**LETTER TEMPLATE TO Confirm the issuing of an ongoing school community safety order**

 (To be used on School Letterhead)

[*Insert name*

*Address*

*Address*]

*[date]*

Dear[*insert name*],

*If recipient provided a submission:* After careful consideration of the reasons and explanations you have provided in your written submission, I write to confirm my decision to issue you with an ongoing school community safety order.

*If recipient did not provide a submission:* This letter is to confirm my decision to issue you with an ongoing school community safety order.

The order is attached (**Attachment 1**) and sets out the reasons I am issuing this order and the terms of the order. You must comply with this order until *[date].*

*If recipient has a child enrolled at the school and the order may impact the child’s education:* I have also included in the order measures to mitigate any impact that a school community safety order may have on your ability to care for and be involved with your child or children’s education.

The decision to issue this order is a difficult decision and I have not come to the decision lightly.

If you do not believe this order should have been issued, you may apply for an internal review of the decision by the Department of Education and Training. You can read more information about internal reviews at **Attachment 2** and find the form at **Attachment 3**. The order remains in effect while an order is being reviewed by the Department.

For further information, **Attachment 4** is a fact sheet for parents about School Community Safety Orders. The [Department of Education and Training website](https://www.vic.gov.au/school-community-safety-orders) also has more information.

Yours faithfully

**Attachment 1**

**ONGOING School community safety order**

|  |
| --- |
| **Name of person to whom the order applies:** |
| **Start date of order:** Click or tap to enter a date. |
| **End date of order:** Click or tap to enter a date. *Note: the end date must* *not exceed 12 months* *from the start date of the order*. |
| **Name of school and all school related place(s) to which the order applies:** |
| **Grounds on which the order is made:** *[delete as necessary]** 1. *the person poses an unacceptable risk of harm to:*
		+ - *any person (regardless of whether they are a member of the school community) at any premises of the school or an area that is within 25 metres of the boundary of those premises; or*
			- *a member of the school community at any other place or premises on which there is an activity conducted by or in connection with the school or an area that is within 25 metres of the boundary of that place or those premises, if the member of the school community is at that place for a reason that is connected with the school; or*
	2. *the person poses an unacceptable risk of causing significant disruption to the relevant school or activities carried on by the relevant school; or*
	3. *the person poses an unacceptable risk of interfering with the wellbeing, safety or educational opportunities of students enrolled at the relevant school; or*
	4. *the person has behaved and is likely to behave in a disorderly, offensive, intimidating or threatening manner to a member of the school community of the relevant school, either:*
		+ - *at any premises of the school or an area that is within 25 metres of the boundary of those premises; or*
			- *at any other place or premises on which there is an activity conducted by or in connection with the school or an area that is within 25 metres of the boundary of that place or those premises; or*
	5. *the person has engaged in and is likely to engage in vexatious communications with, or regarding, a staff member at the relevant school.*
 |
| **Reasons on which the order is being made***Include a plain English description of the behaviour that satisfies the grounds, including dates, times, location the behaviour occurred, and the people involved de-identified.**When describing the situation:** *record a complete description of the inappropriate behaviour using objective language, along with a description of its impact on the person affected by that behaviour (for example, when you raised your voice and spoke over staff member X, staff member X felt intimidated), rather than state subjective conclusions about the behaviour (for example, you were rude to staff member X). The latter description may aggravate the situation, as the person involved will likely dispute your conclusion. This approach may also allow relationship repair efforts to begin by focusing on changing behaviour, increasing the chance of success of such efforts*
* *avoid the use of names or identifying features of persons (other than the person the order applies to),unless it is critical to being able to explain the grounds.*
 |
| **Terms of order (including any conditions or exceptions to these terms and communication and access measures)** *Terms* *[What the person is prohibited from doing - delete and adapt to circumstances]*1. *entering or remaining on any school-related place of the relevant school; for example, an order may be subject to the condition that a person may, or may not, access only specific parts of the school or school-related place*
2. *approaching, or causing another person to approach, within 25 metres of any staff member for class of staff members within or outside of any school-related place of the relevant school;*
3. *contacting any staff member or class of staff members; f or example, an order may be subject to the condition that, despite being prohibited from communicating with certain members of staff at the school, the person subject to the order may still approach or communicate with certain other staff members;*
4. *using or communicating on a communication platform owned, controlled by, or established in relation to the relevant school; for example, an order may be subject to the condition that a person may not use offensive or discriminatory language in any communication to staff members; for example, an order may be subject to the condition that certain specified types of communication are, or are not, appropriate, including verbal, written, electronic and via school controlled IT or social media systems or platforms; or*
5. *any other prescribed conduct*

*Conditions and exceptions* *You may determine conditions and exceptions to be attached to the order, including but not limited to times when, or areas where, the order does not apply.* *This could be:*1. *place-based, for example, an order may be subject to the condition that a person may, or may not, access only specific parts of the school or school-related place;*
2. *event-based, for example, an order may be subject to the condition that, despite being prohibited from accessing a school or school-related place, the person the subject of the order may still access those places for the purposes of attending a particular event such as a parent teacher meeting or to watch a school play or sport event that their child is participating in;*
3. *time-based, for example, an order may be subject to the condition that it only applies during particular hours;*
4. *person(s)-specific, for example, an order may be subject to the condition that, despite being prohibited from communicating with certain members of staff at the school, the person subject to the order may still approach or communicate with certain other staff members;*
5. *harm-specific, for example, an order may be subject to the condition that a person may not use offensive or discriminatory language in any communication to staff members; and*
6. *communication specific, for example, an order may be subject to the condition that certain specified types of communication are, or are not, appropriate, including verbal, written, electronic and via certain IT or social media systems or platforms.*

*You should consider alternative arrangements to ensure the child's continued attendance at, and safe access to, the school and school activities, if because of the order the parent/carer cannot escort the child to or from school or school activities. You should also consider if the order allows an exception for the parent/carer to continue school related activities if the child is not able to safely access school and school activities.* *For further guidance, including supports and subsidies that may assist the student to travel to and from school, see chapter ‘*[*Minimising impacts on students’*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/guidance/minimising-impacts-students) *in the* [*School Community Safety Orders Policy*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/policy)*.**Tailor as appropriate or delete:*The person subject to this order is allowed to:* be outside the school gates to conduct school drop off and pick up between [specify time]
* conduct drop off and pick up at [school-related place e.g. swimming carnival] on [date]. *(For example where there is no other person or means available to ensure the student’s safe access to and from the event)*
* nominate in writing to me the name and contact details of a trusted person to conduct drop off and pick up from [location] on your behalf.

*You can identify other staff members who can be communicated with, or specify the frequency and methods of communications that will be allowed to give updates on the student’s progress or provide feedback on school related matters.* *For example:* * *exploring alternative meeting arrangements for parent teacher interviews like video conferencing*
* *asking a family member of the student to attend meetings or communicate with the school*
* *replacing the staff member(s) affected by the parent’s behaviour with another staff member or if this is not possible, limiting the parent’s interactions to receiving and giving updates on the student’s progress via email.*

*Tailor as appropriate or delete:*The following form and method of contact will be allowed:* email communications to [specify name of staff member(s)]
* one email per [specify frequency] to [specify name of staff member(s)] if it is in relation to [topic e.g. your child’s progress at school]
* attending [specify meeting e.g. parent teacher interviews] via [specify acceptable platform e.g. video conferencing]
 |
| **Actions that may lead to order being changed or cancelled:***These may also specify any reasonable and appropriate actions that the person may take to have the order revoked. Conditions must not include positive obligations or requirements on the person the subject of the order to do certain things that would result in a specific penalty if not met, or be considered to be non-compliance with the order.* *Action that the subject of the order may consider taking (such as making an apology or participating in a mediation), must be expressed to provide an incentive to the person to undertake the action by having the order reviewed or revoked.* |
| **Student health and wellbeing support***You must complete this section if the order is issued to a parent or carer of a child enrolled at the school. You are required to consider and minimise any wellbeing, educational, or accessibility impacts an order may have on the child.* *This includes making reasonable adjustments to accommodate students with disability and additional needs if applicable. This section should outline the processes that ensure that mental health and wellbeing support are considered and in place for the student.* *For further guidance on providing wellbeing support to students, see chapter ‘*[*Minimising impacts on students’*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/guidance/minimising-impacts-students) *in the* [*School Community Safety Orders Policy*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/policy)*.**Tailor as appropriate or delete:*The wellbeing of [student’s name] continues to be important to us. [Student’s name] will be able to access the following wellbeing supports at the school: [list wellbeing supports available]. If you have concerns about [student’s name]’s wellbeing, please reach out to [name of staff member(s)], who can also assist you with referrals to relevant external support agencies.You can choose to inform [student’s name] about the order issued to you but we can understand if you do not wish to. Regardless, I will ensure that support is provided discreetly in a way that does not disclose to [student’s name] that an order is in place. [tailor or delete sentence if necessary] |
| **Support for students from diverse backgrounds**  *You must complete this section if the order is issued to a parent or carer of a child enrolled at the school who is from a diverse background or has additional needs. For further guidance, including supports and programs for students from diverse backgrounds, see chapter* [*Minimising impacts on students’*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/guidance/minimising-impacts-students) *in the* [*School Community Safety Orders Policy*](https://www2.education.vic.gov.au/pal/school-community-safety-orders/policy)*.* *Tailor as appropriate or delete:*As [student’s name] is [specify diverse background e.g. Aboriginal and Torres Strait Islander] background, I have contacted the [specify position or program area within the Department] who will arrange for appropriate [specify type of support] support. |

**Consequences for not following this order**

You must comply with this order.

Failure to comply with this order can result in enforcement action at the Magistrate's Court and may result in a fine or a court order.

The Magistrate’s Court may issue the following orders:

* payment of a fine of up to 60 penalty units (access the [Department of Justice and Community Safety website](https://www.justice.vic.gov.au/justice-system/fines-and-penalties/penalties-and-values) to find out how much this amounts to)
* an order compelling the person to comply with the order
* an order compelling the person to take specified action to comply with the order, or
* any other order that the Court considers appropriate.

**Appealing an order**

If you do not believe this order should have been issued, you may apply for an internal review of the decision by the Department of Education and Training within 28 days of an order being issued.

If you are unsatisfied with the outcome of the internal review, you may apply to the [Victorian Civil and Administrative Tribunal](https://www.vcat.vic.gov.au/) for an external review of the decision.

**Attachment 2**

**Applying for internal review of an ongoing school community safety order**

**What is an internal review?**

An internal review allows you to appeal an authorised person’s decision to make, not revoke, vary or not vary an ongoing school community safety order (order). The review is undertaken by the internal reviewer who is advised by an Internal Review Panel (Panel).

The internal review of a decision in relation to an ongoing order is a ‘merits review’. A merits review means the internal reviewer reconsiders all the information as if they had ‘stepped into the shoes’ of the authorised person (that is, all the same considerations and processes apply).

The internal reviewer has the same powers as the authorised person to affirm, vary, or revoke an order that has been issued to you as the applicant of this internal review.

**Am I eligible?**

If you have been issued with an ongoing order, you have the right to request an internal review.

**Is there a fee?**

The Department of Education and Training (DET) does not charge a fee to lodge an internal review.

**When do I need to apply by?**

You must apply for an internal review within 28 days after the decision that you wish to appeal.

**What happens to the order while it is being reviewed?**

The order will remain in place in its current form while it is being reviewed.

**Who is the internal reviewer?**

The Assistant Deputy Secretary, Schools and Regional Services in DET is the internal reviewer for a decision made by a principal.

The Deputy Secretary, Schools and Regional Services of DET is the internal reviewer for a decision made by a Regional Director of DET.

The Department’s internal reviewer will assess your application in a fair, unbiased and transparent manner.

The internal reviewer must consider the following to make their decision:

* the relevant facts
* the law, the Ministerial Guidelines, and the School Community Safety Orders Policy
* any submissions you make to support your application
* any additional relevant material or further information that the reviewer requests, which could include additional information that you provide, or information from the authorised person or any other persons).

The internal reviewer will also take into account your rights under the [*Charter of Human Rights and Responsibilities Act 2006*](http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/vic/consol_act/cohrara2006433/)(Vic).

**What is the Panel? Who is part of it?**

The Panel is convened by the internal reviewer to reconsider the relevant facts and support the Department’s internal reviewer to make an internal review decision.

The Panel comprises a minimum of a chair and two panellists. The members of each Panel are proposed by the Secretariat for the internal reviewer’s approval, and are tailored to the applicant’s circumstances.

The chair is an Area Executive Director of DET from a different Area to the Area where the school is located, to ensure their views are objective.

The other panellists include:

* a member with education sector experience, such as a former principal
* a person who represents the interests of the person requesting the review, from DET.

**What is the process?**

1. Complete an Internal Review Application Form and submit it to the Internal Review Secretariat (Secretariat) at safer.school.communities@education.vic.gov.au within 28 days after the decision that you wish to appeal. You will receive an
2. acknowledgement of receipt of the application.
3. You will then receive an email which will detail the internal review process, including the date by which a decision will be made. If any more information is required, you will also be asked to provide this.
4. A Panel will be convened to reconsider the relevant facts and
5. The Panel will convene and deliberate to support the internal reviewer to make a decision on this matter.
6. The internal reviewer will then make a decision to either affirm, vary or revoke the order.
7. You will receive a letter setting out the reasons for the decision as soon as reasonably practicable after the decision is made.

**How long will it take to reach an outcome?**

The standard duration for an internal review decision to be made is 28 days after you have submitted the application, subject to any extensions of time. You will be notified as soon as practicable after the decision is made about the outcome.

The Secretariat may request further information from you to support their recommendation to the internal reviewer. Any time you take to respond will not be counted toward the 28 day period for deciding the internal review outcome. For example, if the Secretariat has indicated that an internal review decision will be made by 1 June but you take 5 days to provide additional information as requested, the decision will instead be made by 6 June.

The internal reviewer may extend this period by a further 28 days. If this occurs, you will be notified in writing. You may also apply for an extension to this period (see below).

**Can I get an extension?**

You can request an extension of a further 28 days from the internal reviewer by writing to safer.school.communities@education.vic.gov.au.

Where the internal reviewer has decided to grant an extension, you will be informed in writing.

**What is a submission? What format does my submission need to be in?**

A submission will allow you to provide information to the internal reviewer to help inform their decision.

A submission may:

* provide a detailed description of the incident that led to the ongoing order being made
* explain your personal circumstances and any vulnerabilities that should be considered
* explain why you selected the grounds for making the application, for example:
	+ why do you believe the grounds for issuing the order were not made out?
	+ what aspect of the process do you believe was not followed?
	+ what facts do you believe were inaccurate or have subsequently been proven wrong?

The standard format of a submission is a written submission. If you wish to submit an oral submission (instead of a written submission), you can make this request by emailing the Secretariat at safer.school.communities@education.vic.gov.au, who will seek approval from the internal reviewer.

If your request to submit an oral submission is granted, you may record it through a video or a voice recording application and provided via email to the Secretariat. All submissions will be stored securely by the Department in accordance with the privacy collection notice contained in the Internal Review Application Form.

If you seek another person’s assistance to provide an oral submission, written consent needs to be sought from that person.

**What if I am not satisfied with the outcome?**

You can apply to Victorian Civil and Administrative Tribunal (VCAT) for external review of the decision. This may involve paying an application fee to VCAT.

More information about applying to VCAT can be found [here](https://www.vcat.vic.gov.au/case-types/review-and-regulation/application-for-review-of-a-decision.). If you wish to contact VCAT, you can do so on T: 1300 018 228 or via email at E: admin@vcat.vic.gov.au.

**How can I get help from a translator?**

For help from an interpreter or translator, you can contact the Secretariat at safer.school.communities@education.vic.gov.au.

**Who do I contact for more information about my application or the process?**

For more information about your application or the internal review process, you can contact the Secretariat at safer.school.communities@education.vic.gov.au.

**How can I get other support?**

We acknowledge that this may be a difficult and challenging time for you and encourage you to consider seeking any additional supports you may wish to.

The following supports are available.

**The DET regional offices – For help, questions or feedback if your school cannot help**

North Eastern Victoria Region

* T: 1300 333 231
* E: nevr@education.vic.gov.au

North Western Victoria Region

* T: 1300 338 691
* E: nwvr@education.vic.gov.au

South Eastern Victoria Region

* T: 1300 338 738
* E: sevr@education.vic.gov.au

South Western Victoria Region

* T: 1300 333 232
* E: swvr@education.vic.gov.au

**Parents Victoria – For support and advocacy for parents of school children**

* T: 0419 716 171
* W: <https://www.parentsvictoria.asn.au>

**Victoria Legal Aid – for free legal advice**

* T: 1300 792 387
* W: <https://www.legalaid.vic.gov.au/contact-us>

**Parentline – For counselling and support for parents and carers**

* T: 13 22 89

**Mindspot – For online, personalised mental health care**

* W: <https://www.mindspot.org.au/>

**Beyond Blue – For information and support for anxiety, depression and suicide prevention**

* T: 1300 22 4636 (24 Hrs)
* W: <https://www.beyondblue.org.au/>

**Lifeline – For crisis support and suicide prevention services**

* T: 13 11 14 (24 Hrs)

**Attachment 3**

**internal review application form**

**for a person applying for internal review of an ongoing school community safety order**

This form is for government schools and should be completed if you wish to apply to the Department of Education and Training (Department) for internal review of an ongoing school community safety order (Order), including review of:

* a decision to make an Order
* a decision to vary an Order
* a decision to refuse an application to vary an Order
* a decision to refuse to revoke an Order.

**The completed form and a copy of the Order issued to you must be sent to the Internal Review Secretariat (Secretariat) at** **safer.school.communities@education.vic.gov.au within 28 days after the decision that is the subject of the review was made. Keep a copy of the form for your own records.**

Information about the internal review process can be found on the [Department of Education and Training website.](https://vic.gov.au/school-community-safety-orders-information-parents-and-carers)

**Privacy collection notice**

All information you provide as part of this form is optional. Please only provide information you are comfortable with, but keep in mind that failing to provide the information requested in this form may impact whether it is possible for an internal review decision to be made.

The Department protects your personal and health information in accordance with the *Privacy and Data Protection Act 2014* (Vic), the *Health Records Act 2001* (Vic) and the *Public Records Act 1973* (Vic). Collectively, referred to as (Victorian Privacy Law).

Your contact details will be used by a representative from the Department to seek a submission from you (if you indicate that you wish to make a submission), understand any inclusion and access measures you may need to participate in the internal review process, inform you of the outcome of the internal review or to seek other relevant information from you to enable you to participate in the internal review process.

This information may also be used in a de-identified way to:

* facilitate internal and external reviews
* capture data on how frequently and in what circumstances orders are made
* ensure orders are being used appropriately in line with Part 2.1A of the *Education and Training Reform Act 2006* and Guidelines, noting that orders are intended to be an option of last resort where there are no other less restrictive options available
* identify any trends in the types of schools, students, families or situations where orders are being used to inform potential system improvements or targeted supports
* monitor and identify opportunities to improve how the Scheme is operating and interacting with other systems, for example, parent complaints and disputes functions
* ensure available administrative and operational supports are notified and deployed as soon as possible following the issuing of an immediate order
* assist with statutory review of the scheme.

Information you provide may be disclosed to appropriate areas that need to know the information within the Department in accordance with the [Schools’ Privacy Policy](http://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx). Staff providing technical support may also have access to your personal information. Information collected by the Department will be used or disclosed for the purposes stated in this notice or where otherwise permitted by law.

This information will be stored securely stored on the Department’s servers in accordance with Victorian privacy laws, including on eduSafe Plus (the Department’s incident and hazard reporting system).

The Internal Review Panel membership may include staff that are both internal and external to the Department. External members will be bound to the same privacy and confidentiality requirements as internal members (as detailed in the [Department’s Privacy Policy](https://www.education.vic.gov.au/pages/privacypolicy.aspx) or, where a matter is subject to external review, the [privacy requirements of VCAT](https://www.vcat.vic.gov.au/the-vcat-process/privacy-and-access-to-information/privacy-at-vcat)).

You have the right to seek access to, or correction of your own personal information. You can request access and seek to correct your information by emailing safer.school.communities@education.vic.gov.au.

For further information about the way the Department collects and handles personal information, including access, correction and complaints, see [Department’s Privacy Policy](https://www.education.vic.gov.au/pages/privacypolicy.aspx).

**APPLICATION FORM**

|  |  |
| --- | --- |
| **Name** |  |
| **Address** |  |
| **Phone number** |  |
| **Email** |  |
| **Preferred mode of contact**  |  |
| **Name of child or children enrolled at school (if applicable)**  |  |
| **Interpreter or translator required to provide support throughout the internal review process?**  | [ ]  Y [ ]  N Language/dialect: |
| **What is the outcome you are seeking?** | [ ]  For the ongoing order to be cancelled [ ]  For the ongoing order to be changed (please specify the change you are seeking) |
| **On what ground(s) are you making this application?**Select an option(s) that best describes why you are applying for review of this decision. | [ ]  The grounds for issuing the order were not made out[ ]  The process for issuing an order was not followed (for example, the authorised person did not properly consider any known vulnerability of yours)[ ]  mistaken facts in decision making[ ]  Other (please specify) |
| **Will you be represented, accompanied or assisted by another person?** *Examples may include:* 1. *family members or friends;*
2. *a carer;*
3. *an interpreter, including an Auslan interpreter;*
4. *a disability support worker;*
5. *a lawyer, including from Victoria Legal Aid or a community legal centre; and*
6. *other advocates for persons with vulnerability.*
 | [ ]  Yes Please specify: [ ]  No |
| **If you would you like to make a written submission to the Department for consideration as part of your application, please include it here.** *A submission will allow you to provide information to the internal reviewer to help inform their decision. In writing a submission, you may choose to:** *provide a detailed description of the incident that led to the ongoing order being made*
* *explain your personal circumstances and any vulnerabilities that should be considered*
* *explain why you selected the grounds for making the application, for example:*
	+ *why do you believe the grounds for issuing the order were not made out?*
	+ *what aspect of the process do you believe was not followed?*
	+ *what facts do you believe were inaccurate or have subsequently been proven wrong?*

You may also attach any supporting documents to your application.  |
| **Would you like to make an oral submission to the Department for consideration as part of your application?** *A submission will allow you to provide information to the internal reviewer to inform their decision.**If you require a person’s assistance to provide an oral submission, written consent must be sought from that person and provided to the Department before the oral submission is completed and considered as part of your application.* *Your oral submission should be recorded through a video or a voice recording application and provided to the Department via email at* *safer.school.communities@education.vic.gov.au**.* *If you do not have access to voice recording technology, a representative from the Department of Education and Training will contact you to seek such information from you via phone or in person.* *Your oral submission will be stored securely in line with the Department’s privacy and record keeping obligations.* |
| **Please remember to provide a copy of the order you would like reviewed with this application.**  |
| **Declaration** I have read and understood this form and the Applying for Internal Review of an Ongoing School Community Safety Order fact sheet. I declare that the information in this form and any attachments is true and correct to the best of my knowledge. I understand that the Order remains in effect while it is being reviewed by the Department, and that I must continue to comply with its terms for the duration of this review. I understand that an internal review decision will be made within 28 days after the decision that is the subject of the review was made, and any time I take to respond to any requests for information from the Department will extend this period. I agree to the use of the information that I have provided, as detailed in the privacy collection notice. Signed:Dated: |

**Attachment 4**

**Fact sheet - Ongoing School Community Safety Order**

**What is an Ongoing School Community Safety Order?**

Some people, like principals and Department of Education and Training staff, are called ‘authorised persons’. They have the power to make Orders that set rules for you to follow when you go to or engage with the school.

The Order may stop you from entering or staying on school grounds or other places where school activities happen. The Order may state that you are not allowed to behave in a certain way to certain people, at certain times, at the school or other places where school activities happen. The Order may include special circumstances like times when, or areas where, the Order does not apply.

You have been given this Order so that teachers, students and other people at school feel safe. More information about School Community Safety Orders can be found [here](https://www.vic.gov.au/school-community-safety-orders). You can watch a video [here](https://vimeo.com/723185699/0195aac2e2) to help you understand what School Community Safety Orders do.

**How long is an Order in place for?**

The Order also tells you how long these rules will be in place for. The longest amount of time they can be in place for is 12 months.

**How do I tell the school that I disagree with an Order being made?**

Before an authorised person can make an Order, they must let you know they are thinking about making an Order and why they think they will make an Order. You can make a ‘submission’ to the authorised person to explain why you acted in a certain way, how it will impact you or your child or anything else they need to know so that they can decide whether to make an Order. For example, you may want to tell the authorised person that your child has a disability so that they can make arrangements to make sure you can continue to support them to go to school.

You have 7 days to make a submission after being told by the authorised person that they are thinking about making an Order. You can also ask for more time to make a submission if you need it.

A written submission can be an email or a letter to the authorised person. You can use the template found on the Department of Education and Training website [here](https://www.vic.gov.au/school-community-safety-orders).

If you don’t want to write a submission, you can ask to give a verbal submission instead. You can also ask someone else to make a submission for you, such as your disability support person or interpreter.

**If I have a child at the school, what happens to them now that I have to follow an Ongoing Order?**

Your school has thought carefully about how the Order will affect your child and how you care for them. An Order is not meant to stop you from caring for them or being involved with their education.

Your school will give you a ‘Communications and Access Protocol’ as soon as possible after giving you an Order. This will set out:

* how you can be told about your child’s education
* how your child can continue to go to school and participate in school activities safely
* what they will do to make sure your child is supported and looked after.

**What happens if I don’t follow an Order?**

If you don’t follow the rules set out in the Order, the school may apply to the Magistrate’s Court to make you follow the Order.

If the Magistrate’s Court finds that you were wrong in not following an Order, they may:

* require you to pay a fine
* require you to comply with the Order
* require you take specific action to comply with the Order
* require you do anything else that the Court thinks is appropriate.

You will not be jailed, receive a criminal record or a criminal penalty for not following an Order.

**What if I need an order to be changed?**

If you want to have rules in an order removed or changed, you can ask the authorised person who made the order to make those changes. If the authorised person agrees, they need to give you a written copy of the changed order. If they disagree, they need to follow the same requirements as when making an ongoing order.

If an authorised person wants to add new rules to an order, they need to follow the same requirements as when making an ongoing order.

**What if I want to appeal an Order?**

You can apply to your school to appeal an Order for the following reasons:

* If you don’t agree that an Order should have been made against you
* If you have asked the authorised person to change something in the Order but they refused, and you’re unhappy with this decision
* If the authorised person changed the Order and you are unhappy with this decision
* If the authorised person has decided not to cancel the order, and you are unhappy with this decision.

An internal review decision can take 28 days from the time your application is sent to the principal. This time is used to carefully assess the reasons behind the Order being made against you and the reasons provided in your submission.

The internal reviewer may make changes to the Order, cancel the Order or not do either. Once a decision is made, you will be notified by email and/or by post and you will receive a copy of the reasons for the internal review outcome to help you understand the decision made.

If you are unhappy with the outcome of the internal review, you may appeal the decision to the Victorian Civil and Administrative Tribunal. You can find more information about this on the Department of Education and Training website [here](https://www.vic.gov.au/school-community-safety-orders).

**What if I need a translator/interpreter or other support?**

If you need a translator, interpreter or a support person, you can tell the school principal who can help you get support.

If your child goes to a government school, you can also contact the Department of Education and Training’s regional office for more support.

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| North Eastern VictoriaPhone: 1300 333 231Email: nevr@education.vic.gov.au  | North Western VictoriaPhone: 1300 338 691Email: nwvr@education.vic.gov.au  |
| South Eastern VictoriaPhone: 1300 338 738Email: sevr@education.vic.gov.au  | South Western VictoriaPhone: 1300 333 232Email: swvr@education.vic.gov.au  |

**What if I want more information?**

You can go to the Department of Education and Training website [here](https://www.vic.gov.au/school-community-safety-orders) for more information.