



Visitors in Schools Framework

Visitors providing services directly to and in support of students

Information for Visitors and their Employing or
Sponsoring Organisations

To be read with Policy and Procedures

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1 Introduction to the Visitors in Schools Framework

The ACT Department of Education and Training Visitors in Schools Framework provides a framework for people from the wider community who provide services directly to students or in support of students on a commercial or non-commercial basis. The Visitors in Schools Framework includes a suite of policy, procedures and pro forma documents, and sits alongside the department's Working with Children and Young People – Volunteering policy and procedures (also referred to as the Volunteering policy).

The purposes of the Visitors in Schools Framework are to safeguard children and young people so that they can work and learn in a safe, well-organised learning environment, to support the utilisation of visitors in circumstances that enhance student learning and support, and to ensure good management practices. Visitors and their employing or sponsoring organisations would have similar goals in their own corporate governance arrangements.

2 Visitors covered by the framework

Various types of visitors provide a range of services and assist in a range of activities to support students and schools. Diagram 1 provides an overview of visitors in ACT Government schools.

This Visitors in Schools Framework focuses on those visitors who provide services directly to students or in support of students, either as an employee of an organisation or as a person whose services are made available through an organisation. Organisations may be commercial or not for profit.

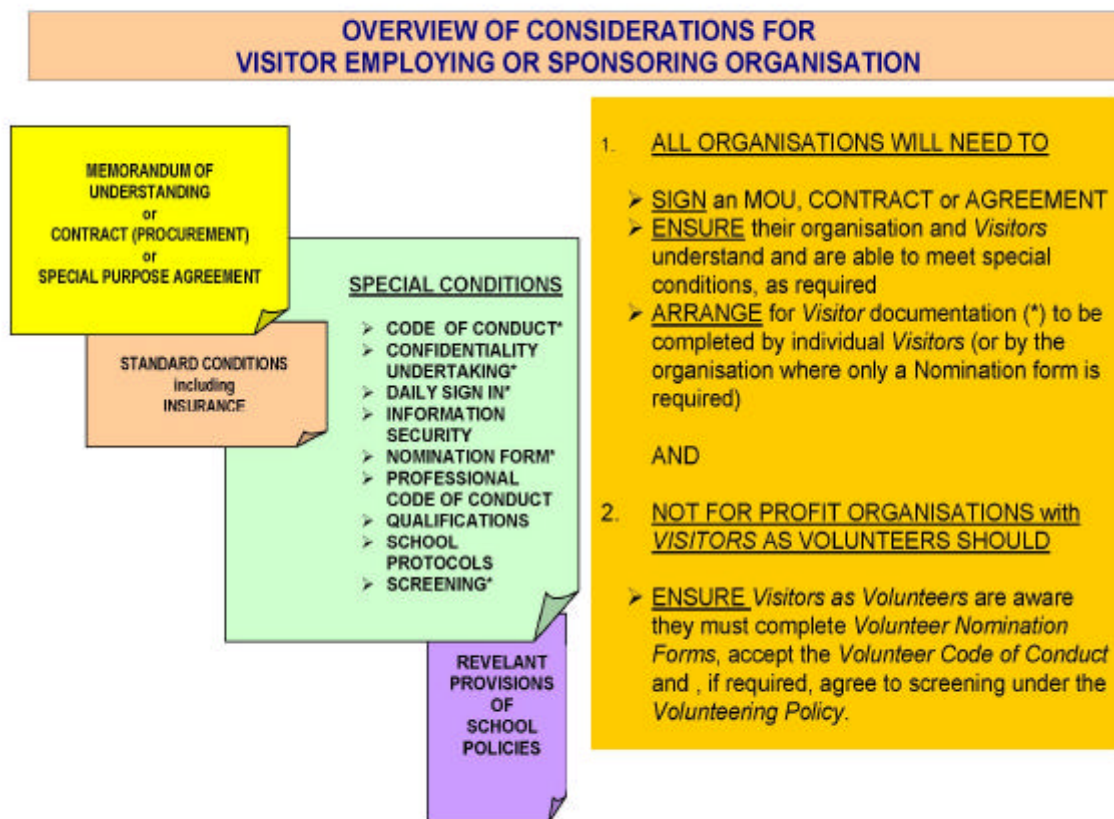
Diagram 1: Visitors to ACT Government schools

Purpose of visit	Type of visitor	Policy or arrangement
Visiting principal or staff, attending functions	Parent, carer or community member	Visitors in Schools Framework (guest)
Assisting with student and school programs	Parent or community member volunteering under auspices of DET	Working with Children and Young People – Volunteering policy
	Parent or community member volunteering under auspices of a not for profit organisation that is not a government agency ('visitors as volunteers')	Working with Children and Young People – Volunteering policy AND the Visitors in Schools Framework AND any relevant DET policy
	Parent or community member volunteering under auspices of any other organisation that is not a government agency	Visitors in Schools Framework AND any other relevant DET policy
Delivering or assisting educational or enrichment programs, student welfare and support and administrative support	Individuals and groups employed by an organisation	
Working on specific programs and services	Individuals and organisations in 'special categories' (through organisations) eg canteens, pre-service teachers, community service orders, rehabilitation placements	
Accepting an invitation as a guest of the school	Individual or organisation	
Protecting children and young people	Office of Children, Youth and Family Services staff	
Providing therapy and other support to individual students	ACT Health professionals	
Providing tutoring to individual students, through parents and citizens associations and paid for by parents, during the school day	Paid tutors	Paid Tutors policy and private tutor arrangements, consistent with the Visitors in Schools Framework
Providing support to individual students with special needs, funded by parents and carers	Paid support persons	Arrangements between DET and parents and carers consistent with the Visitors in Schools Framework
Supporting school facilities eg performing maintenance of buildings or equipment	Individuals and organisations	DET policies; service purchasing agreements
Using space in schools eg hiring halls	Individuals and organisations	DET policies; hire of school facilities arrangements, lease arrangements, special purpose arrangements
Accessing schools in the course of other duty/employment	Police, ACT Government employees, others	DET policies, Advice from DET Governance and Legal Liaison, <i>School Legal Information Manual</i>
Accessing schools without authorisation or behaving inappropriately on school premises	Individuals	Unwelcome Visitors to Schools Handbook

3 Requirements of the framework

Diagram 2 summarises the elements of the Visitors in Schools Framework that visitors, and their employing or sponsoring organisations, need to be aware of.

Diagram 2: Overview of considerations



3.1 Agreements

Agreements formalise the visitor’s role, including the nature, duration and location of the visitor’s service or activity. An agreement may be reached between an organisation and a government school or an organisation and the department.

The Visitors in Schools Framework will provide pro forma and special purpose agreements for engaging visitors to provide activities or services. Acceptable forms of agreement will range from MOUs to legally binding contracts. Where there are not suitable agreements for a particular activity or service, an additional agreement or MOU will be developed by the department.

3.1.1 Special conditions

Special conditions to implement relevant parts of the Visitors in Schools Framework (for example, requirements to provide evidence of qualifications or to undergo screening checks) will be incorporated into the pro forma agreements as needed. Relevant provisions of other departmental policies will also be reflected where needed.

Paperwork required by visitors agreements

Specified in all agreements:

- Signed agreement or MOU
- Endorsed nomination form and code of conduct
- Proof of insurance cover
- Daily Sign-in Forms
- Identification card or badge

Specified as required:

- Criminal history screening form
- Confidentiality undertaking
- Agreement to school-based protocols
- Proof of qualifications, expertise or experience

3.1.2 Visitor qualifications, expertise and experience

Before signing any agreement, visitors (or their employing or sponsoring organisations) will need to consider what qualifications, expertise or experience their role will require. Principals may ask for evidence or references to verify that the visitors will adequately meet their responsibilities in providing a particular service or assisting with a particular activity.

3.1.3 Confidentiality undertakings

Visitors who, in order to undertake their visitor activity or service, have access to personal information, departmental information that is not public information, or a school's local area network, may need to sign a confidentiality undertaking. This should be organised by the school through the visitor's employing or sponsoring organisation.

Organisations should consider checking whether they also have obligations under privacy legislation – for example, the Commonwealth *Privacy Act 1988*, for private sector organisations, and/or the ACT's *Health Records (Privacy and Access) Act 1997*.

3.1.4 Insurance cover

It is the responsibility of the visitor and/or their employing or sponsoring organisation to have appropriate insurance cover in place (see Attachment A).

Evidence of insurance cover will need to be provided prior to the commencement of the visitor service or activity, and on request by a school or the department.

Schools will check insurances prior to a visitor activity or service commencing.

3.2 Nominations

3.2.1 Completing the nomination form

A nomination form must be completed for every visitor. As well as establishing the name, role and contact details of each visitor, the nomination form requires the visitor to:

- affirm that they have no criminal charges or convictions that might preclude them from working with students
- agree to observe a code of conduct (see Attachment B).

The nomination form must be completed before the visitor service or activity can commence. A separate nomination form must be completed for each service or activity agreement.

Completed forms must be provided to directly to the school by the individual visitor or their employing or sponsoring organisation. An updated form will need to be provided if the personal details of a visitor, or details of the organisation, change.

The type of nomination form varies depending on the circumstances of the visitor:

- the Volunteer's Nomination Form is completed by unpaid visitors from not for profit organisations ('visitors as volunteers')
- the Nomination Form – Individuals is completed by paid visitors trading in their own right
- the Nomination Form – Organisations is completed by a representative of an organisation that employs or sponsors a visitor or visitors, attaching a Nomination Schedule that names the individual/s who will provide the service or activity.

Nomination forms are available from schools and from the Preschool Office.

3.2.2 Criminal charges or convictions

A proposed visitor should not sign the nomination form if they have serious charges against them or criminal convictions that would preclude them from working with children and young people. Minor charges or convictions do not prevent a visitor from working with children and young people. These issues are clarified on the Information for Visitors Completing the Nomination Form (see Attachment C).

3.2.3 Visitor privacy

Personal information provided by visitors on nomination forms (or screening forms) will be protected in accordance with the Commonwealth *Privacy Act 1988*. The information will be managed in accordance with the provisions of the Privacy Act and will not be used for any other purpose unless statutory or other legal obligations require otherwise.

3.3 Screening checks

3.3.1 Use of screening

In some circumstances, a visitor will be required to undergo 'screening', which means the department will check their national criminal record.

Visitors are required by the departmental policy to undergo screening if:

- they will be assisting in educational programs with limited teacher supervision
 - they will have access to personal information or the department's information technology network
- or
- the principal considers that duty of care responsibilities require that the visitor be screened.

For clarification of issues about screening, visitors or their employing or sponsoring organisations should contact Employee Relations on 6205 9149.

Visitors who have previously been screened for employment purposes will usually require confirmation screening by the department. It should be noted that screening reports for working with children and young people are more rigorous than those obtained for other employers or purposes.

3.3.2 Procedure for screening

Where visitors come through not for profit organisations and are essentially volunteering, the department will meet the cost of screening for these 'visitors as volunteers'. Otherwise this cost will be met by employing or sponsoring organisations.

The principal forwards screening forms to the department in a sealed envelope. The department uses the same forms for visitors requiring screening as it uses for employees.

3.3.3 Criminal charges or convictions

If the screening report identifies convictions, the nominee will be given the opportunity to discuss their relevance with Employee Relations staff before a decision is made.

Charges or convictions do not necessarily prevent a visitor from working with students. Each case will be assessed on its merits.

For more information about criminal charges or convictions, visitors should read the Information for Visitors Completing the Nomination Form then seek clarification from the principal or from Employee Relations on 6205 9149.

3.4 Identification cards or badges

A visitor who has undergone a satisfactory screening check will be issued with an identification card by the department. Identification cards for screened visitors are valid for the period specified in the visitor's activity or service agreement (up to three years), and may be presented at any ACT Government school.

Where possible, the identification card will carry a photograph. The visitor may need to attend the department's office so that a photograph can be taken.

A visitor who is not required to undergo screening will receive an identification badge from the school that engages them.

3.5 Daily Sign-in Form

The Daily Sign-in Form records the date, starting time and finishing time of each visitor session and gives a brief summary of the visitor's task and location. The forms will be in the front office of the school and at other locations decided by school, including locations where visitor activities or services occur away from the school campus.

Visitors must remember to sign the form, and have it initialled by a staff member, when they arrive and depart each day.

4 Visitor questions or concerns

If a visitor has a query or a matter of concern to raise, they may choose to:

- first raise the matter with the relevant school staff member, then, if it remains unresolved, discuss it with the principal

or

- first raise the matter with their own organisation.

If the concern remains unresolved, the visitor and/or their employing or sponsoring organisation should have regard to arrangements set out in their agreement. This may include referring the concern to persons who have authority to intervene and direct some form of resolution.

Summary of Insurance Arrangements for Visitors

Inquiries regarding insurance should be directed to Schools and Corporate Support, by phoning 6205 9315 or by emailing davids.williams@act.gov.au.

Workers compensation and personal accident cover

Workers compensation insurance must be maintained as required by law. Where workers compensation insurance is not required by law, the organisation should consider appropriate personal accident and sickness cover for its staff and/or volunteers.

Public liability cover

Public liability insurance is required to a minimum of \$10 million. Cover of \$20 million may be required in some circumstances depending on the nature of the activities or services to be provided. Refer to the Department of Treasury website guide at <http://www.insuranceriskadvice.act.gov.au> for suggested activity ratings.

Insurance cover for visitors from overseas

Where visitors are from overseas, proof of travel insurance must be provided. Insurance cover held by persons from overseas, including public liability insurance, must note that the cover includes activities in Australia such as those being undertaken in the school.

Professional indemnity cover

Professional indemnity insurance cover is required where visitors provide professional instruction or advice. Visitors or their employing or sponsoring organisations should hold professional indemnity cover of at least \$1 million for any one claim or to a level appropriate to the activity.

Other insurance

Visitors or their employing or sponsoring organisations should ensure that any items they bring to the school are appropriately insured for their replacement value against all risks that the prudent businessperson would insure against.

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Code of Conduct

Visitors provide a range of services and support to schools. This may include interaction with individuals and small groups of students in a range of different activities.

To assist schools in providing a safe environment and a positive educational climate, visitors are asked to comply with this code of conduct. This code of conduct has been formulated to clarify the type of conduct that is expected of visitors participating in programs and activities in ACT Government schools.

As a visitor, you will:

- Observe similar standards of behaviour and ethical conduct to those required of departmental staff. For example, you are expected to act within the law, be honest and fair, respect other people (including students), and work to the best standard of your ability.
- Appreciate that the principal is the spokesperson for the school.
- Appreciate that students have rights and aspirations. Treat students with dignity and respect.
- Observe confidentiality in respect of all information gained through your participation as a visitor. All information held by schools should be handled with care. Some information is especially sensitive. Sensitive and/or personal information requires additional caution in the way it is treated. For example, you should not discuss nor disclose to others personal information about students, staff or students' parents or carers.
- Accept and follow directions from the principal/supervisor/contact person and seek clarification where you may be uncertain of tasks or requirements. You may need to familiarise yourself with the department's policies and guidelines on particular issues.
- Observe safe work practices which avoid unnecessary risks, apply reasonable instructions given by supervisors, and report to the supervising staff and school administration any hazard or hazardous practice in the workplace.
- Report any problems as they arise to your supervisor/contact person, including incidents, injury or property damage.
- Where you have access to school resources, avoid waste or extravagance and make proper use of the resources of the school/department.

This code of conduct forms part of contractual arrangements between visitors and schools. Additional requirements are set out in the agreement relevant to the activity, service or program.

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Information for Visitors Completing the Nomination Form

Why complete the nomination form?

The ACT Department of Education and Training supports actions which enable students to work and learn in a safe, well-organised environment which promotes a positive educational climate. All persons working with students are required to affirm that they have a personal history with no incidents, charges or criminal convictions that may preclude them from working with students. As a visitor you are not obliged to reveal details of these events. However, if you do not complete all sections of the visitor nomination form the department may not accept your services to work with students. The acceptance of the services of a visitor and the termination of the arrangement will also be set out in the appropriate contractual arrangement or other appropriate documentation.

Do I have to disclose details of my personal history?

Visitors may work with students when there is a personal history that includes minor incidents that do not bear any relevance to their work with children and young people. Minor incidents and individual traffic violations do not need to be revealed. To decide whether more serious incidents, charges, criminal convictions (including serious traffic offences) or other matters are relevant, you **must** discuss these with the principal or an officer from the department's Employee Relations section (phone 6205 9149) before completing this section of the form.

What charges or convictions are relevant?

The Commonwealth Spent Convictions Scheme and the ACT *Spent Convictions Act 2000* legislation limit the disclosure of certain offences once the person has completed a period of crime-free behaviour. However, under the ACT *Spent Convictions Act 2000*, this does not apply to any person to be appointed, employed or otherwise engaged to instruct, supervise or work with students. This means the department is entitled to request all information about convictions in relation to all persons working with children and young people.

Will I be able to work with students if I disclose a conviction?

The disclosing of a conviction may not prevent visitors from working with students. Many persons have convictions for minor offences, often having occurred a number of years in the past, or for minor traffic offences. Convictions relating to more serious offences will be assessed on a case-by-case basis but may not necessarily preclude a person from working with students.

Offences that may preclude a person from working with students include a history of:

- drug-related offences
- violence-related offences

or

- serious traffic offences (if the visitor will be required to transport students by car).

Each case will be assessed on an individual basis, with consideration given to the seriousness of the offence and the time elapsed since the offence. Visitors will be afforded the opportunity to discuss disclosed charges and/or convictions with the principal or officers from Employee Relations.

Persons who have been convicted of the following kinds of offences would be accepted as visitors only in exceptional cases:

- a sexual offence
- or
- any other offence if the victim was under 18 at the time the offence was committed.

What will happen to information I disclose?

Any information you provide will be treated by the department in accordance with our obligations under the *Privacy Act 1988*. This information will not be used or disclosed for any other purpose other than in the assessment of your suitability to work with children and young people as a visitor, except in circumstances provided for by the *Privacy Act 1988*.

The ACT Department of Education and Training appreciates your assistance in helping us to ensure, as far as is possible, that schools provide a safe, well-organised environment for students.