

## Trespassers in Schools Policy

### Background

Government schools are not public places. The Minister for Education is the registered owner of all land held by the Department of Education and Training (DET) for the purpose of operating Government schools. The Minister (who delegates power to the Principal) therefore has the authority to determine who may enter, and remain on, school premises.

School property is worth many millions of dollars and schools have the right to be able to protect it. The school should also provide all children and adults who are authorized to be at the school maximum levels of security whilst within the school grounds. The school should understand how to effectively manage someone who unlawfully enters school premises.

### Purpose

To:

- Ensure schools effectively manage trespassers who enter school premises.
- Protect school facilities, equipment and property from damage.
- Achieve a balance and differentiate between community use of school facilities which is encouraged and the use of facilities which may cause damage to property or be disruptive.
- Ensure this policy adheres to DET Guidelines, *Crimes Act 1958 (Vic)*, *Education and Training Reform Act 2006 (Vic)* and *Summary Offences Act 1966 (Vic)*

### Implementation

The Principal will have the overall responsibility of overseeing the implementation of this policy.

### Definition of a Trespasser

A trespasser includes any person who enters the school grounds (including any buildings)

- Without authority (unless for a legitimate purpose), or
- Without a lawful excuse (unless for a legitimate purpose), or
- In a manner likely to cause a breach of the peace

The Principal has the authority to do one or more of the following:

- Erect signs prohibiting certain persons from entering the school premises. The Principal should consult with the Security Services Unit on (03) 9589-6266 if s/he is considering erecting signs on the school premises. These signs should be prominently displayed at each entry of the school premises and in and around school buildings (if appropriate).
- Order persons to leave the school premises. This warning can be given orally or in writing. If the order is given orally it is recommended that there is at least one witness present. If the person refuses to leave the school premises after receiving the warning, staff should contact the Victoria Police for further assistance.
- Issue trespass notices that prohibit the persons named in the notice from entering the school premises. This notice should be in writing and given to the person by hand or by registered post. It is recommended that advice be sought from the Regional Office and Police before this action is taken. Principals should maintain a record of all oral warnings and trespass notices issued.



These records should include the name of the person who received the warning or notice, the date and time that the warning or Notice was issued and a copy of the trespass notice or a written record of the oral warning given.

If a person enters or remains on the school premises after receiving one or more warnings or notices, the following action should be taken:

- The Principal or a member of the leadership team should report the incident to the Victoria Police. They can request that the Victoria Police charge a person with criminal trespass, if they fail to comply with any of the above warnings and notices. It is the role of the Victoria Police to come and manage the incident, and then to investigate the incident and determine whether the person should be charged with a criminal offence.
- The Principal should report the incident to the Security Services Unit.

### **Evaluation**

- Level of Vandalism
- Register of warnings issued

This policy will be reviewed as part of the school's three year cycle of policy review.

### **Certification**

This policy was endorsed by School Council at the meeting held on 18 August 2015

Signed.....

**Principal**

Signed.....

**School Council President**