Investigation Policy
(Schedule Two)

1. The following is the School's current policy for dealing with Disciplinary Actions and Welfare Issues. This is not intended to restrict the School's general powers relating to discipline and this policy may be changed from time to time at the discretion of the School.

Overview

2. Except in serious situations where immediate termination of the Agreement is necessary, or where the breach does not warrant any formal response other than a warning, the School will endeavour, where appropriate, to follow a two-stage investigation process (the Investigation Process).

3. In Stage One, the School will investigate and determine the facts of the situation being considered (**the Situation**), and will reach a conclusion on what happened and whether there is a Welfare Issue or an incident that requires Disciplinary Action or the termination of the Agreement.

4. During Stage One of the Investigation Process, the Parent and the Student will have an opportunity to provide a response to any subject matter being investigated or to any allegation made concerning the Situation.

5. In Stage Two, if the School has determined some response is required, the School will consider the appropriate outcome for the Situation, up to and including termination of the Agreement.

6. During Stage Two of the Investigation Process, the Parent and Student will have an opportunity to provide a response to the Situation and any proposed outcome that the School is considering taking (**the Proposed Action**).

7. This policy does not limit the School's power to take appropriate action urgently and without following the Investigation Process if this is necessary having regard to the seriousness of the Situation. Such a determination may be made at any point during the Investigation Process.

8. This policy also does not limit the School's power to require the student not to attend School for the duration of the Investigation Process where this is considered necessary for the safety or education of any person.

General Policy

9. When the School is conducting an investigation involving the Student it will endeavour to provide the Parent and the Student (where appropriate) with the following:

   (a) a written summary of the Situation (as it understands it) or the Proposed Action;

   (b) an opportunity to respond to the Situation or the Proposed Action, either in person or in writing or both, at the choice of the Parent and/or the Student (where appropriate);

   (c) an opportunity to consider the Situation or the Proposed Action for a reasonable period of time (having regard to the seriousness of the Situation or the Proposed Action) before giving a response;

   (d) an opportunity to have an independent support person of his or her choice present at any meeting relating to the Investigation Process;

   (e) an opportunity to have an independent support person of the parents' choice present at any meeting relating to the Investigation Process;

   (f) an opportunity to have a translator present (or otherwise facilitate the Parent and the student participating in the Investigation Process in his or her own language) during any meeting or process if the School or the Parent and the Student (where appropriate) considers that a language barrier means that a translator is required; and

   (g) a copy of this policy setting out the rights which the Student has when engaging in the Investigation Process.

Stage One: Incident Investigation

10. When the School learns of any incident or any other thing that may be a breach of the Agreement or might otherwise warrant a Disciplinary Action or which may constitute a Welfare Issue, the School will notify the Parent of the Situation and will provide the Parent and the Student with an opportunity to give a response.

11. Where appropriate, having regard to the seriousness of the Situation, the Parent and the Student will have the opportunity to respond either in person or in writing or both, at the choice of the Parent and the Student. The School will receive this response and give it genuine consideration before making a decision about the Situation.

12. When the School makes a decision about the Situation it will advise the Parent, in writing if possible, about its conclusion as to what happened and whether it considers that it requires some kind of formal response – whether Disciplinary Action, Termination or other intervention.

Stage Two: Outcome Discussion

13. If the School determines that a formal response is required, it will advise the Parent of the possible actions that it will consider taking in response to the Situation and will provide the Parents and the Student (where appropriate) with an opportunity to give a response.

14. Where appropriate, having regard to the seriousness of the Situation, the Parent and the Student (where appropriate) will have the opportunity to respond either in person or in writing or both, at the choice of the Parent. The School will receive this response and give it genuine consideration before making a decision about the action to be taken.

15. When the School makes a decision about the action that it will take in response to the Situation it will advise the Parents of its decision, in writing if possible. The action will not take effect, and no actions will be taken to put it into place, until the Parents have been advised of the decision.