

Background

In April this year, an independent HR investigation and an Expert Panel review were called to respond to an inappropriate structure constructed in a Canberra school.

An investigation, independent of the Directorate, has been undertaken into the circumstances that led to the establishment of the structure and the Education and Training Directorate's response. The Directorate's statement on the investigation is below.

The Directorate's Primary concern has always been for the welfare of the child and their family, the staff involved and the broader school community. Information about the school and the child will not be released. Given the nature of the classroom, the Directorate will not be disclosing information about the school as this will lead to the identification of the child.

Parents and carers are encouraged to contact their school principal if they have any issues or concerns, or contact the Directorate on telephone [6205 5429](tel:62055429) or email DET.Consultation@act.gov.au. Information about this investigation will be uploaded to the Education and Training Directorate website – www.det.act.gov.au

Statement

The investigation has concluded and in the independent delegate has made a decision.

Summary of the investigation outcomes:

- The decision to erect the structure was that of one individual.
- The decision was made without input, consultation or approval from within the school or the Directorate.
- The officer is no longer a school principal and won't be going back to a school.
- There are high expectations on all teachers, principals and officers of the Directorate.
- Some officers within the school and the Directorate did not meet these expectations.
- The conduct and decisions of every officer who was part of the Directorate's response is being examined and the Directorate is dealing with each of those officers.

Summary of facts and outcomes:

1. The construction of this structure was an isolated incident.
2. The decision to construct this structure was the decision of one individual.
3. This structure was built on 10 March 2015. The structure was constructed with blue powder coated metal and measured 2m x 2m x 2m and had a self-closing door and latch.
4. The structure cost \$5,195 and school funds were used to pay for the construction. It was in place for 14 school days (including the day of construction and dismantling).

5. The structure was commissioned by the principal, and constructed by an external builder.
6. The structure was designed as a space for a student to calm down and when the student needed a quiet space.
7. There was one occasion where the student was put in the structure by staff to calm down.
8. An audit of withdrawal spaces in Government Schools has found no evidence of any other structure comparable to the one built at this school.
9. The directorate has specialist expertise that principals can call on for support, advice and case management. Specialist expertise is available to all Canberra Public Schools including in: behaviour management, disability education, school psychologists and counsellors.
10. Specialists in behaviour support engage with principals, staff, students and their families to develop comprehensive strategies to assist students to participate in learning. Critically, these strategies must be updated when the circumstances of individual students change.
11. The specialised behavioural support team routinely provides support to the school. They were not involved in the decision making regarding the structure.
12. The principal is no longer at the school and will not be returning to a school. Recruitment of a new principal for the school is underway.
13. The investigation also revealed that:
 - a. The principal did not escalate a request for assistance
 - b. officers within the Directorate may not have provided adequate support to manage the escalating circumstances within the school
 - c. the first officers to be notified of the structure did not act on this advice and referred the complainant to another part of the Directorate. There is no record of a further contact from the complainant.
 - d. officers within the Directorate did not meet Directorate or public expectations by acting with sufficient urgency or alarm when provided with information about the structure.
14. The conduct and decisions of every officer who was part of the Directorate's response has been examined and the Directorate is dealing with each of those officers.
15. The Directorate will be appointing a Director for Families and Students who will have responsibility solely focused on the safety and wellbeing of our students, particularly the most vulnerable.
16. This executive will be the key contact for parents, students and the community to raise concerns when they feel a school response in meeting the needs of individual students has been inadequate.
17. They will act as an advocate for families, students and staff.

18. They will respond to any issue about how schools are meeting the needs of students in a timely and coordinated way.
19. They will lead a multi-disciplinary team to provide expertise and targeted support where and when it is needed.
20. They will review, develop and implement new and existing policies and procedures to ensure the safety and wellbeing of students including the use of withdrawal spaces in Canberra public schools.
21. The Directorate will also be appointing a Director of Regulation and Compliance to make sure that Canberra Public Schools meet their obligations and importantly meet community expectations.
22. The Directorate will be improving its standard of regulation and compliance in ACT education and care settings.
23. This matter has also highlighted that the Directorate could do better in receiving and responding to complaints. These changes will ensure everyone understands how complaints can readily be raised, both at a school level and the Directorate level, and how to expect feedback and follow up.

24. The scope of the investigation was to:
 - a. investigate the construction and use of the structure
 - b. enquire into the circumstances, events, conditions, policies and practices (locally and more broadly in the Directorate) surrounding the construction and use of the structure
 - c. investigate the actions taken (or not taken) and advice provided by Directorate officers when they were notified of the structure

Expert Panel

The Minister for Education and Training has appointed an independent Expert Panel to review policy and practice for supporting and teaching students with complex needs and challenging behaviour in all ACT public, independent and Catholic schools.

For more information on the consultation visit www.timetotalk.act.gov.au ↗

Timeline

Tuesday 10 March 2015	Structure constructed
Tuesday 17 March 2015	Central office of the Directorate notified of the structure
Thursday 26 March 2015	Senior Executive of the Directorate notified of the structure
Thursday 26 March 2015	Minister for Education and Training notified of a complaint to the Commissioner for Children and Young People regarding a school
Friday 27 March 2015	Structure removed; Minister's office notified about nature of structure
Monday 30 March	Minister briefed by Directorate officials
Tuesday 31 March	Minister again briefed by Directorate officials
Wednesday 1 April 2015	Independent investigation commissioned; family and school board and P&C notified
Thursday 2 April 2015	Briefing meeting with independent investigators; investigation announced
Friday 10 April 2015	Terms of reference for investigation finalised
Wednesday 17 June 2015	Directorate was advised the investigation would be concluded in three weeks
Tuesday 14 July 2015	Initial Investigation report provided to the delegate.
Friday 31 July 2015	Further investigation report provided to the delegate
14 July – 20 August 2015	Further investigations undertaken at the request of the delegate
Thursday 27 August 2015	Delegate decision to respondent
Wednesday 2 September 2015	Respondent confirms acceptance of findings and decision
Thursday 3 September 2015	Minister for Education briefed by delegate on delegate's decision
Friday 4 September 2015	Minister for Education briefed on investigation report and Directorate action
Monday 7 September 2015	Minister for Education briefed on Directorate proposed approach
Tuesday 8 September 2015	Family, school community, Directorate staff notified; results announced