

COLAC SECONDARY COLLEGE

DUTY OF CARE POLICY

Policy Statement

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

Colac Secondary College has a responsibility to identify known and foreseeable risks to students and to take reasonable steps to minimise these risks and to support students in their care. At Colac Secondary College we support the rights of all members of the school community to be provided with, and engage in a safe, inclusive and supportive learning environment.

Purpose

To ensure that all staff at Colac Secondary College comply with supervision of student requirements (as outlined in the Victorian Government Schools Reference Guide (6.16.1.1 - Specific duty of care).

In addition to their professional obligations, principals and teachers have a legal duty to take reasonable steps to protect students in their charge from risks of injury that are reasonably foreseeable. Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involve:

- Providing adequate supervision in the school or on school activities.
- Providing safe and suitable buildings, grounds and equipment.

The teacher's duty is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student, while the ordinary citizen may choose to do nothing in a similar situation.

Policy

"Duty of care" is a legal obligation that requires schools to take reasonable steps to reduce the risk of reasonably 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.

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

- Yard duty and Supervision - Bullying Prevention
- Camps and Excursions - First Aid
- Tree / Grounds Maintenance - Child Safe Standards
- Emergency Management - Volunteers / Visitors
- Working with Children and Suitability Checks - Mandatory Reporting
- Occupational Health and Safety
- External Providers (including RTOS delivering VET/VCAL)

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.

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.

Guidelines

- Colac Secondary College has developed procedures for the communication of duty of care responsibilities of staff for students.
- All staff will be informed of their duty of care responsibilities via staff handbook and meetings.
- The Induction Process for new staff will include communication of duty of care responsibilities.
- The principal or nominee will highlight duty of care responsibilities in detail at one staff meeting per semester.
- All staff must refer to two important documents during the staff meeting each semester.
 - The Victorian Government Schools Reference Guide (6.16.1.1 - Specific duty of care)
 - Ministerial Order Number 199 Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct) Order 2009 (Order 199) (PDF - 462Kb)

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* and *Camps and Excursions Policy* include information on the safety and care of our students when engaged with external providers. Our school also takes steps to ensure student safety when they are engaging in off-site workplace learning programs with external providers, such as when students are participating in work experience, school-based apprenticeships and traineeships, structured workplace learning and any other workplace learning program involving external providers. Our School will follow all applicable Department of Education and Training policy and guidelines in relation to off-site learning and will ensure that the safety and welfare of the students engaging in these activities is paramount. The Department's guidelines in relation to Workplace Learning are available at the following link: <https://www.education.vic.gov.au/school/principals/spag/curriculum/pages/workplace.aspx>

EVALUATION

This policy will be reviewed every three to four years or more frequently if necessary due to changes in regulations or circumstances.

Council Approval date	June 2021
Review date	2024
DET/VRQA required	Yes