

Albert Park Primary School

DUTY OF CARE

POLICY

Rationale

Principals and teachers are held to a high standard of care in relation to students. 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
- ensuring that the school complies with the Child Safe Standards

The school supports a culture (values, expectations and standards) and shared commitment to zero tolerance of child abuse, and arrangements that allow it to occur will not be tolerated. The school takes into consideration the diversity of the children attending the school, and their particular vulnerabilities. e.g. children with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds.

Aims

- To outline and explain the nature of the legal duties owed by teachers and school staff towards students.
- For school staff to effectively carry out their duty of care.
- For the school community to work together to provide a safe and secure learning environment for children.

Implementation

Whenever a teacher-student relationship exists, teachers have a special duty of care:

- The teacher is to take such measures as are reasonable in the circumstances to protect a student under their charge from risks of injury that the teacher should reasonably have foreseen.
- The nature and extent of the duty will vary according to the circumstances. For example, the standard of care required will be higher when taking a group of preps for swimming lessons than when teaching a group of year 6's in the classroom.
- The Principal/teacher will consider what precautions the school could reasonably be expected to have taken to prevent an injury from occurring. This will involve consideration of the following factors:
 - 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 social utility of the activity that creates the risk of harm.
- The teachers' duty of care extends outside of school grounds for; camps, sporting events and excursions.
- The playground at Albert Park Primary School is supervised when students are outside between 8.45 am and 3.45 pm, including at lunch and recess.

- Parents/carers are responsible for organising their child's journey to and from school. They should inform the school if their child's collection or travel arrangements are changed.
- Parents should ensure that their child arrive at the school in the mornings after 8.45 am, when the yard is supervised.
- Students remain under the teacher's supervision until they are picked up at or are dismissed to make their independent travel arrangements at the end of the school day.
- Parents/carers should notify the school if they are going to be late after school (after 3.45) so that alternative care arrangements can be made.
- Parents should inform the principal if their child is being bullied at school so appropriate action can be taken.
- If the danger to students is beyond the control of the school, reasonable steps may involve contacting police or issuing warnings to parents.

Related policies

Onsite Supervision of Students Policy

Camps Policy and Excursion Policy

Anaphylaxis Policy

First Aid Policy

Student Engagement and Inclusion Policy

Student Collection Policy

Child Safe Code of Conduct Policy 2016 (standard 3)

Anti-bullying Policy

Risk Management Policy

This policy will be reviewed as part of the school's three-year review cycle and as required by developments in relevant legislation or DET guidelines.

This policy was ratified by School Council on....

19TH June 2017