



**TRINITY
GRAMMAR
SCHOOL, KEW**

11 April 2018

Dear Trinity Grammar School Community,

Last night Trinity Grammar received the findings and recommendations of an independent review into the dismissal of Deputy Headmaster, Rohan Brown. Mr Finkelstein and Ms Enbom will provide a full report into their investigation in the coming days.

The major finding was that Mr Brown's dismissal was not justified for the reason that:

- While Mr Brown breached the School's Code of Conduct, and this may have constituted serious misconduct justifying dismissal, the Headmaster, Dr Michael Davies, who had the right to dismiss, had chosen weeks earlier not to end Mr Brown's contract; and
- School Council, who dismissed Mr Brown following a Code of Conduct hearing, did not actually have the requisite authority to do so.

The five recommendations from the concluded review by Raymond Finkelstein AO QC and Renee Enbom are:

1. *That School Council record in its minutes that it will not remove from the Headmaster the ability to dismiss teaching staff with the Headmaster being best placed to make staffing decisions (this relates to the council's decision to intervene and dismiss Mr Brown based on an understanding on the matter in March)*
2. *That discussions should take place with Mr Brown to determine whether he wishes to resume his employment at the school, and if he does, the circumstances of his return*
3. *That assuming Mr Brown resumes his position, the Headmaster should write to Mr Brown advising -*
 - *he should never in any circumstances cut a student's hair,*
 - *how the school's personal appearance policy should be enforced, for example, by sending a student home, and*
 - *any breach of the instructions may result in summary dismissal*
4. *That the school should send a notice to parents setting out the manner in which the school will deal with students who do not conform with the personal appearance policy*
5. *That it would not be proper for the Headmaster to revise Mr Brown's duties, without consent, until the end of his five-year term as Deputy Headmaster and Head of Senior School.*

Before the independent review began, School Council promised to accept the findings and implement its recommendations. As a result, I have today, on behalf of School Council, called Rohan Brown to apologise for our decision in March and the School has offered Rohan a return as Deputy Headmaster, Head of Senior School, effective Monday 16 April.

TRINITY GRAMMAR SCHOOL, KEW

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School Council hopes Rohan will accept the offer to return and begin work with Headmaster Michael Davies as he leads our fine school into the future.

I would also like to extend sincere apologies on behalf of Council to the wider Trinity community. I understand that the original decision created concern for many.

The decision itself was not taken lightly at the time. It was based on an understanding of matters, which are now known to be different. That said, we accept full responsibility for making a decision that has ultimately been determined as wrong by eminent, qualified and independent examiners.

Events that followed the decision are regrettable, with the school attracting unprecedented negative attention.

School Council is sorry for its part in this and we hope other members of our school community can now come together in unity and move forward with appropriate care and respect.

Together, we have much work to do. A deep and wide consultation and engagement program needs to continue and the review into the school's governance and constitution is a sound and sensible process to undertake.

As you may be aware, School Council has initiated its transition plan, which will see current council members move off council and new people nominate for appointment. May I remind you that applications for School Council close on 27 April and appointments of new directors are expected to be announced by 31 May. More information is available on the website.

Details of the school's consultation and engagement program and governance review are available on the website.

Next week, Trinity Grammar's teachers and students return to the school with great opportunity ahead. That opportunity is to put the events of Term 1 behind us, stand tall and move forward together as we re-focus on our school mission, which is to grow exceptional young men who are empowered to contribute to the global community with courage, humility and integrity.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robert Utter', written in a cursive style.

Robert Utter
Chairman of Council