

# Education Law Today

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# Cyberbullying - Where does a school's duty of care end?

Electronic and social media has many benefits for our children both in relation to their social development and their education.

However, the flip side of these relatively recent developments has been to create a number of legal issues for society at large and the education sector in particular. One of the most difficult legal issues confronting schools at present is the prevention or minimisation of cyberbullying in the school environment.

Existing public liability policies of schools generally cover bullying claims.

## Background

Whilst cyberbullying is a new phenomenon, bullying in the school environment has been present for hundreds of years.

One of the earliest studies into the prevalence of bullying in Australian schools was conducted by Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia. His study, which was conducted in the 1990s, surveyed 38,000 Australian students and estimated that about one child in six was bullied on a weekly basis.

Whilst there is not a universally accepted definition of bullying, the Legislative Inquiry concluded that there were three critical features that appeared in most definitions.

Those features are:

- repetition – repeated hurtful behaviour;
- intent to harm – an intention to cause physical, psychological and/or emotional harm; and
- power imbalance between the perpetrator and victim – through differences including physical size, strength, age or status within a peer group.

In the school environment bullying can include any one or more of the following:

- physical: punching, pushing, tripping, kicking;

- verbal: teasing, using offensive names, abusing, constant criticism, inappropriate comments about a person's appearance, belittling;
- non-verbal: writing offensive notes, rude gestures, graffiti;
- psychological: spreading rumours, hiding or damaging possessions, inappropriate use of information technology, unauthorised use of camera phones; and
- emotional: deliberately excluding others from a group, refusing to sit next to someone, overtly encouraging other people to actively ignore or avoid a person.

Cyberbullying is the carrying out of some of these forms of bullying by use of electronic technologies such as email, websites, SMS, Facebook, online chat rooms, Twitter, blogs, MySpace, etc.

Children have embraced the use of such technology as second nature and such forms of communication are used by children on a daily basis, very often in the absence of supervision of their parents and teachers.

## Legal Framework

There is no doubt that a school authority owes a duty of care to students enrolled in their schools. The rationale of the duty was succinctly explained by Stephen J in *Geyer v Downs* as follows:

*"The reason underlying the imposition of the duty would appear to be the need of a child of immature age for protection against the conduct of others, or indeed of himself, which may cause injury coupled with the fact that, during school hours, the child is beyond the control and protection of his parents and is placed under the control of a schoolmaster who is in a position to exercise authority over him and afford him, in the exercise of reasonable care, protection from injury."*

A duty is owed by all schools whether they be government or private institutions.

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The scope of the duty, particularly in relation to physical bullying and cyberbullying, has come under recent scrutiny in recent years.

There is no doubt that bullying in the school playground, if left undetected and not effectively responded to, can result in a finding of breach of duty of care by the school authority.

For example, in *Cox v State of New South Wales* the harassment and bullying complained of included scaring the plaintiff; pushing him into walls; jumping out from behind buildings; stealing his school books and pencils; and grabbing the plaintiff around the neck/throat. The Supreme Court found that such conduct was not only foreseeable, but was conduct of which the school had actual and repeated notice. It was necessary that the school take greater than normal steps to eliminate the bullying which had occurred. The Court found that the response of the school authority was inadequate to provide protection to the plaintiff from the conduct of the bully.

Similarly, in *Gregory v State of New South Wales* the bullying consisted of physical conduct such as being tripped over in the corridors; being pushed or shoved into walls; being physically assaulted by fellow pupils and having rocks thrown at him. Moreover, the bullying also consisted of more subtle and psychological/emotional bullying including being called a "faggot", "poof", "loser", "paedophile", "smart arse", "liar", "Nazi", "sterile", "midget" and similar derogatory terms.

The Supreme Court was satisfied that the plaintiff had established that he had been subjected to sustained physical and emotional mistreatment of various kinds both subtle and overt against which he had no defence.

More recently, in *Oyston v St Patrick's College*, the bullying included name calling, sniggering, social isolation and occasional nudging with an elbow. The Supreme Court was satisfied that such alleged bullying had taken place and that the school did not adequately implement its anti-bullying policies resulting in the plaintiff sustaining psychological injury.

### Where does the duty of care end?

The geographical and temporal limits of a school's duty of care to its pupils has not been judicially defined. A number of decisions have provided guidance in relation to this difficult issue. In *Geyer v Downs* Stephen J observed:

*"The duty which a school master owes to his pupil arises from the relationship between them and its temporal ambit will be determined by the circumstances of the relationship on the particular occasion in question ... It is for the school masters and those who employ them, whether government or private institutions, to provide facilities whereby the schoolmaster's duty can adequately be discharged during the period for which it is assumed. The schoolmaster's ability or inability to discharge it will determine neither the existence of the duty nor its temporal ambit but only whether or not the duty has been adequately performed. The temporal ambit of the duty will, therefore, depend not at all upon the schoolmaster's ability, however derived, effectively to perform the duty but, rather, upon whether the particular circumstances of the occasion in question reveal what the relationship of the schoolmaster and pupil was or was not then in existence. If it was, the duty will apply. It is for the schoolmaster and those standing behind him to cut their coats according to the cloth, not assuming the relationship when unable to perform the duty which goes with it."*

The decision most commonly quoted in relation to the limits of a school's duty of care is the New South Wales Court of Appeal decision in *Koffman*.

In that case, it was held by majority that the school authority was liable for injuries sustained to a 12 year old boy on the way home from school about 20 minutes after classes had ceased and at a distance of about 300-400 metres from the school exit point.

The plaintiff was struck in the eye by a stick thrown by a student from a neighbouring high school on a bus stop which was outside the high school, rather than the primary school at which the plaintiff attended. The plaintiff's parents had separated and, whilst the plaintiff and his sister lived with their mother, they would catch the bus home from directly outside the primary school at which the plaintiff attended. The plaintiff's parents had not advised the school that their son had changed residence and was

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now living with his father at a suburb known as Kelso, an outlying suburb of Bathurst. The Kelso bus did not stop outside the primary school but instead stopped outside the high school which was some 300-400 metres from the primary school and in a different street.

A teacher from the primary school also regularly attended the Kelso bus home. He was waiting to catch the Kelso bus outside the high school on the day of the accident although he was not on supervision duty. Lessons at the primary school finished at 3.10 pm whilst the Kelso bus did not arrive until about 3.30 pm.

The primary school did not provide any teachers to supervise the Kelso bus stop area because it was unaware that children from its school were catching that bus. The high school ordinarily provided teachers to supervise those students who were catching buses at the end of the school day outside its school (including the Kelso bus). However, on the day of the accident, no supervision at all was provided by the high school.

By majority, the Court of Appeal confirmed the trial judge's finding in favour of the injured plaintiff against the school authority. Sheller JA (with whom Priestley JA agreed) found that the relationship between teacher and pupil did not begin when the pupil entered the school grounds nor terminate when the pupil left the school grounds. His Honour found that each case had to be individually considered in order to determine what duty a school owed students who were exposed to a foreseeable risk of injury outside the school grounds and outside normal school hours.

His Honour found in the circumstances of this case that the primary school had an obligation to supervise the plaintiff while he waited for the Kelso bus outside the high school.

The Legislative Council Inquiry referred to earlier also dealt with the issue of cyberbullying at some length.

The former Chief Justice of the Family Court of Australia, the Honourable Alistair Nicholson, Chair of the National Centre against Bullying, argued that clear actions are needed so that:

*"Schools could no longer hide behind the uncertainty as to whether their responsibility begins and ends as an excuse for doing nothing at all."*

He also gave evidence to the Inquiry about their being:

*"A real difficulty as to determine how far the duty of the school, or teachers to children under their care, extend. Does it extend beyond the school gates? If so how far does it extend and to what extent?"*

It is apparent from *Geyer*, which was applied by the Court of Appeal in *Koffman*, that the school's duty of care begins earlier than when the bell for the first lesson is rung and extends beyond the school's gates.

If the connection between the cyberbullying and the school is sufficiently strong, and the school fails to take reasonable steps to prevent its students being cyberbullied, a Court is likely to find, in the appropriate case, the necessary degree of foreseeability, breach and causation necessary to make an adverse finding against a school authority.

Clearly, there must be a connection more than the bully and the victim simply being pupils at the one school.

However, one can imagine a Court being likely to find sufficient connection between the actions of the bully, the consequences for the victim and the school authority where, for example, the following situation applies:

- the bully teases the victim at school face to face;
- the teasing continues via SMS, email, Facebook or other form of social network out of school;
- the victim reports the conduct to the school;
- the school promises to investigate but does not do so effectively;
- the cyberbullying continues by ongoing teasing through one of the above forms three times per week over the next month; and
- the victim suffers anxiety and depression as a consequence of the ongoing teasing.

In such circumstances, the victim would have a strong case to bring a claim against the school authority. As with all cases of this nature, it is obviously a question of degree which will determine if the circumstances are sufficient to establish a connection between the cyberbullying and the school authority. The greater

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number of factors establishing such a connection, the stronger the potential case against the school authority.

However, if the school authority has no actual or constructive knowledge of the cyberbullying outside school or other related misconduct by the bully at school, it is difficult to see how the duty espoused in *Geyer* and extended in *Koffman*, could be further extended to cyberbullying merely by virtue of the bully and the victim both being pupils at the same school.

Cyberbullying is not of itself a separate category of claim different from any other claim in negligence against a school authority. The same need to establish breach of duty of care and causation apply equally to cyberbullying claims as they do to other negligence claims against a school authority.

### Ramifications for schools

Have schools become a de facto guarantor or insurer of the safety of their pupils in relation to cyberbullying? I don't think so. Whilst there is no doubt that the standard of care owed by a school authority to a pupil is a high one, appellate courts have been careful to appreciate the practicalities facing teachers and schools in discharging their duty of care.

Parents of course also have a role to play in supervision of cyberbullying activities. Schools have no power to enter a pupil's house to check on their cyber-activities outside school hours. This is clearly within the purview of parents. Having said that, a claim for contribution by a school against a parent would not be an easy exercise as the parent has no legal duty to intervene simply because of the blood relationship. To place a parent under such a general duty of care has been held to be an unwarranted intrusion of the law into family and domestic relationships.

Schools will need to be vigilant to ensure that their anti-bullying policies are implemented as it is invariably the failure to adhere to the steps prescribed by the policy, rather than the terms of the policy itself, which gives rise to a successful claim.

While there is no doubt that the school's duty of care is an onerous one, the law has not and will not reach the stage where a school becomes a de facto insurer or guarantor

***“Cyberbullying is not of itself a separate category of claim different from any other claim in negligence against a school authority”***

for the safety and well-being of pupils under its care. This is so irrespective of whether the alleged breach relates to a physical incident in the school playground or a cyberbullying incident outside the school gates.

Our legal system has adapted to societal change since the days of the industrial revolution and there is no reason to doubt that it can adapt to the latest wave of technological change brought about by information technology. It is likely that courts will only find the necessary degree of foreseeability, breach and causation in situations where there is a strong connection between the actions of the cyberbully, the failure by a school authority to adequately respond to actual or constructive knowledge of the cyberbully's actions and the injury, loss or damage sustained by the victim.

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## Recent Coronial Inquest Skiing Accidents on School Excursions

A Coronial inquest into the death of two teenage school students in skiing accidents on school excursions found the need for increased supervision of students on such excursions.

### Background

The inquest dealt with the tragic death of the two students from different schools in August 2009.

Hannah Taylor died on 1 August 2009 whilst participating in a school ski excursion at Thredbo Ski Resort with fellow students from James Sheahan Catholic High School, Orange.

Amelia McGuinness died on 27 August 2009 whilst participating in a school ski excursion at Perisher Ski Resort with fellow students from Barker College.

The Court held a joint inquest due to the significant similarities between both excursions.

Hannah Taylor was an intermediate level skier who had completed a ski lesson with a qualified instructor during the morning of 1 August 2009. After lunch she skied on a blue run with three of her friends. The particular run which the girls decided to try was quite difficult. Two of Hannah's friends decided they did not want to ski all the way down the slope, took off their skis and started walking down. Hannah and one of her friends continued up the slope a short distance and then started to ski down together. Hannah went ahead a little and proceeded down the slope going faster and faster until she eventually disappeared out of sight from her friend and went down a crest. Her friend could not find her.

She was discovered a short time later fatally injured in the trees at the bottom of the inner loop ski run. There were no eye witnesses of the route she took into the trees.

Amelia McGuinness was an excellent skier before she attended Perisher at the end of August 2009 as part of a school excursion. She stayed with her family rather than in a lodge with the teachers and fellow students. She was skiing at Blue Cow Resort behind two other skiers on a difficult run. They were all travelling at very high speed. For an unknown reason, Amelia suddenly became airborne and collided with a tree. Witnesses and the ski patrol arrived within a very short period of time but were unable to revive her.

### Supervision

Although it is not the function of a coronial inquest to apportion blame or attempt to determine negligence as if it were a civil case, in the course of the inquest considerable evidence was given about the level of supervision provided by both schools.

In Hannah's case, the organising teacher for the excursion was a specialist industrial arts teacher. He had approximately 20 years' skiing experience on occasional weekends and assessed his own ability as being in the middle range. He held no formal ski qualifications.

The students were given a safety talk for their first ski on the snow and given a compulsory two hour ski lesson on the first morning of their arrival. The wearing of helmets was compulsory. After the ski lesson the students were divided into buddy groups of four and were able to ski around the resort in those groups without direct supervision.

The organising teacher made no formal assessment of Hannah's skiing ability although he regarded her as being quite a competent skier.

In Amelia's case, the organising teacher had been employed by Barker College for ten years. His responsibilities included PDHPE

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**“That risk is heightened when students have not had sufficient training from a qualified ski instructor or are not appropriately supervised by an instructor or the teachers who accompany them on excursions”**

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teacher, housemaster, sports coach and previously ski team co-ordinator. He did not have any formal skiing qualifications although having skied most winters for 8-9 years, he was a very competent skier.

The inquest noted that both Hannah and Amelia were not under any direct teacher/instructor supervision when they died whilst skiing.

The inquest noted that *"whilst snow sports in the Alpine environment carry an element of risk as shown by the tragic deaths of Hannah and Amelia, this inquiry has no desire to discourage school ski excursions. Skiing is a popular, fun and exhilarating sport. Skiing and snowboarding offer many distinct benefits to those taking part."*

The inquest was of course mindful of the very different types of school ski excursions that exist. Hannah's school ski excursion was of a very different nature to the ski excursion that Amelia was on due to the profoundly different levels of experience involved.

### Recommendations

After a careful consideration of the circumstances surrounding the tragic deaths of Hannah and Amelia, the inquest strongly came to the view that the supervision of school students whilst skiing on school excursions must improve.

Accordingly, the Court made a number of recommendations including:

- where possible, all students on school ski excursions be closely and directly supervised by teachers capable of skiing with them or by qualified ski instructors;
- all students on ski excursions must have ski lessons each morning of every ski day;
- schools should encourage students of beginner and intermediate level to have a second ski lesson in the afternoon;
- students only be excused from ski lessons if qualified instructors or appropriately qualified and experienced teachers assess that the students are capable of skiing safely and in control on the ski runs where they are allowed to ski; and
- if schools conducting ski excursions take the view that students may ski without close and direct supervision by teachers or other appropriately qualified persons, the Coroner recommends the following additional requirements be adhered to:
  - \* written and informed consent be given by their parents;
  - \* the students can only ski on runs where they have previously been taken by ski instructors or other qualified supervisors;
  - \* the students ski in groups of at least four and never leave a fellow student alone;
  - \* the students ski within the ski resort boundaries;
  - \* the students be told to always stay in control and be able to stop and avoid other people or objects.

### Implications for schools

Skiing is a popular winter sporting activity and one enjoyed by many students during school excursions. However, like many sporting and recreational activities, skiing involves a risk of physical injury.

That risk is heightened when students have not had sufficient training from a qualified ski instructor or are not appropriately supervised by an instructor or the teachers who accompany them on excursions.

The recommendations made by the Coroner should be adopted by all schools who take students on a ski excursion.

A failure to adopt these recommendations may result in an adverse finding of negligence by a Court if a child is subsequently injured in similar circumstances.

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## Procedural Fairness in Educational Disciplinary Decisions

All organisations are confronted with the need to make disciplinary decisions from time to time arising out of misconduct of an individual.

This article examines the steps which typically need to be taken by most organisations so as to provide procedural fairness to the person subject to such action.

The principles of procedural fairness should be considered in making major disciplinary decisions due to alleged misconduct in broad areas including removal of a Board member, termination of employment of a senior executive or expulsion of a child from a private school.

### Receiving the Complaint

Almost all disciplinary processes begin with a complaint. The person receiving the complaint generally attempts to obtain preliminary information at the outset. If the complaint clearly has no substance, no further action is generally taken.

However, if the complaint appears to have substance, there are a number of procedural steps which should be taken at this point:

- The person initially receiving the complaint should report the matter to the appropriate head of the organisation (eg chief executive officer, chairman of the board, school principal).
- The head of that organisation should appoint someone to investigate the complaint. The investigator should be someone who is independent of the parties to the complaint and someone who has the necessary skills to obtain a thorough background to the matter and all necessary factual information. The investigator can be a trusted person from within the organisation and does not necessarily have to be a professional external investigator although this is sometimes desirable in particular circumstances.
- The investigator should obtain all relevant factual information from the complainant. In some cases this might involve documents to support the complaint.

- The investigator should interview relevant independent witnesses or other people who may be able to provide relevant information in relation to the subject matter of the complaint.
- When all this information has been obtained, the investigator should pause and make a preliminary assessment of the merits of the complaint. If at that stage it is clear that the complaint has no substance then the investigator should inform the person who appointed them and recommend that the complaint has not been substantiated and that no further action be taken.
- However, in most cases, the situation will not be so clear cut, and the investigator will need to continue the investigation.

### Dealing with the Respondent

Perhaps the most crucial task in dealing with disciplinary matters is the proper and fair dealing with the respondent to the complaint.

After having reached the stage of being satisfied that the complaint potentially has substance, the investigator must then appropriately and fairly deal with the respondent. Some of the procedural steps at this stage of the process include:

- The investigator should advise the respondent personally and in writing of the details and allegations that have been made and set a time and place for an interview to further discuss the complaint.
- The time for the interview should be as soon as practicable.
- The respondent should be informed of the right to bring a support person to the interview.
- The venue for the interview should be neutral.
- The respondent should be informed of the ability to rely on witnesses statements or call other people to support his/her position.

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- In appropriate cases, it may be necessary to organise an interpreter or be mindful of particular cultural sensitivities.
- At the beginning of the interview, the respondent should be informed of the process that will be undertaken during the interview.
- Wherever possible, subject to issues of confidentiality, the respondent should be fully informed of the allegations which have been made in the complaint and given a copy setting out the elements of the complaint and the evidence which the investigator has obtained.
- The investigator should confirm that the respondent properly understands the nature and seriousness of the complaint.
- The investigator should then invite the respondent to respond to the complaint and put forward his/her version of events together with appropriate supporting evidence.
- Once the investigator has all relevant response material from the respondent, the investigator should inform both the complainant and respondent that the matter will be referred to the decision maker for determination.
- In arriving at the decision, the decision maker must be persuaded as to the substance (or lack thereof) of the complaint on the “*balance of probabilities*”. The criminal standard of “*beyond reasonable doubt*” does not apply.
- The decision maker must carefully consider what would be the appropriate outcome depending on the nature of the complaint and the evidence in support of it and against it. In this regard, it is important for the decision maker to carefully consider whether the proposed “*punishment fits the crime*”.
- The decision maker must then communicate the decision to the respondent, preferably in writing.
- Where the disciplinary process involves serious consequences, such as removal from a board of governance, termination of employment or expulsion from a private school, reasons for the decision should generally be given in writing.
- Depending on the organisation’s policies and the nature of the disciplinary action imposed, the respondent should be informed of whether a right of appeal exists. If it does, the decision maker should inform the respondent of the process in relation to an appeal.

## Making a Decision

Once all relevant information has been received from the complainant and respondent, the investigator should refer the matter to the independent decision maker who will often be the head or deputy head of the particular organisation. There are also a number of procedural traps which must be observed by the decision maker at this stage of the process:

- The decision maker must be unbiased, that is, not have a vested interest in the outcome of the disciplinary process (this can sometimes be difficult for the decision maker, particularly where there has been a long association with either the complainant or respondent).
- The decision maker must carefully look at the factual material obtained by the investigator via the investigator’s interviews with the complainant, respondent and their respective witnesses.

## Conclusion

Organisations in this sector must ensure that their discipline policies are based on principles of procedural fairness.

However, merely having a disciplinary policy is not in itself enough. The policy must be carefully followed otherwise there is the risk of not only the decision be challenged but also the process which gave rise to it.

As can be seen from the above commentary, there are a large number of procedural steps which should, in most cases, be followed in order to accord procedural fairness to the respondent to a disciplinary complaint. These steps should be considered as part of an organisation’s risk management strategies and, as such, should be regularly reviewed by senior management.

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## Privacy Laws in Schools

Most people acknowledge that they have a moral duty not to breach the privacy of others. However, the law governing the extent to which we are allowed to inform ourselves about other peoples' affairs is in a state of flux and can be confusing for organisations that constantly deal in personal information, including schools.

This state of confusion is not assisted by a lack of any judicial exegesis on the topic, and is compounded by the vast array of legislation that exists to regulate the exchange of personal information. For instance, a private sector school employing health practitioners such as nurses or counsellors will have particular obligations arising from the New South Wales *Health Records and Information Privacy Act 2002* and also the Commonwealth *Privacy Act 1988*. The school administration may also have obligations under the *Privacy Act 1998* (Cth) and the *Children and Young Persons (Care and Protection) Act 1998*. Public schools will be regulated by the *Privacy and Personal Information Protection Act 1998* (NSW) as well as *Government Information (Public Access) Act 2009* (NSW), but may also have obligations pursuant to the *Health Records and Information Privacy Act 2002* and *Children and Young Persons (Care and Protection) Act 1998*.

For its part, the Commonwealth Government is undertaking a review of the federal *Privacy Act* with a view to simplifying the federal privacy law. This article reviews two of the proposed changes to the regulation of information privacy pursuant to the *Privacy Act*, which will include a reformed version of the existing National Privacy Principles called the Australian Privacy Principles (**APP**). Some of the changes represent a tightening of privacy law that may have an effect on schools.

### Australian Privacy Principle 2

The draft APP2 says:

*Individuals must have the option of not identifying themselves, or of using a pseudonym, when dealing with an entity.*

As drafted, APP2 will require schools to permit individuals to use a pseudonym when dealing with the school. The draft provides only two exceptions, as follows:

- (a) *an entity is required or authorised by or under an Australian law, or an order of a court or tribunal, to deal with individuals who have identified themselves; or*
- (b) *it is impracticable for an entity to deal with individuals who have not identified themselves.*

That is, schools may refuse to deal with a person either anonymously or by pseudonym if expressly permitted by law or if it is impracticable for the school to not have the individual identify themselves.

The word 'impracticable' is not defined by the APP Exposure Draft, but may be read widely. It is unlikely that it would be practicable for students or their parents to deal with a school by way of pseudonym.

Nonetheless, schools should consider how they will elect to deal with individuals that do ask to be dealt with by a pseudonym. Schools may find themselves on the receiving end of a complaint to the Office of the Australian Information Commissioner if they unreasonably refuse to deal with an individual requesting they be dealt with as a pseudonym.

The current government has said that the Australian Information Commissioner will be encouraged to provide guidance on the principle, including on the types of circumstances in which it will not be lawful or practicable to provide this option.

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### Australian Privacy Principle 3

The draft APP3 will regulate the collection of personal information. It says:

*An entity must collect personal information about an individual only from the individual unless:*

- (a) *if the entity is an agency-the entity is required or authorised by or under an Australian law, or an order of a court or tribunal, to collect the information other than from the individual; or*
- (b) *it is unreasonable or impracticable to do so.*

APP 3 is expressed in more strident terms than the existing National Privacy Principal 1, which also deals with the collection of personal information.

In the context of schools, APP3 may require schools to solicit information from students and not from the student's parents. This is likely to be a matter of judgment for school administrators about how to approach information collection. For instance, teachers may require health information about a child – such as allergies – that a child aged 12 may not know about, or may be unwilling to divulge. However, a 17 year old student might be expected to know this and may also take objection to the information being obtained by other means. It would be beneficial for schools to take a candid approach to such matters by involving both parent and student as much as possible.

### Other changes

The proposed Australian Privacy Principles will affect all private sector organisations and Commonwealth agencies. Some of the other key changes include:

1. disclosures in respect of personal information to overseas recipients;

2. more stringent regulation on the capacity of private sector organisations to market personal information if it has been collected from a third party; and
3. the permissibility of retaining information that has been collected without solicitation.





It would be good practice for any private sector organisation that collects personal information to review their protocols and procedures in respect of the collection and disclosure of personal information.

If your school does not already have a privacy statement, or if it has been some time since your policies have been reviewed, we would be pleased to assist your school ensuring that it is compliant both with the existing privacy regime as well as the proposed Australian Privacy Principles. Otherwise, if you would simply like to know more about the existing privacy framework and how your organisation may be affected, please contact our office.

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- Fundraising - the road to uniform Licensing Laws
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### Issue 1, January 2010


- Educational Malpractice
- Duty of care owed during school excursions
- Race discrimination in schools
- Minimising risks for schools under the OH&S Act

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