

# Early Warning System Policy – Dangerous or Potentially Dangerous Behaviours

*Controlled Document – refer to Intranet for latest version*

Category: General Administration	Date Created: April 2005
Responsibility: Executive Director Student Success	Date Last Reviewed: October 2013
Approval: Executive Director Student Success	Version: 13.1

**This policy was developed in relation to the Emergency Protection of UCOL Staff, Students and Property Statute (2007), passed by the UCOL Council 1 May 2007.**

## Purpose

On occasion there may be students, or prospective students, whose dangerous behaviour or potential for dangerous behaviour causes real concern.

This policy is concerned with a serious threat that is imminent and presents risk to others or the individual him/herself. It is not concerned with minor events which can be managed in other ways.

In order to ensure the safety of the individuals, staff and students it may occasionally be necessary either not to admit prospective students or to exclude students with dangerous behaviours from UCOL, or to record the potential risk of this behaviour on the Student Management System.

## Scope

This policy applies to all UCOL campuses.

The behaviours with which this policy is concerned are behaviours at the serious end of the continuum. These include (but are not limited to):

- Physical attacks or threats of violence
- Psychological threats or actions
- Potential for violence discovered from reliable sources
- Verbal abuse or threats of violence
- Self-harming of a serious nature with the potential to affect the person and/or the health and safety of others

## Responsibility

The Crisis Management Team on each campus should be a first point of contact and will help to guide this policy.

Any decision made regarding a student's enrolment, or the issue of a trespass notice, lies with the Chief Executive (or delegate) in consultation, when practicable, with the

appropriate Dean. Whenever practicable the person concerned should be given an opportunity to be heard before the decision is taken by the Chief Executive (or delegate).

(refer to Trespass Procedure)

## **Policy Statements**

UCOL reserves the right to decline to enrol, suspend or cancel the enrolment of a student who displays dangerous or potentially dangerous behaviour.

The authority to do this is established in the Education Act 1989 224(13) when enrolment may be refused, or cancelled, if:

- a) the person is not of good character; or
- b) the person has been guilty of misconduct or a breach of discipline.

Additionally, the Health and Safety in Employment Act 1992 and the Human Rights Act 1993, Section 60(2) applies. If, however, UCOL could enrol that person without unreasonable disruption, and by taking reasonable measures reduce the risk to a normal level, we are obliged to continue with enrolment (60(3)). Because this policy is aimed at behaviour at the extreme level, it is likely to be rarely implemented. Furthermore, whenever practicable, in the opinion of the Chief Executive (or delegate), the individual concerned will have the opportunity to be heard.

## **Relevant Legislation**

- Human Rights Act 1993
- Privacy Act 1993 (Privacy Act 2020 from 1 December 2020)
- Health Information Privacy Code 1994
- Education Act 1989
- Health and Safety in Employment Act 1992 (Health and Safety at Work Act 2015 from 4 April 2016)

## **Related Documentation**

- [Admission Policy](#)
- [Alcohol Policy](#)
- [Student Complaints Policy](#)
- [Student Concerns and Complaints Procedure](#)
- [Drug Free Campus and Substance Abuse Policy](#)
- [Early Warning System Procedure - Dangerous or Potentially Dangerous Behaviours](#)
- [Student Harassment Bullying Management Guidelines](#)
- [Trespass Procedure](#)
- Student Discipline Statute 2016
- Emergency Protection of UCOL Staff, Students and Property Statute (2007)