

the**education**show
the official exhibition of the National Education Summit

Legal & Risk Management Frameworks 2018

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 NATIONAL
EDUCATION
SUMMIT

 **Legal & Risk
Management**
Frameworks

Friday 31 August 2018

Melbourne Convention
& Exhibition Centre



Hear valuable advice on how to manage risks and legal issues in an educational setting

This event has now concluded. The 2019 Conference program will be announced in mid November 2018.

This one day conference tailored to Principals and School Leaders will cover 5 key issues including managing staff, managing legal risks, sexting in schools, governance issues for school boards and

The Education Show

councils and Intellectual Property presented by lawyers from Piper Alderman.

Early Bird* Registration – \$260; Full Registration – \$295* Early Bird price ends on Friday 27 April 2018

Group bookings are available & all prices are inclusive of gst.

Catering includes: Arrival, Morning Tea and Lunch



BOOK NOW

<http://nationaleducationsummit.com.au/legal-risk-management-frameworks/> 

PROGRAM

Registration – 8:00am – 8:20am

Welcome & Introduction – 8:20am – 8:30am

Session 1: Performance managing and dismissing Teachers in schools

8:30am - 9am

Speaker: David Ey

Partner, Piper Alderman

Session Overview

Principals and other school leaders often feel unsure about how to deal with teacher underperformance, as distinct from misconduct. They think that underperformance is hard to prove and they fear the legal consequences of dismissing an unsatisfactory teacher. The result in many cases is that nothing is done and the problem persists. This session aims to inform school leaders about how to navigate the legal risks associated with addressing underperformance, including to the point of a dismissal where necessary. Cases decided by industrial tribunals will be examined, to give participants an understanding of when a performance-related dismissal is likely to be held to be fair or unfair..



Session 2: Identifying Legal Risk in Schools – When is it time to seek advice?

9:30am - 10:30am

**Speaker: Jane Kupsch
Partner, Piper Alderman**



Session Overview

Schools are dynamic environments in which the interests, rights, obligations and responsibilities of various individuals and groups co-exist. Those individuals and groups include the student body, teaching staff, school leaders, administrators, governing bodies, parent groups and volunteers. Occasionally, an event that poses legal risk to some or all of those groups arises.

This session will explore, with practical examples, how schools identify and manage potential legal risks and what should be done when a potential risk materialises into threatened or actual, legal proceedings.

Morning Tea 10:30am - 10:45am

Session 3: Sexting in Schools

10:45am - 12:00pm

Speaker: Chris Hartigan

Principal, Piper Alderman

Session Overview

Chris Hartigan is an employment lawyer who was formerly a high school teacher in Victoria and Queensland. Chris has advised schools and university colleges in relation to the impact of criminal law on student misbehaviour. He will address the legal issues that arise from sexting by school students. He will do so by reference to Victorian context and will review



Session 4: Governance issues for school boards & councils

12:00pm - 1:00pm

**Speaker: Simon Venus
Partner, Piper Alderman**



Session Overview

Schools are large and small, they have different legal forms, can be denominational or not, and operate within government and non- government frameworks. Irrespective of the structure or nature of a school, there are some important and common underlying themes and duties for governing bodies. However, there is no “cookie cutter” model for governance; the individual approach of a particular governing body should be sympathetic to the size and nature of the school over which it has stewardship. This session will look at the key sources of governance for school governing bodies, as well as statutory and other duties and through a series of case studies, tease out some governance issues which have presented boards and their chairs.

Lunch - 1:00pm - 2:00pm

Session 5: Top 5 Legal Issues in Procurement of IT Services

2:00pm - 3:00pm

Speaker: Tim Clark

Partner, Piper Alderman



Session overview

Tim has experience acting in relation to intellectual property and information technology matters for schools, tertiary institutions, education service providers and IT service providers to the education sector. In this session, Tim will take a practical look at the following top 5 legal issues in procuring IT services for schools:

- (1) ensuring that ownership of intellectual property is dealt with in an appropriate manner;
- (2) making sure you clearly specify what it is that you are going to get (including using a tendering process);
- (3) ensuring there is clarity around pricing (including allowing for future growth);
- (4) ensuring that there are clear and appropriate service levels and
- (5) ensuring that providers are part of the solution (and not the problem) in dealing with privacy and data security issues.

Session 6: Panel Discussion – Q&A – What would you do?

3:00pm - 4:30pm

Chair: David Ey

Partner, Piper Alderman

Session Overview

A panel discussion of a hypothetical case study touching on disputes, duty of care, child safety, social media & defamation and termination of enrollment.



Panel: Jane Kupsch, Tim Clark, Simon Venus & Chris Hartigan

