***Quick guide:*** [***Managing inappropriate and hostile conduct procedure***](https://ppr.mpe.qed.qld.gov.au/pp/managing-inappropriate-and-hostile-conduct-procedure)

[***Education (General Provisions) Act 2006***](https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2006-039) ***(the Act)***

|  | Type of direction/order | Duration | Issued by | Conduct or circumstances necessitating direction/order | Essential information |
| --- | --- | --- | --- | --- | --- |
| **Section 337** | **Written direction** about conduct or movement  Note: this direction cannot be used to prohibit entry to school premises. | Up to  30 days\*  (\*calendar days, NOT school days) | Principal | Direction can be given if reasonably satisfied it is necessary to:   * ensure the safety or wellbeing or other persons lawfully at the school premises * prevent or minimise damage to the premises or property at the premises * maintain good order and proper management at the premises. | Follow Section 337 – Direction letter template - about conduct or movement (up to 30 days)  The written direction must state:   * the terms of the direction   + the ground/s for the direction,   + the facts and circumstances forming the basis for the ground/s (including dates and times and a verbatim account of any insults or foul language used)   + the time the direction is to remain in force (up to 30 days)   + review options available to the person, including timeframes and processes for requesting a review.   Records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) under School Management>Hostile Person.  Issuer must complete and file in OneSchool Section 337 and Section 340 – Record of giving form[[1]](#footnote-1).  ***Review provision***  Reviewable under s338 of the Act with the person required to submit an application within 7 days (or if the direction is for less than 7 days, before the direction ends) and the Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) making a decision within 5 business days. |
| **Section 339** | **Verbal direction** to immediately leave and not re-enter school premises | 24 hours | Principal | Direction can be given if there is a reasonable suspicion the person has, or is about to:   * commit an offence at the premises * use threatening, abusive or insulting language * engage in threatening or violent behaviour; or * disrupt good order at the premises * or does not have a good and lawful reason to be at the premises | Follow Section 339 – Script for giving oral direction – leave and not re-enter (24 hours)  The oral direction must include:   * + the terms of the direction   + the ground/s for the direction and   + the time during which the person may not re-enter the premises (which must not exceed 24 hours).   Records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) under School Management>Hostile Person.  Issuer must complete and file in OneSchool Section 339 - Record of giving form  Not reviewable. |
| **Section 340** | **Written direction** prohibiting entry to school premises  Note: this direction may be used when a s337 or s339 direction is insufficient e.g., less serious directions have been breached, there have been multiple less serious directions, or the conduct merits immediate, serious consequences. | Up to  60 days\* | Principal | Direction can be given if reasonably satisfied that, unless the direction is given, the person is likely to:   * + cause physical harm, or apprehension or fear of physical harm, to another person when the other person is at the premises   + damage the premises or property at the premises; or   + disrupt the good order or management of the institution. | Follow Section 340 – Direction letter template – prohibition (up to 60 days)  The written direction must state:   * + the terms of the direction   + the ground/s for the direction   + the facts and circumstances forming the basis for the ground/s (including dates and times and a verbatim account of any insults or foul language used)   + the time the direction is to remain in force (up to 60 days)   + review options available to the person, including timeframes and processes for requesting a review.   Records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) as a Hostile person.  Issuer must complete and file in OneSchool the Section 337, s340 and s341 - Record of giving1 form.  ***Review provision***  Reviewable under sections 390-392 of the Act if the person submits a written application within 30 school days (can be extended) and the Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) making a review decision within 40 school days of receiving an application for review. |
| **Sections 340 - 340A** | **Written direction** prohibiting entry to school premises  **Note:** *this direction would be used if it would not be appropriate for the principal to give a s340 direction (e.g., due to breach of natural justice, perception of bias, or principal is unable to act impartially or dispassionately in the circumstance).* | Up to  60 days\* | Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) | Principal may refer to Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) if they reasonably believe it would be appropriate for Director-General (or delegate) to exercise the power to give a person a written direction under s340.  Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) may exercise the power in s340 if they reasonably believe it would be appropriate for them to do so.  As for s340 (above) | Principal: Completes Sections 340 and 340A and Section 341 – Principal letter to Regional Director requesting a direction providing:   * + the facts and circumstances forming the basis for the ground/s (including dates and times and a verbatim account of any insults or foul language used)   + all documents relevant to the request (including witness statements).   Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)): Follow Sections 340 - 340A – Direction letter template (up to 60 days)  States the same information as a s340 (see above)  Records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) under School Management>Hostile Person.  Issuer must complete and file in OneSchool the Section 337, s340 and s341 - Record of giving1 form. |
| **Section 341** | **Written direction** prohibiting entry to school premises  **Note:** *this direction may be appropriate when there have been repeated breaches of a s337 or a breach of a s340, or actual or threatened serious violence towards a staff member, student or other person.* | More than 60-days\* but not more than 1-year | Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) | As for s340 (above). | Principal: Completes Sections 340 and 340A and Section 341 – Principal letter to Regional Director requesting a direction  and  Requester: Completes Section 341 - Briefing note to Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)), stating:   * the direction being sought and the reason for seeking it * facts and circumstances forming the basis of the request (including dates and times and a verbatim account of any insults or foul language used and any history of behaviour or prior directions or orders given to the person); and * any other information or material relevant to the decision.   Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)): If the direction is to be given, it must be provided in writing using the Section 341 – Direction letter template and include:   * + the terms of the direction, including the time the direction will remain in force and implications for the person   + the ground/s for the proposed direction   + the facts and circumstances provided by the Requester (as above) in forming the basis of the ground/s for the proposed direction (including dates and times and a verbatim account of any insults or foul language used)   + how the person can make an application to QCAT for a review of the final decision.   Records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) under School Management>Hostile Person.  ***Review provision***  Reviewable under s397 of the Act by application to QCAT for external review. |
| **Section 352 or 353** | **Order** prohibiting entry to all state schools and non-state schools (s352 of the Act) or all state schools (s353 of the Act)  **Note:** *this direction may be appropriate when there have been repeated breaches of a s337 or s340 directions, or actual or threatened serious violence towards a staff member or student at one or more state or non-state schools.* | Up to 1-year | QCAT, on application from Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)) | QCAT may make the order if satisfied, on the balance of probabilities, that:   * + the person poses an unacceptable risk to the safety or wellbeing of members of school communities in general (s352)   + the person poses an unacceptable risk to the safety or wellbeing of members of school communities of the institutions in general (s353). | Director-General (or [delegate](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf)): Follow the [Application for prohibition on entering premises of instructional institutions](https://www.qcat.qld.gov.au/__data/assets/pdf_file/0004/101002/form-19-app-prohibition-entering-premises-institutions.pdf), file it with QCAT, and arrange service of the documents on the person against whom the order is sought.  If order is made by QCAT, records must be entered into [OneSchool](https://oneschoolhelp.eq.edu.au/school-management/hostile-persons) under School Management>Hostile Person. |

1. \*calendar days, NOT school days

   Direction may be given by:

   * + handing it to the person concerned
     + sending it to the person’s home address as recorded on school records by registered post as it provides evidence the physical documents have been received. Please note that posting the direction can delay its effectiveness; or
     + where appropriate, engaging the Queensland Police Service or a process server to serve the direction documents on the person (ensure that the police or process server complete an affidavit of service concerning delivery of the documents).

   [↑](#footnote-ref-1)