

Program Support Group Frequently Asked Questions



Practices and Protocols

Do schools have the right to insist that relevant or new information in relation to the safety, health and/or learning needs of the student is provided at the Program Support Group (PSG) meeting?

Schools should request that they are provided with relevant updates or information required for the school to carry out their duty of care obligations. The school enrolment policy will generally stipulate what information is required. In general, the school should be able to indicate that the information is for the school to act in the 'best interests' of the student and allow them to meet their duty of care obligations and make any necessary reasonable adjustments.

Can schools conduct PSG meetings via phone or videoconference?

Yes, this is an option and may suit some families. All practices and protocols for PSG meetings should still be adhered to, including specific online protocols and the recording of minutes.

Can the school or the family create an audio/video recording of the PSG meeting with a phone or other device?

The minutes are the official record of the meeting and as such recording the meeting should not be required. In the unlikely event that the family or school request consent to record the meeting (audio or visual), this should be disclosed at the commencement of the meeting and consent should be obtained from all participants. Consent can be declined by some or all attendees (in which case audio/video recording should not proceed), or specific members of the PSG have the right to leave the meeting. If you suspect that a meeting is being recorded without consent, ask directly and record the response. If necessary, a decision can be made to suspend the meeting until formal advice is obtained.

What do I do if a parent/guardian/carer refuses to sign the minutes or other relevant documentation?

If agreement is not reached on the final copy of the minutes then the school copy should be signed by the school members of the PSG and the parent/guardian/carer's amended copy should be signed by the parent/guardian/carer(s). Both copies should be labelled and stored together in the student file, noting the conjecture.

What is the most effective way to record assessment feedback from a Catholic Education Office speech pathologist or psychologist?

It is best to note significant findings from the assessment feedback report in a brief format. The specifics of the report, including the author and date, should also be recorded.

What should I do if an external professional will not share information with the school?

Document that you have made a request for information to be shared and/or invited the external party to a meeting but the invitation was declined. Inform the parent that the external party has declined the request to share information with the school. Ask the parent if they are able to facilitate access (if appropriate). Schools cannot require that external professionals share information in the absence of written parental consent.

What should I do when a student is old enough to make decisions but the parent/guardian/carer(s) does not agree with the proposal?

The principal or nominee must determine whether or not the student is capable of understanding the issue and therefore has the ability to give consent.

'The Privacy Act does not specify an age after which individuals can make their own privacy decisions... As a general principle, an individual under the age of 18 has capacity to consent when they have sufficient understanding and maturity to understand what is being proposed.'¹ More information can be found in the [NCEC Privacy Compliance Manual](#) under 17.1 'Consent and Young People'.

How can I prepare for a meeting which I believe may be confrontational or challenging?

1. At the outset of the meeting, provide clear expectations in relation to the protocols of the PSG and clarify the roles of PSG members if required.
2. If the conversation becomes challenging, the Chair of the meeting should refocus attention back to the agenda item.
3. Ask questions to check the understandings of each perspective and clarify where necessary.
4. Allow each person a voice and remind members about the PSG meeting protocols – all PSG meetings should be collaborative in decision-making, positive in tone, respectful and aim to ensure all voices are heard.
5. Remain polite and courteous. If the conversation becomes very intense then take a break for five minutes.
6. Attempt to resume the meeting, but if the tone of the meeting is still too difficult, the Chair may call the meeting to an end. Note that the Chair can suspend the meeting at any time due to violent or aggressive language/behaviour.

¹ Catholic Education Commission of Victoria Ltd (CECV) 2020, *National Catholic Education Commission and Independent Schools Council of Australia Privacy Compliance Manual*, CECV, East Melbourne, accessed 30 July 2020, <https://cevn.cecv.catholic.edu.au/Melb/Document-File/Polices-Compliance-and-Legal/Privacy/Privacy-Compliance-Manual.aspx>.

Membership

What do I do if the parent/guardian/carer(s) do not attend the PSG meetings regularly?

Document the parent/guardian/carer(s)' apology (including whether the Chair of PSG was notified of the absence), and continue with the meeting for student programming purposes. Email the minutes of the meeting and any relevant documentation to the parent/guardian/carer(s), requesting confirmation of having received and read the documentation. Provide a hard copy as an alternative. Request a signed copy to be returned to the Chair of the Program Support Group.

If the purpose of the meeting was to share the results of a recently completed assessment, offer to reschedule the meeting. If this is not possible, explore all possible options that will enable the family to have the findings of the assessment shared with them. Try to find alternative methods of communicating with the family, for example via phone call or videoconference. Record all attempts at communication for NCCD purposes.

What do I do if a parent/guardian/carer(s) unexpectedly does not arrive for a PSG meeting and cannot be contacted? Do I proceed with the PSG meeting?

Document that the parent/guardian/carer(s) did not attend the meeting and continue with the meeting for programming purposes. Send the minutes of the meeting and any relevant documentation and request a signed copy be returned to the Chair of the Program Support Group. Send the minutes of the meeting via email, requesting confirmation of having received and read the documentation. Offer to reschedule the meeting if possible. Consider inclusion of this process in the general advice you provide to families about Program Support Group meetings so that the protocol is documented and communicated in advance.

Do I proceed with the PSG meeting if a report from an external consultant is to be tabled and when there has been an apology from the parent or when the parent unexpectedly does not arrive?

Do not proceed with the PSG meeting and reschedule to a suitable time. Explore alternate avenues for the PSG meeting – for example, the parent may be able to attend via teleconference from their workplace. It is important to explore all avenues for sharing the report with parents.

- a) How do we determine official guardianship and which signatures are required?
- b) How do I prepare for a PSG meeting where the student is in out of home care, there is a court order or parenting plan in place?

Schools must seek all relevant information regarding custodial and parenting arrangements and any court documents, noting that court orders are dated and have an expiry. Act in accordance with the documentation and advice stipulated in the parenting orders and/or court orders. Clarify with DHHS where relevant. A parenting plan is a written agreement that is not legally enforceable. A written agreement (or parenting plan) approved by the court is called a 'consent order'. A consent order is approved by a court and legally enforceable. More information can be found at [Victoria Legal Aid](#).

<p>What is the process if separated/divorced parents disagree with the actions?</p>	<p>Generally, schools should not intervene in family issues or custodial matters and should not take sides. Wherever possible, a mutually acceptable position should be sought – in some cases this will require a court decision (e.g. where parents cannot agree on school choice). Where a student is already attending school and the parents are unable to reach an agreement, the principal may suggest a course of action which is based on the best educational interests of the student, but must keep both parents apprised of all decisions. In cases of ongoing conflict, legal advice should be sought prior to taking action.</p>
<p>Are there times when the principal should attend the PSG meeting and not delegate to a nominee?</p>	<p>When there is prior knowledge that the meeting is likely to be challenging, the principal should attend – particularly if there are OH&S concerns.</p>
<p>Is specific consent required if an extended family member/friend of the family attends the meeting instead of the parents?</p>	<p>In this situation, parents need to provide written informed consent to the Chair of the Program Support Group. The principal makes the final decision regarding the attendance of invited guests. Once consent is received, the agenda and all relevant documents can be shared.</p>
<p>Can a parent bring anyone as an advocate to the PSG meeting?</p>	<p>A parent has the right to bring an advocate or support person with them to the PSG meeting as long as the advocate/support person is not being paid a fee. An advocate or support person can't make decisions for the parent, or speak on the parent's behalf. Their role is to provide emotional and other support before, during and after the meeting.</p>

Roles and Responsibilities – Interpreters

Is it appropriate for a sibling to act as an interpreter when parent/guardian/carer(s) are present?

It is not appropriate for a sibling to act as an interpreter.

Schools should engage the services of an interpreter through the following interpretation services: LanguageLoop or All Graduates.

More information can be found in the CECV's [*Guidelines for the use of Interpreting and Translating Services for Catholic Schools in Victoria*](#).

Is it appropriate for a sibling to act as an interpreter when parent/guardian/carer(s) are not present?

Schools should engage the services of an interpreter through the interpretation services (as above).

Can a sibling sign any PSG documentation as a proxy for parents/guardians/carer(s) where English is not their first language?

It is not appropriate for a sibling to sign PSG documentation on behalf of a parent/guardian/carer. In the instance where an interpreter is required, schools should engage the services of an interpreter (as above), thus ensuring the parent/guardian/carer is able to sign the documentation.

Privacy and Confidentiality

What processes and practices should schools adopt if they choose to use third-party online service providers, like Google's G Suite/ROSAE (Record of Student Adjustment Evaluation), to store PSG minutes or other sensitive information?

Schools should explain to the parent/guardian/carer(s) which third-party online service provider/s they are using to store relevant documents. They should explain which documents are stored online, the purpose of this and seek written consent from the parent/guardian/carer(s) to store documents in this way. Written consent should be documented in the signed PSG minutes. The school should also ensure that the storage method used is secure.