



# Donald Primary School

## Duty of Care Policy

### Purpose

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.

Staff must have an understanding of their duty of care to students, and behave in a manner that does not compromise these legal obligations.

The school is required to provide adequate supervision in the school or on school activities as well as providing safe and suitable buildings, grounds and equipment. The duty also applies to situations both before and after school where a teacher can be deemed to have 'assumed' the teacher pupil relationship.

### Implementation

Staff are responsible for their students at all times. The following instructions and notices **apply to all staff.**

### Classroom Supervision

- It is **not** appropriate to leave students in the care of ancillary staff, aides, parents or trainee teachers (At law, the Duty of Care cannot be delegated)
- It is **not** appropriate to leave students in the care of external education providers for example incursions (At law, the Duty of care cannot be delegated)
- In **an emergency situation** use the phone for the Office, Principal or another teacher. (If appropriate – send another student for assistance)
- **No student** should be left unsupervised **outside the classroom** as a withdrawal consequence for misbehaviour. Withdrawal is to be conducted by sending a student to a colleague's classroom, or to the Principal. This should be accompanied by an appropriate follow up. The teacher or Principal **is to be contacted first** to alert them that the student is on their way.

### Movement of students

When allowing students to leave the room to work in other areas of the school, students must remain supervised in any specified area.

Use of students as monitors outside the room during class time must only occur with the approval of the Principal (e.g. Office roles). Students must be sent in responsible pairs.

Discretion is to be used when allowing students to visit the toilets or other areas in the school (e.g. Messages during class time). Students must be sent in responsible pairs.

### Yard Supervision

Yard duty supervision within the school requires the teacher to fully comply with DET guidelines and brings with it an increased duty of care. It is a teacher's responsibility to be aware of these guidelines and duty of care responsibilities. Teachers are also expected to follow Donald Primary School *Behaviour and Wellbeing* policies whilst on yard duty.

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 end of the break period or until replaced by the relieving teacher, whichever is applicable.

The handing over of duty from one teacher to another must be quite definite and must occur in the designated area. Where a relieving teacher does not arrive for duty, the teacher currently on duty should send a message to the office, but not leave the area until replaced.

No changes to the yard duty roster are to be made without the approval of the Principal or leading teacher.

Teachers are to be alert and vigilant -intervene **immediately** if potentially dangerous behaviour is observed in the yard - enforce behaviour standards and restorative practices for breaches of school rules.

Teachers should wear the high viz jackets and always be on the move and highly visible.

Teachers must ensure they visit the area around the toilets and respond immediately to any inappropriate behaviour if observed.

## **Excursions & Incursions**

An incursion with an external provider does not absolve supervision duties of the teacher, including first aid duties. A teacher must be present at all times and remain the person designated with duty of care responsibilities.

All staff must follow the DET guidelines when organising an excursion, incursion or camp. All procedural steps contained in the School Camping, Excursions and Incursions Policies and procedural outlines must also be followed.

### **All staff will be informed of their legal requirement via:-**

A copy of this document will be provided to each member of staff at the commencement of the school year, and will be placed in the staff handbook.

New staff will be informed of their Duty of Care as part of the school's Induction Program

Duty of Care will be an agenda item at staff meetings and staff will be directed to familiarise themselves with section Student Safety of the Victorian Government Schools Policy Advisory Guide.

Staff will complete a risk assessment including duty of care when completing planning for camps, excursions and incursions.

Staff will be directed to the Student Wellbeing Policy and 'Duty of Care Advice' document annually

## **Evaluation**

This policy will be reviewed as part of the school's three-year review cycle.

This Policy was ratified by School Council 21<sup>st</sup> July 2020

Kellie Petrie

School Council President

Gavin Young

Acting Principal