

Sacred Heart College



Yarrowonga

PC 29.0

Student Duty of Care Policy

Ratified by Leadership	Oct 2019
Responsibility for currency	Principal
Year for next major review	2022
Record of revisions	

RATIONALE

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

COMMITMENT TO CHILD SAFETY

All students enrolled, and any child visiting, have the right to feel safe and to be safe. The wellbeing of children in our care will always be our first priority and we have zero tolerance to child abuse. We aim to create a child safe and child friendly environment where children feel safe and are free to enjoy life to the full without any concern for their safety.

INCLUSIVE EDUCATION

Sacred Heart College:

- Is committed to ensuring that students with disabilities are not discriminated against and are accommodated to participate in education on the same basis as their peers,
- acknowledges and responds to the diverse needs, identities and strengths of all students,
- students with disabilities and additional needs are treated with respect and are involved in making decisions about their education
- will make reasonable adjustments, where necessary, to accommodate students with disabilities or additional needs.

A positive classroom environment is fostered contributing to positive attitudes and beliefs about disability, positive learning, engagement and wellbeing outcomes for all students.

VISION

At Sacred Heart College we believe that:

1. Learning in a Catholic education environment helps individuals open their hearts and minds to God and bear witness to this in the community.
2. Our College is a dynamic hope-filled learning environment where all individuals are valued, inspired and challenged to be their best.
3. Our College is a community where all members work in partnership to contribute to the holistic development of each individual.
4. Education empowers individuals to be responsible for their lives and to contribute to society as stewards.

GRADUATE OUTCOMES

As a graduate of Sacred Heart College our graduates:

- Are called to live out the Mercy values and follow the teachings of Jesus;
- know that they are loved by God;
- are empowered as a learner to achieve their best;
- are a curious and creative learner who seeks growth through challenge;
- have the courage to act with integrity;
- contribute positively to the community;
- are responsible, respectful and inclusive;
- are attentive to their spiritual, physical, academic and emotional growth.

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:

- Anaphylaxis Policy
- Asthma Policy
- Supervision General
- Supervision & Inspection - Yard
- Student Code of Conduct
- Camps and Excursions policies
- First Aid Policy
- Child Safe Standards Policies
- Mandatory Reporting Policy
- Occupational Health and Safety Procedures & Policies
- Emergency Management Plan
- Medication Administration Policy
- Social Media Policy
- Privacy Policy
- Senior Student Policy

These policies are available for all staff to access and staff must make themselves aware of the processes to ensure they meet their Duty of Care.

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.

STANDARD of CARE REQUIRED by SCHOOLS

Staff are held to a high standard of care in relation to students. The duty requires staff to take reasonable steps to minimise the risk of reasonably foreseeable harm, including:

- ensuring the school complies with the seven Child Safe Standards
- 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
- managing employee recruitment, conduct and performance.

The duty is non-delegable, meaning that it cannot be assigned to another party. While students are generally free to move around the buildings and work independently in break out spaces and designated study areas they must be under (indirect) adult supervision at all times. Staff are responsible for their students at all times.

Whenever a teacher-student relationship exists, teachers have a special duty of care. Generally, teachers are expected to take such measures as are reasonable in the circumstances to protect a student under their charge from reasonably foreseeable risks of injury.

The nature and extent of this duty will vary according to the circumstances. For example, the age of the students involved in the activity.

The important issue in all cases will be what precautions the school could reasonably be expected to have taken to prevent the injury from occurring. This will involve consideration of the following factors:

- identifying the risk of harm
- the probability that the harm would occur if care were not taken
- the likely seriousness of the harm
- the burden of taking precautions to avoid the risk of harm

- the value of the activity that creates the risk of harm.

DUTY of CARE to STUDENTS OUTSIDE the SCHOOL

The school will inform parents of when yard/library supervision will be provided. No formal supervision will be provided outside of these hours unless explicitly advised by the College in writing.

NEGLIGENT ADVICE: TEACHERS

Teachers are frequently called upon to advise students. When doing so teachers should:

- limit their advice to students to areas within their own professional competence
- ensure that the advice they give is correct and in line with the most recent available statements from institutions or employers.
- avoid giving advice in areas unrelated to their role or where they may lack expertise.

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.

INFORMING STAFF of the LEGISLATIVE LIABILITY of DUTY of CARE

All staff will be informed of their legal requirement via:

- Staff will be directed to this document at the first staff meeting at the commencement of the school year, and will be placed on the school's website.
- New staff will be informed of their Duty of Care as part of the school's Induction Program.

REVIEW

This policy is to be reviewed at least every three years.

Initially Ratified: 2019

Next Review to be Completed by: 2022 or unless the law changes beforehand.