POLICY: DUTY OF CARE POLICY

Help for non-English speakers
If you need help to understand this policy, please contact the office on 9702 2022.

PURPOSE:

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff owe to our students and members of the school community who visit and use the school premises.

"Duty of care" is a legal obligation that requires schools to take reasonable steps to reduce the risk of foreseeable harm, which can include personal injury (physical or psychological) or damage to property. The reasonable steps that our school may decide to take in response to a potential risk or hazard will depend on the circumstances of the risk.

AIMS:

The duty requires principals and teachers to take all reasonable steps to reduce risk, including:

- provision of suitable and safe premises
- provision of an adequate system of supervision
- implementation of strategies to prevent bullying
- ensuring that medical assistance is provided to a sick or injured student

The duty is non-delegable, meaning that it cannot be assigned to another party. The important issue in all cases will be what precautions the school could be expected to have taken to prevent the injury from occurring.

This will involve consideration of the following factors:

- the probability that the harm would occur if care were not taken
- the seriousness of the harm
- the burden of taking precautions to avoid the risk of harm
- the social utility of the activity that creates the risk of harm

IMPLEMENTATION:

Our school has developed policies to manage common risks in the school environment, including:

- Yard Duty and Supervision
- Bullying Prevention
- Camps
- Excursions
- First Aid
- Child Safe Standards
- Volunteers
- Visitors
- Working with Children Checks
- Child Safety Responding and Reporting Obligations and Procedure (Mandatory Reporting)
- Occupational Health and Safety

Our school has developed procedures to manage common risks in the school environment, including:

- Yard duty timetable- The school grounds are supervised by school staff from 8:45 until 3:35. Outside of these hours, school staff will not be available to supervise students. During these times three staff are on duty, one at the side gate opening to Bemersyde Walkway, one at the back gate on Neilian Retreat and the other staff member supervising the gate at the front of the school. Teachers are allocated on duty at recess from10:40am to 11:00am and lunchtime: 12:55pm to 1:40pm.
- Tree Maintenance /Audit
- Grounds Maintenance
- OH&S checks/audits

Our school acknowledges we are required to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision, or authority of the organisation.

Staff at our school understand that school activities involve different levels of risk, and that particular care may need to be taken to support younger students or students with additional needs. Our school also understands that it is responsible for ensuring that the school premises are kept in good repair and will take reasonable steps to reduce the risk of members of our community suffering injury or damage because of the state of the premises.

CLASSROOM SUPERVISION:

- Students are not to be left unsupervised in the classroom or in specialist areas (this includes before and after school, lunchtimes, and recess breaks)
- Students are not to be left in the care of parents or trainee teachers
- Students are not to be left in the care of external education providers, for example, incursion staff, guest speakers
- In an emergency, a staff member is to use the phone to contact the principal or assistant principal and /or contact the teacher in the next room
- A student is not to be left unsupervised outside a classroom as a withdrawal consequence. Withdrawal is to be conducted as per the Code of Conduct by sending the students to a colleague's classroom, or the principal or assistant principal. The teacher, principal or assistant principal is to be contacted first to alert them that the student is on the way or to have the student collected

MOVEMENT OF STUDENTS:

- Students are to be supervised when making their way to and from a specialist session
- Students are to attend the toilet in pairs
- Monitors outside during class time will operate in pairs

YARD SUPERVISION:

- Teachers rostered for duty are to attend the designated area at the time indicated on the roster
- Teachers on duty are to remain in the designated area until the bell signals the end of the break or until replaced by the relieving teacher, whichever is applicable. Where a teacher does not arrive for duty, the teacher currently on duty should send a message to the office, but not leave the designated area until replaced
- No permanent changes to the yard duty roster are to be made without the approval of the Daily Organiser

- If a teacher rostered for duty will be absent due to an excursion, or a change of staff is required, it is the teacher's responsibility to write the change on the staffroom whiteboard and inform the Daily Organiser
- Be alert and vigilant; intervene immediately if potentially dangerous behaviour is observed – enforce playground behaviour expectations and consequences regarding the Code of Conduct. If a teacher requires assistance, send a message to the office

EXCURSIONS AND CAMPS:

- Students are to be counted on and off transport and at other times on a regular basis whilst on excursion or camp activities
- Teachers will have all confidential medical and permission forms with contact details.
- Teachers will carry the required medication
- Teachers will carry mobile contacts known to the school and a first aid kit
- The teacher in charge will inform the principal of the updated arrival time, if returning after school hours
- When crossing roads students are to use designated crossing points. A staff member is to walk into the middle of the crossing to ensure visibility and orderly crossing. Other staff/parents control the flow of students across the road
- All staff are to follow the DoE guidelines when organising an excursion, camp, or incursion

COMMUNITY OBLIGATIONS:

School staff, parents, carers, and students are encouraged to speak to the principal to raise any concerns about risks or hazards at our school, or our duty of care obligations

EXTERNAL PROVIDERS:

Staff at our school acknowledge that, as our duty of care is non-delegable, we are also required to take reasonable steps to reduce the risk of reasonably foreseeable harm when external providers have been engaged to plan for or conduct an activity involving our students. Our Visitors Policy, Camping and Excursion policies include information on the safety and care of our students when engaged with external providers.

COMMUNICATON:

This policy will be communicated to our school community in the following ways:

- Available publicly on school website
- Placed in the newsletter
- Discussed at staff meetings as required
- Included in staff induction processes

POLICY REVIEW AND APPROVAL

Policy last reviewed	13/5/2025
Consultation	Consultation with Brentwood Park School Council
Approved by	James Bell, principal and school council
Next scheduled review date	May 2029