

2

REGISTRATION
OPTIONS

FACE TO FACE
OR ONLINE

10TH ANNUAL SCHOOLS LAW AND REGULATORY CONFERENCE

Supporting Students with Disabilities and Special Needs

Identifying And Managing Problematic and Harmful Student Sexual Behaviour

Dealing With Family Law Related Issues Affecting Students

Navigating Personal Information and Data Security

Gender And Sexuality in Schools

Make It Worth the Paper It's Written On: School Enrolment Contracts

Volunteers: The Beating Heart of a School Community

The Practicalities of The Positive Duty Under the Sex Discrimination Act

Teacher Misconduct in the Age of Social Media

Managing Unsatisfactory Teacher Performance

A One-and-a-half-day Conference
Thursday 22 & Friday 23 May 2025

Crown Melbourne or Online

Feedback from last year's conference:

- 👉 The Annual Schools Law and Regulatory Conference is something I look forward to each year. I find it incredibly helpful dealing with the complex matters that come my way. I attended online this year and have decided that my preference is in person, as there are too many disruptions at school, and the networking can also be very helpful.
- 👉 Well organised, well timed, great content, great venue. Well done!
- 👉 Very informative. The talks were about the right length of time and everything was kept on time, including questions to the speakers.
- 👉 The breadth of the sessions and associated materials were extremely rich and will be of great use. The presenters were able to convey the detail and complexity in a manner that was succinct and relevant.



Your Trusted CPD Partner for 50 years

DAY 1: THURSDAY 22 MAY 2025

**CHAIR DAY 1: MURRAY BAIRD,
PRINCIPAL MURRAY BAIRD
ADVISORY AND CONSULTANT
PROLEGIS LAWYERS, MELBOURNE,
VIC.**

MORNING THEME: MANAGING STUDENTS

9.00 - 9.15am

Introduction and welcome

9.15 - 10.00am

Session 1: Inclusive Education: Supporting Students with Disabilities and Special Needs

The Disability Royal Commission shone a light on what needs to happen at a law and policy level to ensure a more inclusive and just society for people with disabilities, including inclusive education. This session will consider the current legal and regulatory landscape as it pertains to the education of students with disabilities and special needs as well as how schools can meet their obligations while navigating the challenges, including:

- Direct vs indirect discrimination in the context of disabilities and special needs, including recent law reform in this area
- What are the rights of students with disabilities, special needs and their parents/care givers?
- What are the obligations of a school to make reasonable adjustments to ensure full participation of all students?
- When does making adjustments for a student constitute unjustifiable hardship?
- Developing and implementing strategies and programs to prevent the harassment or victimisation of students with a disability or with special needs
- Balancing the rights and needs of neurotypical and neurodiverse students

Speaker: Nick Duggal, Partner, Moray & Agnew Lawyers, Melbourne, Vic.

10.00 - 10.10am Panel Comments and Questions

10.10 - 10.55am

Session 2: Identifying And Managing Problematic and Harmful Student Sexual Behaviour

Problematic and harmful peer on peer sexual behaviour is becoming more common within the school environment and can manifest itself in a variety of ways, some of which can be difficult to identify. Recent headlines have shown us that no school is immune. In this session, attendees will gain an understanding of the legal landscape as it relates to problematic or harmful sexual behaviour and will provide best practice guidance on managing these issues within a school setting. It covers:

- What constitutes problematic or harmful sexual behaviour?
- Legal obligations to identify, respond and report problematic or harmful sexual behaviour
- Obligations of staff if they form a suspicion of problematic or harmful sexual behaviour
- What constitutes reasonable steps to protect a student from problematic or harmful sexual behaviour by a peer?
- Requirements for documenting incidents, disclosures and allegations of problematic or harmful sexual behaviour
- Consequences of not reporting problematic or harmful sexual behaviour
- Lessons from recent examples

Speaker: Mathisha Panagoda, Partner, Colin Biggers & Paisley, Sydney, NSW

10.55 - 11.05am Panel Comments and Questions

11.05 - 11.30am Networking Break and Morning Tea

DAY 1: THURSDAY 22 MAY 2025

11.30am - 12.15pm

Session 3: Two Homes, One School: Dealing with Family Law Related Issues Affecting Students

Separation and divorce affect a significant number of students in any school community and must be handled with respect and discretion. This session will examine various types of family law issues that schools may be required to deal with, including:

- Issues and risks arising from informal/undocumented arrangements between parents
- Understanding parenting plans and court orders
- The practicalities of managing parental orders and their impact on educator responsibilities
- Implementing relevant policies and procedures to manage family law issues related to students and parents
- Ensuring the effective management of separated or divorced families in the school environment
- Reporting obligations where allegations of domestic violence are made by a student or a parent/care giver of a student
- Engaging with independent children's lawyers with respect to determining a child's best interests in the school context

Speaker: Eustacia Yates, Special Counsel, Vocare Law, Queensland

12.15 - 12.25pm Panel Comments and Questions

12.25pm - 1.25pm Luncheon

AFTERNOON THEME: COMPLIANCE RISKS AND CHALLENGES

1.25 - 2.10pm

Session 4: Ransom Risks and Data Defences: Safeguarding Schools from Cyber Threats

Private schools are increasingly being targeted by cybercriminals who threaten to publish sensitive student and parent data unless ransoms are paid. As the Australian Signals Directorate recently warned, Australian education providers are now prime targets for extortion, underscoring the urgent need for schools to strengthen their cyber defences. This session equips schools with the tools and strategies necessary to combat these growing threats and protect their communities from devastating breaches. This session covers:

- Quishing, vishing and AI scams – the new cybercriminal techniques being adopted and how to spot them
- Integrating new technologies while maintaining privacy
- Strategies to prevent and mitigate cyber-attacks
- The anatomy of a good privacy policy
- Does a school's duty of care extend to avoiding acts or omissions that could cause harm to the privacy of staff and students?
- The application of privacy requirements to contracted third-party service providers
- Responding effectively to data breaches and maintaining trust

Speaker: John Hamilton, Principal, McInnes Wilson Lawyers, Brisbane, Qld

2.10 - 2.20pm Panel Comments and Questions

DAY 1: THURSDAY 22 MAY 2025

2.20 - 3.05pm

Session 5: Gender And Sexuality in Schools: A Delicate Balancing Act

With growing societal debates around gender identity, sexuality, and their place in education, schools with traditional views on gender and sexuality face unique challenges. This session offers a comprehensive look at how current laws and policies intersect with gender and sexuality in schools, focusing on practical implications for students, staff, and policies. It covers:

- The current legal landscape: Navigating the application and inconsistencies of federal and state/territory discrimination laws, including gender identity
- Different treatment considerations: Rights of prospective and current students, and staff in schools with traditional views on gender
- The evolving landscape: Transgender students, policies around transitioning, and balancing rights
- The law as it stands in various states and territories
- Insights from the ALRC recommendations and their broader implications
- Preparing for the future: What schools need to consider as policies and societal views evolve

Speaker: David Ford, Partner, Carroll & O'Dea Lawyers, Sydney, NSW

3.05 - 3.15pm Panel Comments and Questions

3.15pm - 3.35pm Networking Break & Afternoon Tea

3.35 - 4.20pm

Session 6: Make It Worth the Paper It's Written On: School Enrolment Contracts

School enrolment contracts underpin the relationship between school, student and their parents/care giver. With rising school fees and an increase in unpaid debts, these contracts are more crucial than ever—not just as legal documents, but as tools to help manage financial obligations. In this session, we will cover the key elements of school enrolment contracts and how they can be leveraged to recover unpaid fees, including:

- Does the parent/care giver have the legal capacity to enter into the enrolment contract?
- Identifying the correct contracting parties to the contract of enrolment.
- When might a contract be unenforceable?
- Is a school enrolment contract a consumer contract?
- The implications of the new unfair contracts regime under the Australian Consumer Law
- Strategies for using enrolment contracts to outline intervention processes and secure unpaid school fees
- Legal approaches to debt recovery and how to prevent escalating financial issues

Speaker: Alistair Macpherson, Managing Director, Corney & Lind Lawyers, Brisbane, Qld

4.20 - 4.30pm Panel Comments and Questions

DAY 2: FRIDAY 23 MAY 2025

CHAIR DAY 2: REBECCA LAMBERT-SMITH, PRACTICE LEADER, MOORES, MELBOURNE, VIC

THEME: MANAGING PEOPLE AND PERFORMANCE

9.00 - 9.05am

Introduction and welcome

9.05 - 9.50am

Session 7: Volunteers: The Beating Heart of a School Community

Volunteers are integral to the continued success of every school community. However, schools can face a range of issues in relation to the safety of volunteers and those children and adults that their volunteers interact with. This session will provide practical guidance for schools when interacting with volunteers, including:

- An overview of the law of negligence in the context of volunteers
- The application of civil liability legislation
- Vicariously liability and proportionate liability for the acts of volunteers
- Best practice guidance on the induction and training for volunteers, along with supervision and support of volunteers
- Indemnity agreements and avoiding legal responsibility for the actions of volunteers

Speaker: Sonya Parsons, Partner - NFPs, Human Rights & Social Impact, Mills Oakley, Sydney, NSW

9.50 - 10.00am Panel Comments and Questions

10.00 - 10.45am

Session 8: Proactive and Meaningful Action: The Practicalities of the Positive Duty Under the Sex Discrimination Act

Organisations and businesses now have a legal obligation to take proactive and meaningful action to prevent unlawful conduct from occurring in the workplace or in connection to work. In this session, we will breakdown exactly what this means for schools, including:

- An overview of the positive duty mandated by s 28B of the Sex Discrimination Act
- Forms of unlawful conduct covered by s 28B
- Section 28B as a complement to work health and safety legislation
- How can schools meet the requirements of the positive duty?
- The importance of policy development, risk assessment and staff training in implementing measures to prevent sexual harassment in schools
- Best practice guidance in investigating and actioning incidents of sexual harassment in schools

Speaker: Jennifer Parkes, Partner, Hicksons Lawyers, Newcastle, NSW

10.45 - 10.55am Panel Comments and Questions

10.55 - 11.15am Networking Break and Morning Tea

DAY 2: FRIDAY 23 MAY 2025

11.15 - 12.00pm

Session 9: Don't Stand so Close to me: Teacher Misconduct in the Age of Social Media

Recent news coverage has highlighted that training and compliance will not always be effective in preventing teachers from crossing professional boundaries with students in terms of misconduct. In this session, attendees will explore:

- The role of the teacher: special category of employment and obligations of fidelity, loyalty and trust
- What constitutes misconduct? Sexual misconduct, misuse of social media and inappropriate communications with students
- In what scenarios might misconduct occur?
- Formal reporting or school yard whispers: identifying and investigating misconduct
- Strategies for identifying, investigating and resolving misconduct.
- In what circumstances might misconduct warrant termination of employment?

Speaker: Belinda Winter, Partner, Cooper Grace Ward Lawyers, Brisbane, Qld

12.00pm - 12.10pm Panel Comments and Questions

12.10 - 12.55pm

Session 10: Pass or Fail? Managing Unsatisfactory Teacher Performance

Teaching is a highly demanding profession, with the performance of teachers continually monitored by senior colleagues and parents alike. This session will look at issues of underperformance of teachers and how it can be addressed appropriately for the benefit of the wider school community.

- What constitutes unsatisfactory performance in a school environment?
- Effective strategies for addressing performance issues early and constructively
- When does unsatisfactory performance trigger formal performance management?
- Managing underperformance due to illness or personal circumstances
- Legal obligations when assessing factors contributing to underperformance
- Ensuring fairness and natural justice
- Practical steps to support teacher improvement while maintaining school standards
- What to do when performance doesn't improve

Speaker: Elizabeth Aitken, Partner - National Head of Workplace Relations & Safety, SLF Lawyers, Melbourne, Vic.

12.55 - 1.05pm Panel Comments and Questions

1.05pm Conference Close

GENERAL INFORMATION

Conference Registration Fee

The registration fee includes attendance at the conference and conference papers. Refreshment breaks on both conference days and lunch on day 1 are included for delegates attending the face to face event.

Conference Papers

TEN will not provide printed copies of the conference papers or Powerpoints. Access to the papers & Powerpoints will be available online to all delegates in the lead-up to the conference (as they become available).

CPD

Lawyers: 9 CPD units (substantive law).

CPD Certificate

All delegates attending the conference will receive a CPD Certificate confirming attendance.

The Conference Venue

Crown Towers Melbourne

8 Whiteman Street, Southbank

Discount Delegate Accommodation at Crown

Crown is offering **10% to 15% discount** for conference delegates. You can book directly using the Crown Direct website.

<https://www.crownhotels.com.au/crown-direct/login>

Travelling to the Conference Venue

Delegates are advised to make their own travel arrangements.

Conference Dress

Smart casual attire is suitable (note: the temperature in the conference rooms can vary depending on where you are sitting. Short sleeves/summer tops are generally OK, but it is advisable that you bring a jacket/long sleeved top just in case you need it)

TERMS AND CONDITIONS

1. In these terms,
 - a. "TEN" means Television Education Network Pty Ltd
 - b. "you" means the person who has registered to attend or the person or persons who attend[s] the conference (if different from the person registered)
 - c. "conference" means the live face to face or live or recorded online educational event or which you have registered (by whatever name called and includes conferences, masterclasses, webinars and webinar series).
 - d. "live conference" means a conference other than a recorded conference.
 - e. "recorded conference" means a recording of a presentation or a series of presentations which you can view at a time of your choosing
 - f. "online" in relation to a conference means a conference you attend by viewing the conference over the Internet
 - g. "face to face" in relation to a conference means a conference held in an external venue where you view the conference in the conference room

General – all conferences

2. TEN may change the program for a live conference as described in the brochure you have downloaded or in the TEN website without notice to you in any manner and at any time.
3. The information and opinions of presenters at the conference are not necessarily those of TEN and are in the nature of general information and not professional advice and you rely on these at their own risk. TEN is not responsible for the accuracy of the information or the correctness of the opinions offered by presenters at the conference.
4. TEN is not responsible for any financial or other losses incurred by you or for injury or damage to persons or property which occur at or in connection with the conference.

Copyright

5. The copyright in materials prepared by presenters at a conference and made available to you by TEN is and remains the property of each presenter.
6. You are entitled to use those materials for private study and research only.
7. The copyright in the live stream and in any recording of a conference offered online is the property of TEN.
8. You are entitled to watch a conference for private study and research only.

Conference cancellation by TEN – all conferences

12. TEN reserves the right to cancel a conference for any reason.
13. If TEN cancels the conference, you will be entitled either to a refund of the registration fee you have paid or to a credit equal to that fee which you can use to purchase another TEN product within 12 months of the first day of the cancelled conference.

Cancellation by You – all conferences

14. Refunds for registration cancellation by you other than under Clause 6(b):
 - a. If notice of cancellation is actually received by TEN more than 10 days before the first day on which the conference is to be held, 85% of the registration fee you have paid
 - b. Otherwise, no refund.

Governing Law – all conferences

15. The agreement between TEN and you is governed by the laws in force in the State of Victoria and the courts and tribunals of that State have sole jurisdiction to determine disputes arising in relation to it.

