

EDUCATION AND TRAINING PARLIAMENTARY COMMITTEE

Government Response – Inquiry into Dress Codes and School Uniforms in Victorian Schools

Recommendation	Government Response
Chapter 1: Introduction	No recommendations.
Chapter 2: Current Policies and Practices	
RECOMMENDATION 2.1 (PAGE 16)	
That decisions regarding dress codes and school uniform policies remain the responsibility of school councils, in consultation with their communities.	The Government supports this recommendation.
RECOMMENDATION 2.2 (PAGE 23)	
That the Department of Education and Early Childhood Development’s guidelines encourage schools to consider standards for staff dress and appearance during the development and review of dress codes and school uniform policies.	The Government does not support this recommendation. <i>Teaching Service Order 165</i> requires staff dress appropriately for their duties. The Government believes that standards for staff dress and appearance are best addressed through school human resources policies (which may include staff dress codes) and via the management role of the principal.
Chapter 3: Health and Safety	
RECOMMENDATION 3.1 (PAGE 29)	
That the Department of Education and Early Childhood Development require all Victorian schools to include a statement addressing sun protection in their dress codes or school uniform policies.	The Government supports this recommendation. The Department currently provides advice to Government schools to assist them in developing policies that address sun protection. As part of the Department’s ongoing process of reviewing and updating its policy guidelines to schools, the Department will include a statement requiring government schools to address sun protection in its guidelines for school dress codes.

Recommendation	Government Response
	The Department will advise non-government school sector authorities of this recommendation.
RECOMMENDATION 3.2 (PAGE 29)	
That the Department of Education and Early Childhood Development promote best practice case studies for incorporating sun protective clothing and sunglasses into dress codes and school uniform policies in the guidelines they provide to schools.	<p>The Government supports this recommendation.</p> <p>The Department consults regularly with the Cancer Council Victoria in order to address issues relating to sun protection in schools. The Department will consult with the Cancer Council to promote best practice case studies in the guidelines provided to schools.</p>
RECOMMENDATION 3.3 (PAGE 33)	
That the Department of Education and Early Childhood Development require all Victorian schools to make a sun protective hat available to students as part of their dress codes or school uniform policies.	<p>The Government supports this recommendation.</p> <p>The Department currently provides advice to government schools to assist them in developing policies and procedures that address sun protection. Sun protective hats form just one of a range of appropriate strategies that schools may use to meet their duty of care towards students to minimise the danger of excessive ultraviolet radiation exposure.</p> <p>The Department will require all Government schools to include a sun protective hat as an option in their school dress code or school uniform policy.</p> <p>The Department will advise non-government school sector authorities of this recommendation.</p>
RECOMMENDATION 3.4 (PAGE 35)	
That guidelines developed by the Department of Education and Early Childhood Development include advice to assist schools to develop dress codes and school uniform policies that ensure students can be comfortable in all weather conditions.	<p>The Government supports this recommendation in principle.</p> <p>The Department already provides advice to schools to ensure they consider issues such as these. The Department will expand on the advice provided in its guidelines to schools for student dress codes, as part of its ongoing process of reviewing and updating its policy guidelines to schools.</p>

RECOMMENDATION 3.5 (PAGE 40)	
<p>That the Department of Education and Early Childhood Development require all Victorian schools to consider how their school uniform policies can contribute to greater levels of physical activity among students.</p>	<p>The Government supports this recommendation in principle.</p> <p>The Department already provides advice to schools to ensure they consider issues such as these. The Department will expand on this advice as part of its ongoing process of reviewing and updating its policy guidelines to schools.</p> <p>The Department will advise non-government school sector authorities of this recommendation and the Government's response.</p>
RECOMMENDATION 3.6 (PAGE 41)	
<p>That the Department of Education and Early Childhood Development investigate the health and safety issues associated with facial and body piercings, and publish guidelines to assist school communities in developing, implementing and reviewing piercings policies.</p>	<p>The Government supports the need to be aware of the health and safety issues associated with facial and body piercings. The Department will consult with relevant stakeholders on this issue, and consider policy amendments, as part of its ongoing process of reviewing and updating its policy guidelines to schools</p> <p>The Government has announced its intention to reform the law relating to the body piercing and tattooing of young people. The proposed reforms, which reflect the Government's commitment to protecting the health and wellbeing of young people were contained in the Exposure Draft of the <i>Summary Offences Amendment (Tattooing and Body Piercing) Bill</i> for public comment during January – March 2008. The Exposure Draft Bill proposed to make it an offence for a body piercer to perform an intimate piercing on a person aged under 18 years, or to perform a non-intimate piercing on a person under 16 years without parental consent.</p>

RECOMMENDATION 3.7 (PAGE 43)	
<p>That the Department of Education and Early Childhood Development publish guidelines to assist schools in making appropriate decisions about school bags when developing and reviewing their dress codes and school uniform policies. Such guidelines may also include standards relating to the weight of materials students are expected to carry to and from school.</p>	<p>The Government supports this recommendation in principle.</p> <p>The Department provides advice to schools to ensure they consider health and safety issues such as these. The Department will consult with relevant stakeholders on this issue, and consider policy amendments, as part of its ongoing process of reviewing and updating its policy guidelines to schools.</p>
RECOMMENDATION 3.8 (PAGE 44)	
<p>That the Department of Education and Early Childhood Development incorporate information regarding cords and chinstraps on sun hats and other articles of clothing in their safety guidelines for schools, especially at a primary level.</p>	<p>The Government supports this recommendation in principle.</p> <p>The Department already provides advice to schools to ensure they consider health and safety issues such as these. The Department will consult with relevant stakeholders on this issue, and consider policy amendments, as part of its ongoing process of reviewing and updating its policy guidelines to schools.</p>

Chapter 4: Anti-discrimination Issues	
RECOMMENDATION 4.1 (PAGE 48)	
<p>That the Department of Education and Early Childhood Development, in partnership with the Victorian Equal Opportunity and Human Rights Commission, publish guidelines to clarify schools' legal obligations under the <i>Equal Opportunity Act 1995</i> and the <i>Charter of Human Rights and Responsibilities Act 2006</i>. Such guidelines should include:</p> <ul style="list-style-type: none"> • detailed advice on legal requirements and how these are best implemented in practice; • greater clarity regarding the legal rights and responsibilities of all members of the school community with respect to dress codes and school uniform policies; and • specific examples of relevant case law to support general legal advice. 	<p>The Government supports this recommendation in principle.</p> <p>The Department currently provides guidelines to schools on their legal obligations with regard to anti-discrimination issues. The Department will work with the Victorian Equal Opportunity and Human Rights Commission, the Victorian Multicultural Commission, and other relevant Government Departments, as part of the Department's ongoing process of reviewing and updating its policy guidelines to schools, to consider additional information that may need to be provided on this issue.</p>
RECOMMENDATION 4.2 (PAGE 51)	
<p>That the Department of Education and Early Childhood Development publish detailed guidelines relating to the prevention of gender discrimination in dress codes and school uniform policies, including guidelines for student appearance, and clothing choices for female students.</p>	<p>The Government supports this recommendation in principle.</p> <p>The Department already provides advice to schools to ensure they consider these issues. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider additional information that may need to be provided on this issue.</p>
RECOMMENDATION 4.3 (PAGE 59)	
<p>That the Department of Education and Early Childhood Development require all Victorian schools to accommodate clothing and other items with religious significance where appropriate, within a framework developed by the Department.</p>	<p>The Government does not support this recommendation as it is stated.</p> <p>The Department currently provides guidelines to schools, both in relation to operations generally and in relation to dress codes, to ensure that schools meet their legal obligations under state and federal anti-discrimination legislation, the <i>Charter of Human Rights and Responsibilities Act 2006</i>, and</p>

	<p>the <i>Education and Training Reform Act 2006</i>. This includes the requirement that schools have an exemption process for their dress code upon grounds that include religious beliefs.</p> <p>The Department will work with the Victorian Equal Opportunity and Human Rights Commission, the Victorian Multicultural Commission, and other relevant Government Departments, as part of the Department's ongoing process of reviewing and updating its policy guidelines to schools, to consider additional information that may need to be provided to schools on this issue.</p>
RECOMMENDATION 4.4 (PAGE 61)	
That the Department of Education and Early Childhood Development publish guidelines to assist schools with appropriate responses to conscientious or philosophical objections to their dress code or school uniform policy raised by members of their school community.	<p>The Government supports this recommendation in principle.</p> <p>The Department currently provides guidelines to schools on their legal obligations regarding anti-discrimination issues. As part of its ongoing process of reviewing and updating its policy guidelines to schools, and the Department's response to Recommendation 4.1, the Department will consider additional information that may need to be provided to schools on this issue.</p>
Chapter 5: Enforcement and Sanctions	
RECOMMENDATION 5.1 (PAGE 66)	
That the Department of Education and Early Childhood Development require schools to establish, in consultation with their communities, clear expectations regarding compliance with their dress codes and school uniform policies, to ensure that a consistent approach to enforcement is applied throughout the school.	<p>The Government supports this recommendation in principle.</p> <p>The Department currently provides guidelines to schools for developing a Student Code of Conduct which addresses this issue. The Department is currently reviewing these guidelines and will include any necessary policy amendments.</p>
RECOMMENDATION 5.2 (PAGE 77)	
That the Department of Education and Early Childhood Development publish detailed guidelines regarding acceptable sanctions for infringements of dress codes or school uniform policies. This should involve discussion of specific sanctions, including various forms of exclusion,	<p>The Government does not support this recommendation.</p> <p>The Government believes that decisions regarding dress codes and school uniform policies should remain the responsibility of school councils, in consultation with their communities as per Recommendation 2.1. Departmental guidelines require that disciplinary measures are consistent</p>

and the circumstances in which they may be applied.	with the school's Student Code of Conduct and the statewide <i>Student Discipline Procedures 1994</i> , ensuring that school level policies are clear about acceptable sanctions for dress code infringements and that care is taken that students' studies are not adversely affected other than in exceptional circumstances.
Chapter 6: Costs	
RECOMMENDATION 6.1 (PAGE 92)	
That the Department of Education and Early Childhood Development require schools to demonstrate to their school communities that they have evaluated the cost implications of their selected school uniform to ensure that costs fall within expectations of the school community.	<p>The Government supports this recommendation in principle.</p> <p>The Department currently provides advice to schools to ensure this issue is addressed in the process of developing a school's dress code. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider possible amendments to the advice provided.</p>
RECOMMENDATION 6.2 (PAGE 99)	
That the Department of Education and Early Childhood Development investigate strategies to ensure the continuation and possible expansion of the activities of the State Schools' Relief Committee, and/or alternative models for financial support for assistance with school uniforms.	<p>The Government supports continuation of this program, but would require a review of service provision before an expansion is considered. Any review would include an investigation of alternative models for financial support for assistance with school uniforms.</p> <p>The State Schools' Relief Committee is currently provided with Government funding and support from the Department.</p>
RECOMMENDATION 6.3 (PAGE 99)	
That the Department of Education and Early Childhood Development require schools to include in their dress codes and school uniform policies information about the options available for low-income families to access financial support, to help them meet the costs of school clothing.	<p>The Government supports this recommendation.</p> <p>The Department currently provides advice to government schools on managing issues related to the cost of school uniforms. As part of the Department's ongoing process of updating its policy guidelines to schools, the Department will require schools to include in their dress codes and school uniform policies information about support options.</p>

Chapter 7: Purchasing and Distribution	
RECOMMENDATION 7.1 (PAGE 110)	
That the Department of Education and Early Childhood Development, in consultation with schools and industry representatives, assess the resources currently available to assist schools in their school uniform procurement arrangements, and publish additional guidelines as necessary.	<p>The Government does not support this recommendation.</p> <p>The Department currently provides the necessary guidelines to allow schools to satisfactorily manage procurement arrangements.</p>
RECOMMENDATION 7.2 (PAGE 114)	
That the Department of Education and Early Childhood Development, in consultation with relevant industry representatives, publish improved guidelines regarding distribution models for school uniform items, including detailed advice regarding the management of school uniform shops.	<p>The Government does not support this recommendation.</p> <p>The Department currently provides the necessary guidelines to allow schools to satisfactorily manage school uniform shops.</p>
RECOMMENDATION 7.3 (PAGE 116)	
That the Department of Education and Early Childhood Development publish guidelines stating its position on profit margins on the sale of school uniform items by government schools.	The Government does not support this recommendation, as it is inconsistent with the policy of the Department on self-managing schools.
RECOMMENDATION 7.4 (PAGE 116)	
That the Department of Education and Early Childhood Development require schools to publish profit and loss statements relating to the sales of school uniform items in their annual financial reporting.	<p>The Government supports this recommendation in principle.</p> <p>School councils are currently required to prepare profit and loss statements for any trading operation. The Department will consult with stakeholders about this recommendation and consider amendments to its guidelines as part of its ongoing process of updating policy advice to schools.</p>

Chapter 8: Consultation and Review	
RECOMMENDATION 8.1 (PAGE 121)	
That the Department of Education and Early Childhood Development advise schools to review their dress codes and school uniform policies every three to five years in consultation with their communities, addressing all the issues covered in departmental guidelines.	The Government supports this recommendation in principle, noting that school councils are already required to review all school policies annually to determine if there is a need to amend the policies. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider additional advice that may need to be provided to schools on appropriate frequencies for review.
RECOMMENDATION 8.2 (PAGE 128)	
That the Department of Education and Early Childhood Development incorporate into its guidelines for dress codes and school uniform policies examples of best practice in consultation and communication between schools and their communities.	The Government supports this recommendation in principle. The Department currently provides extensive information relating to consultation and communication between schools and their communities, in its support material for school councils. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider additional information relevant to this issue, that may need to be provided to schools.
RECOMMENDATION 8.3 (PAGE 129)	
That the Department of Education and Early Childhood Development publish further guidelines regarding best practice processes for considering exemptions to dress codes and school uniform policies, including a requirement that reasons for the refusal of an application for exemption be provided to the student and/or parent involved.	The Government supports this recommendation in principle. The Department currently provides guidelines to schools to clarify their legal obligations with regard to anti-discrimination issues. As part of its ongoing process of reviewing and updating its policy guidelines to schools, and the undertaking given in response to Recommendation 4.1, the Department will consider additional information to schools on the issue of exemptions, that may need to be provided to schools.
RECOMMENDATION 8.4 (PAGE 132)	
That the Department of Education and Early Childhood Development review the recent changes to complaints handling within the Department to ensure that they address concerns about the resolution of disputes relating to dress codes and school uniform policies.	The Government supports this recommendation in principle. Consideration of the resolution of disputes relating to dress codes has informed current work to improve complaints handling within the Department.

Chapter 9: Conclusion	
RECOMMENDATION 9.1 (PAGE 137)	
That the Department of Education and Early Childhood Development create a template for schools to use in the development and review of their dress codes and school uniform policies, covering all major issues raised in this inquiry.	<p>The Government supports this recommendation in principle.</p> <p>The Department currently provides extensive information to schools, advising on the development and review of policy, in its support material for school councils, as well as its guidelines for developing dress codes, that cover all major issues raised in this inquiry. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider possible policy amendments to its dress code policy, to provide better advice to schools on developing and reviewing their school-level dress code policy.</p>
RECOMMENDATION 9.2 (PAGE 137)	
That in the event of any disputes regarding dress codes or school uniform policies, the Department of Education and Early Childhood Development give full support to any school that can demonstrate that they have given appropriate consideration to all issues contained in the Department's template for dress codes and school uniform policies and associated guidelines.	<p>The Government supports this recommendation in principle.</p> <p>The Department policy on parent complaints is based on the principle that, in the first instance, parent complaints are best resolved at the school level. If the matter is not resolved at the school level, regional offices of the Department will investigate complaints to ensure schools are complying with Departmental policy and to seek to mediate disputes, if appropriate. As such, the Department fully supports schools that are complying with Departmental policy. The Department also regularly reviews its guidelines provided to schools, to address concerns raised by schools or other issues relating to school compliance with Departmental policy.</p>

RECOMMENDATION 9.3 (PAGE 137)	
<p>That the Department of Education and Early Childhood Development ensure that information regarding rights, responsibilities and processes relating to the implementation of a dress code or school uniform policy is available to all members of school communities.</p>	<p>The Government supports this recommendation in principle.</p> <p>School operational policy for the Department, including policy relevant to dress codes, is publicly available at the website for the Victorian Government Schools Reference Guide, located at http://www.eduweb.vic.gov.au/referenceguide/. The Department advises schools to widely communicate information about their dress code, and procedures for consultation and decision making, to their school communities. As part of its ongoing process of reviewing and updating its policy guidelines to schools, the Department will consider possible policy amendments to its dress code policy, to reflect this recommendation.</p>