

# Duty of Care

## 1. Purpose

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

## 2. Guiding Principles

- 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, providing effective anti-bully strategies, and ensuring appropriate and timely medical assistance is provided to injured or sick students.
- A teacher's duty of care is not confined to the geographic area of the school, or to school activities, or to activities occurring outside the school where a student is acting on a teacher's instructions. The duty also applies to situations both before and after school where a teacher can be deemed to have 'assumed' the teacher pupil relationship.
- 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.

## 3. Implementation

"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
- Child Safe Standards
- Emergency Management
- Visitors Policy
- Volunteers Policy
- Working with Children and Suitability Checks
- Mandatory Reporting
- Occupational Health and Safety

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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* 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>

#### **4. Evaluation and Review**

3 to 4 years

#### **5. References**

School Policy and Advisory Guide: [Workplace Learning](#)

[Yard Duty and Supervision Policy](#)

[Bullying Prevention Policy](#)

[Camps and Excursions Policy](#)

[First Aid Policy](#)

[Child Safe Policy](#)

[Emergency Management Plan](#)

[Mandatory Reporting](#)

[Occupational Health and Safety](#)

[Volunteers Policy](#)

[Visitors Policy](#)

<b>Date Reviewed</b>	April 2021
<b>Author</b>	Principal
<b>Approval required</b>	No
<b>Consultation required</b>	No
<b>School Council approved</b>	NA
<b>School Council noted</b>	April 2021
<b>Mandatory</b>	Yes
<b>VQRA</b>	Yes
<b>Responsible for Review</b>	Principal
<b>Review Date</b>	April 2025
<b>Published</b>	Website/Internal Circulation