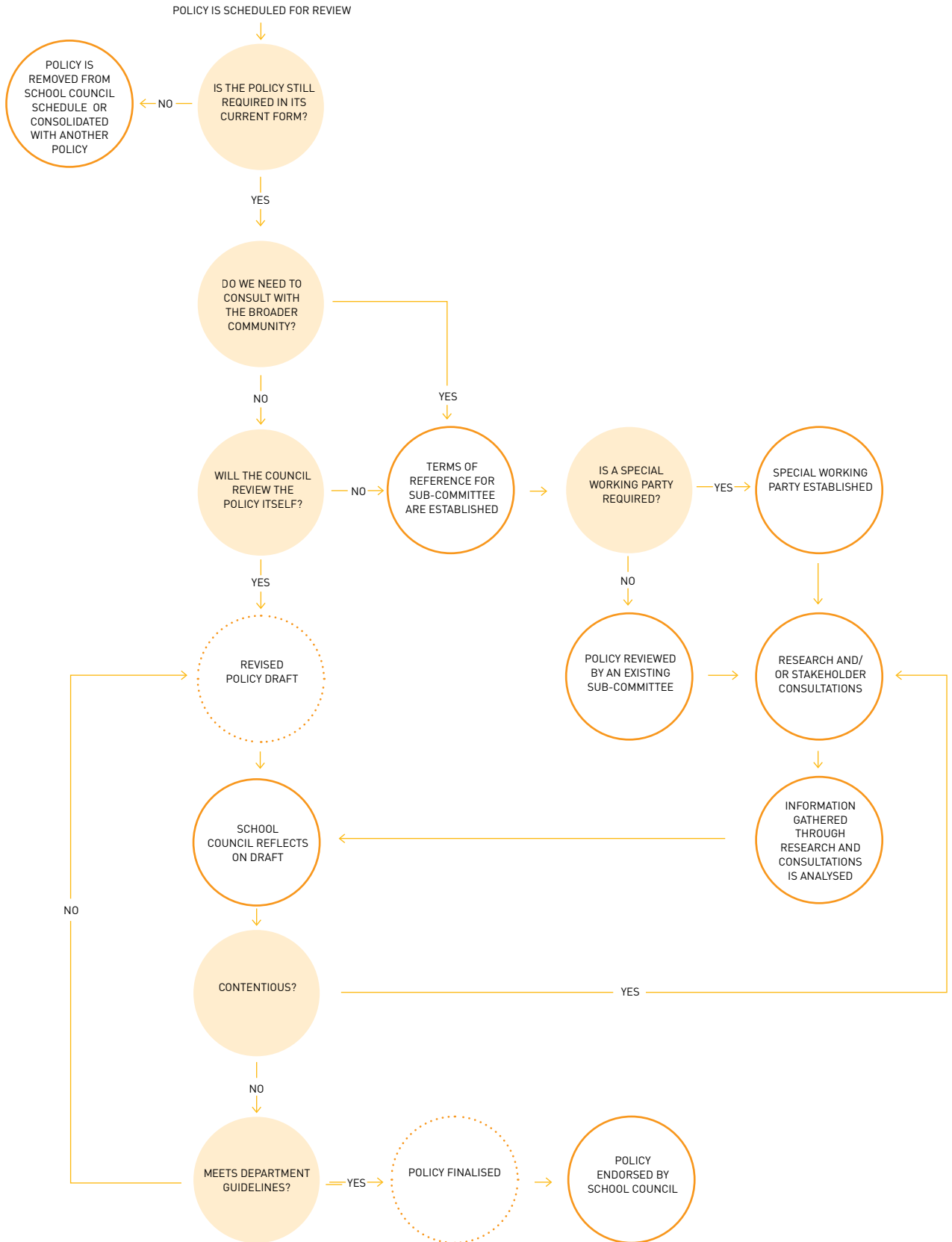
Similarly, depending on the policy topic, the review process may be an internal process involving the school council members and a sub-committee. Alternatively, an extensive review may be undertaken involving a formal consultation process with stakeholders.

Aside from the regular cycle of review, a policy may need to be reviewed where the circumstances which 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 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

Victorian Government Schools Reference Guide Section 4.4 Student safety and risk management

→ http://www.education.vic.gov.au/management/governance/referenceguide/enviro/4_4.htm

Safety Guidelines for Education Outdoors

→ <http://www.education.vic.gov.au/management/schooloperations/edoutdoors/default.htm>

Bushfire information

→ <http://www.education.vic.gov.au/about/emergencies/bushfires/default.htm>

Cultural Diversity Plan 2008-10

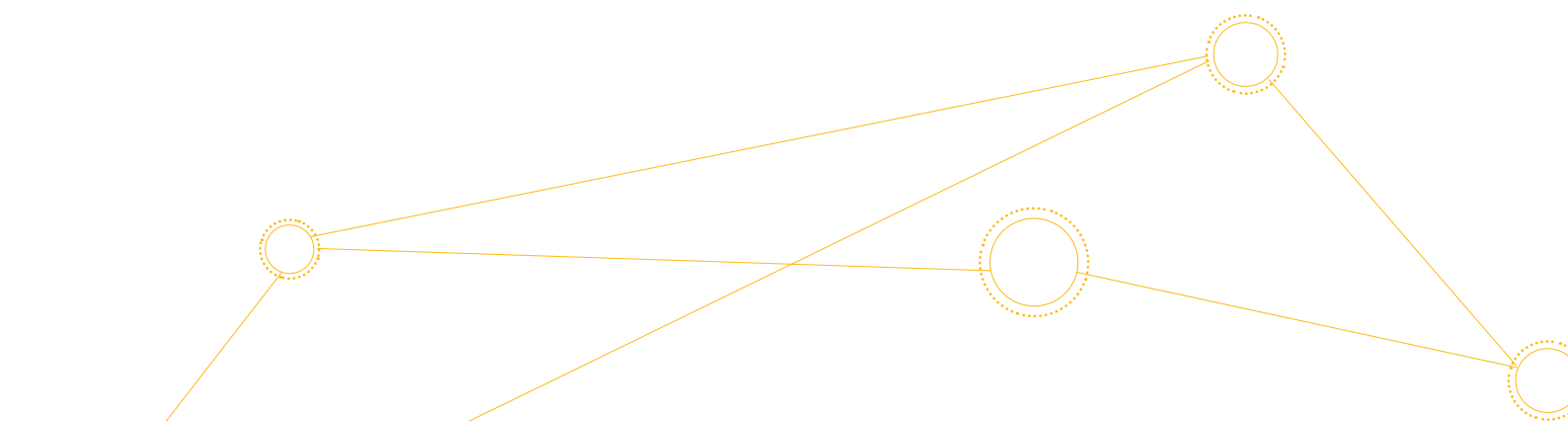
→ <http://www.eduweb.vic.gov.au/edulibrary/public/govrel/Policy/culturediversityplan.pdf>

Occupational Health and Safety Act 2004

→ <http://www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/WorkSafe/Home/Safety+and+Prevention/Health+And+Safety+Topics/Occupational+Health+and+Safety+Act+2004/>

Occupational Health and Safety Regulations 2007

→ http://www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/WorkSafe/Home/Laws+and+Regulations/Acts+and+Regulations/Regulation_Overviews/





Handout A1

Governance or operations?: potential policy topics

Topic	Existing guidelines	Required policy	School council function	School operations
Acceptable use of ICT				
Advertising in school newsletter				
Anaphylaxis				
Anti-bullying				
Asthma				
Attendance				
Bushfire safety plan				
Camps and excursions				
Code of conduct for staff				
Code of conduct for students				
Cultural diversity				
Curriculum programs				
General educational policy including which language will be taught in the school				
Drug education				
Education Maintenance Allowance				
Environmental sustainability				
First aid				
Fundraising				
Graduation				
Head lice				

Topic	Existing guidelines	Required policy	School council function	School operations
Hire of facilities				
Homework				
Incident management				
Investments				
Media				
Medication				
Occupational health and safety				
Parent complaints				
Parent payments				
Placement of students in classes				
Program for students with disabilities				
Religious education				
Student engagement and well being				
SunSmart				
Traffic safety				
Uniform				
Use of ladders				
Use of mobile phones				
Visitors				
Yard Duty				

Handout A2

Governance or operations? Policies required by the Department

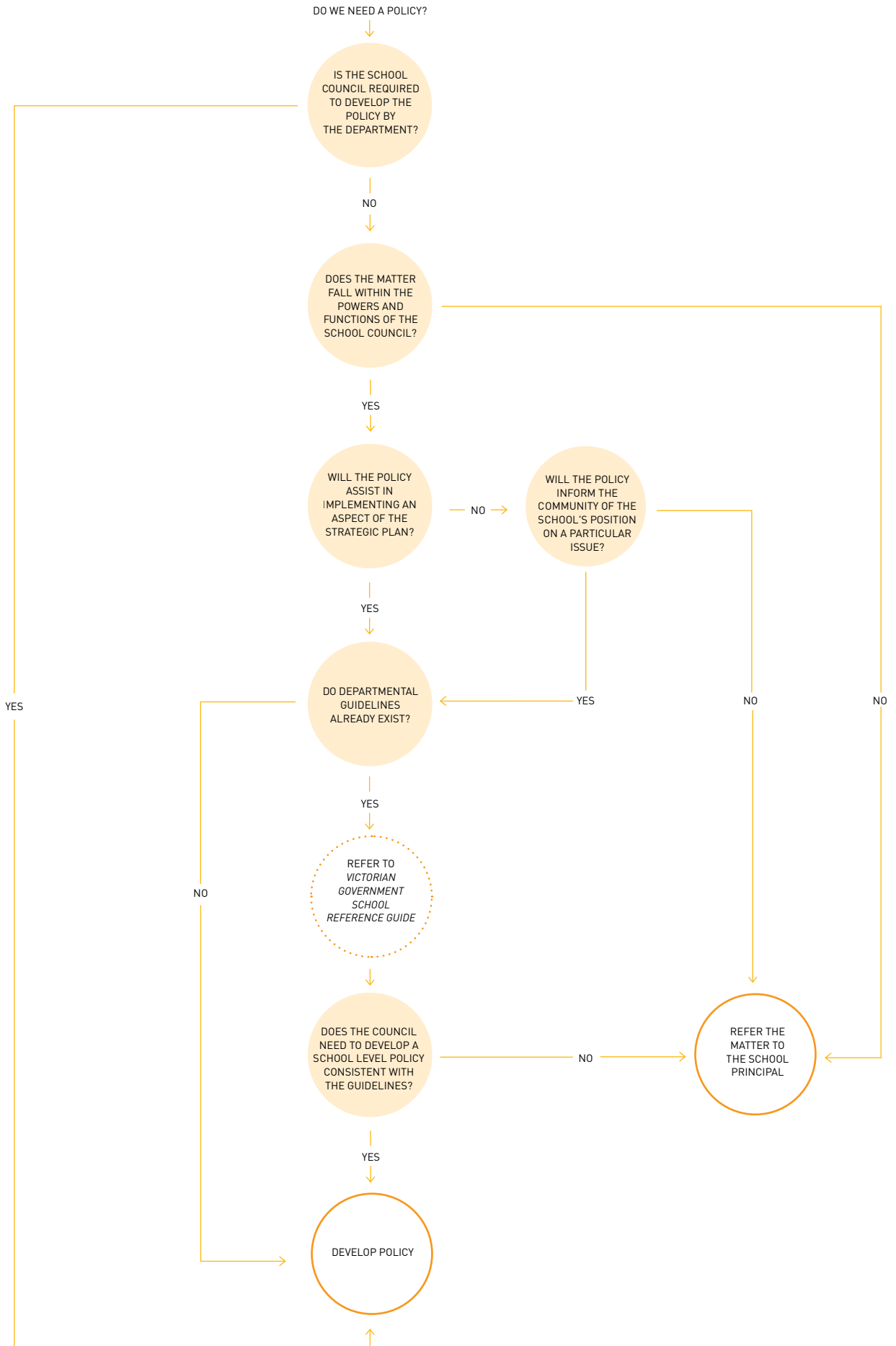
The Department requires school councils to make policies about the topics in the table below. These policies primarily address student safety and the financial integrity of the school.

Topic	Coverage
Education Maintenance Allowance (EMA)	The Education Maintenance Allowance helps low-income families with the costs of essential educational items for their children. The EMA amount is divided equally between the school and the parent/guardian. Council must develop a policy on the use of EMA funds allocated to the school and communicate the policy to parents/guardians annually.
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 making only secure investments.
Parent complaints	All government schools are required to have a school-level parent complaints policy and procedures to provide practical assistance in communicating effectively with parents. Schools are expected to adopt an open, consistent approach that is courteous, efficient and fair to best address parent concerns. Such an approach provides opportunities to build partnerships between schools and families.
Parent payments	All government schools are required to have guidelines regarding parent payments for essential education items, optional extras and voluntary financial contributions that schools may request, and the parameters, terms and conditions within which these requests may be made.
Student engagement/ well being	All government schools are required to develop a Student Engagement Policy which articulates the school community's shared expectations in the areas of student engagement, attendance and behaviour. The policy supports the rights and articulates the expectations of every member of the school community to engage in and promote a safe and inclusive educational environment.
Visitors to schools	Council must have a policy about how visitors will be managed to ensure safety and security. While schools value the contribution of parents/guardians and others, schools should not be seen as public places.
Criminal record checks	Council is responsible for developing a policy concerning which volunteers they require to undergo a criminal record check. In establishing their policy, council considers such matters as the level of supervision, the frequency of engagement and any other factors which determine the level of risk.

Information about all required policies is available from the *Victorian Government Schools Reference Guide* on the Department's website.

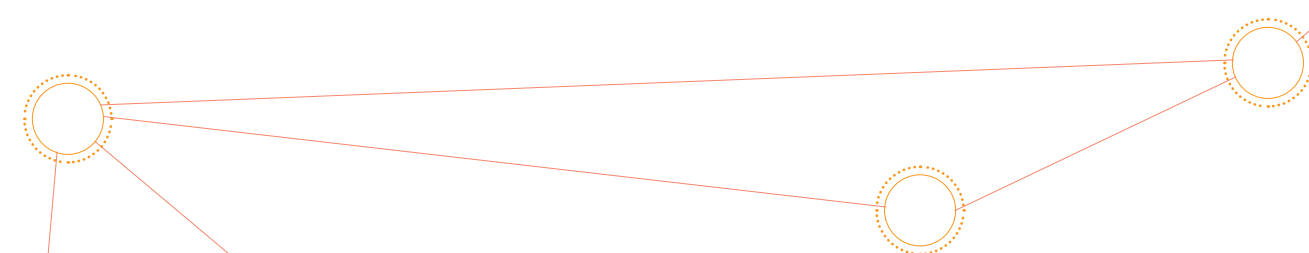
Handout A3

Governance or operations?: Do we need a policy? flow chart



Handout B1

Policy review and redevelopment: group activity outline



The school's uniform policy (Handout B4) is due for review. The committee 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 month's 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 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 Grade 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?

Handout B2

Policy review and redevelopment: extract of dress code guidelines from the Victorian Government Schools Reference Guide

4.8 Student dress code

School councils are encouraged to establish a dress code 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 and should be developed in 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.

4.8.1 The legislative basis for dress codes

All school councils have the authority to develop and implement dress codes for their students. This authority arises from a Ministerial Order under the *Education and Training Reform Act 2006*. The dress code may cover any matters which 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 16(1)(c) of the *Education and Training Reform Regulations 2007*, the principal of a government school may determine the consequences to be imposed on a student for breaching the school dress code set by the school council. The consequences must be reasonable and the principal must be satisfied that the breach was a result of the student's unwillingness to comply with the dress code and that the dress code policy has been brought to the attention of the student and parents or carers.

Section 40 of the *Equal Opportunity Act 1995* states that an educational authority may set and enforce reasonable standards of dress and appearance for students. Under the Equal Opportunity 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.

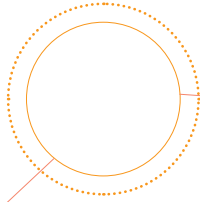
4.8.2 Human rights and anti-discrimination requirements

By upholding 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 schools councils to act and make decisions consistent with human rights. For more information on the Charter, including training modules and policy guidance, see Charter of Human Rights and Responsibilities.

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. However, except in the case of single sex schools, school councils are advised to develop, as far as practicable, dress code requirements that are similar for both sexes. In general, where options are to be available, they should be available to both boys and girls.



4.8.3 Health and safety considerations

4.8.3.1 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 outside from September to April. 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 4.5.12 (in the *Victorian Government Schools Reference Guide*).

4.8.3.2 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.

4.8.3.2 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*.

4.8.4 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.

The State Schools Relief Committee provides assistance with school clothing and footwear via school principals. Principals assess requests for assistance and the Committee provides articles of clothing for students either directly or through an authorisation to the school clothing shop or local supplier. For further information about the State Schools Relief Committee see 6.25 of the *Victorian Government Schools Reference Guide*.



4.8.5 Developing and reviewing a dress code

The following advice should be read in conjunction with the other sections of these 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.

Some examples of good practice in community consultation can be found on the Department's school council website at:

<http://www.eduweb.vic.gov.au/edulibrary/public/schacc/GPcommunityconsult.pdf>

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 (as per section 4.8.2)?
- does it respect the cultural norms of the school community?
- is it reasonable by contemporary standards and does it avoid unnecessarily intruding on students' rights in matters of personal appearance?
- is it suitable to the role of being a student and the tasks and functions performed in that role?
- 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?
- does the dress code policy encourage students to engage in physical education?

- 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?
- are any gender-specific requirements of the code in accordance with school community standards and state and federal anti-discrimination laws?
- does the dress code make some provision for individual expression through alternatives within overall garment requirements?
- has the dress code policy been communicated to parents or carers and students prior to enrolment, thereby providing a basis of assent?
- 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?
- will the dress code policy be reviewed 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 advised that the dress code outlines the consultation and decision-making processes for review and amendment.



Exemptions from a dress code

An exemption process is required to ensure that school councils are able to 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 to 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 section 4.8.2 from being able to attend school or participate in school activities on the same terms 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. A written record of all decisions and the reasoning behind each decision should be kept by the principal 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 *Effective Schools are Engaging Schools – Student Engagement Policy Guidelines* and with the school's student engagement policy.

The *Student Engagement Guidelines* support 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) will not normally apply. Students should not normally be excluded from class or sent home for minor infringements of the student dress code. Exceptions to this might include issues of safety 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.

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.

4.8.6 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 4.8.5.1.

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

4.8.7 Arrangements with clothing suppliers

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
- returns policy for faulty stock
- how and where parents or carers can purchase 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. Further information about ethical manufacturing may be found at FairWear.

A school council must comply with written and verbal contracts with clothing suppliers, and is subject to legal proceedings relating to these contracts. School councils must not make any misrepresentations while making agreements, for example, misrepresenting the number of students at the school.

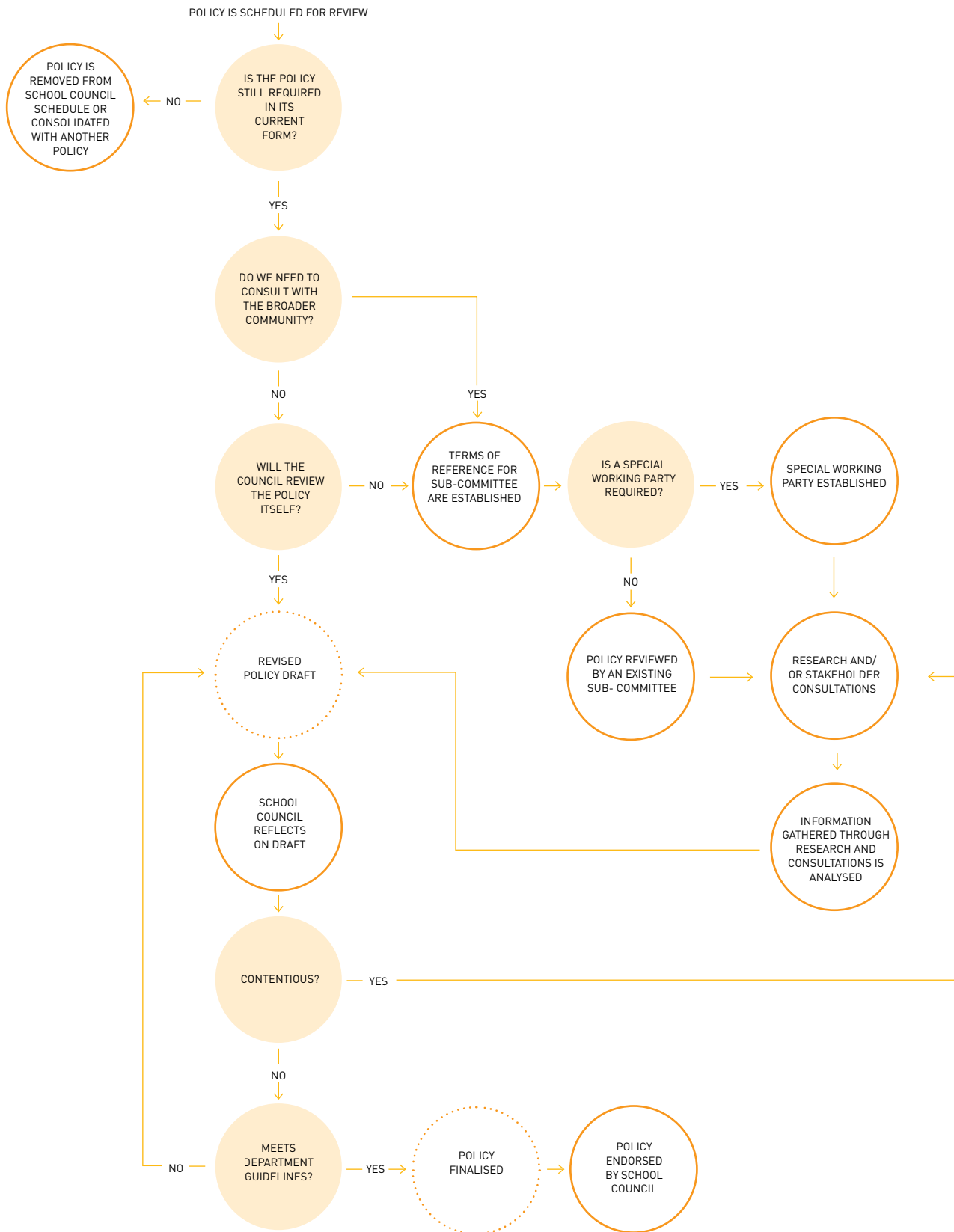
School councils are strongly advised to enter into a written contract(s) with their chosen supplier(s). This enables the council to enforce the terms of its agreement and ensures that all parties are clear about their obligations. A standard contract is available from the Legal Services Unit, Department of Education and Early Childhood Development, to assist school councils. The Legal Services Unit can be contacted on 9637 3146 or by email at legal.services@edumail.vic.gov.au for further advice.

The standard contract outlines three methods for ensuring parents or carers can purchase the school uniform:

1. The school council obtains school uniforms from a supplier for sale to students by the school council. The Victorian Government Purchasing Thresholds will apply. See 7.12.2 Purchasing Thresholds. Schools must also comply with the Victorian Government's Ethical Purchasing Policy – Mandatory Safety Net for Nominated Sectors.
2. The school council appoints a supplier as a supplier of uniforms at the supplier's retail premises. To minimise the risk of liability, schools are advised to:
 - limit the period of any exclusive agreement with a single supplier to less than three years; or
 - establish a panel of uniform suppliers from which students, parents or carers can choose; and
 - allow suppliers to be included in the panel at any time if certain objective standards are satisfied.
3. The school council appoints the supplier as a supplier of uniforms directly to students on the school premises.

Handout B3

Policy review and redevelopment: policy review flow chart



Handout B4

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 amongst 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 hair styles 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 lunch time, recess, and Physical Education classes and sports sessions. Aside from head scarves worn for cultural reasons, hats should not to be worn inside.

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

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 to 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 lunch time, 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. School Uniform documentation also states items that are specifically banned including some jewellery.

Aims

- That students at Greenvale Secondary College are identifiable whilst 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 whilst 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 Council.
- Information relating to the details of the school uniform is available in the school handbooks, the Student Planner, on the school website and on the Ultranet.
- 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 whilst participating in all Physical Education and Sport activities.

Evaluation

As part of the College review cycle the Uniform Committee will review this policy every three years.
Date policy ratified: 2008.
Date of next review: 2011.