Student Welfare – Duty of Care

Duty of Care

POLICY

Rationale
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.

Aim
- To ensure that staff have an understanding of their duty of care to students.
- To ensure that staff behave in a manner that does not compromise their legal obligations.

Implementation
- A teacher is to take such measures as are reasonable in the circumstances to protect a student under the teacher's charge from the risks of injury that the teacher could have reasonably foreseen.
- Teachers are required to supervise students adequately. This requires not only protection from known hazards, but also from those that could arise (those that the teacher could have easily foreseen) and against which preventative measures could have been taken.
- The Principal is responsible for making and administering arrangements for supervision as are necessary according to the circumstances in the school.
- Teachers are responsible for the carrying out of their assigned supervisory duties in such a way that students are, as far as can be reasonably expected, protected from injury.
- At no time are students to be left unsupervised in a classroom (this includes before and after school and at lunchtime and recess breaks).
- It is not appropriate to leave students in the care of ancillary staff, parents, trainee teachers or external education providers.
- No student is to 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. The teacher or Principal should be contacted first to alert them that the student is on their way.
- Extreme care needs to be taken in allowing students to leave the room for any reason.
- Playground supervision is an essential element in teachers’ duty of care. In supervising students, teacher’s duty of care is one of positive action. Be aware that students are usually less constrained in the playground and more prone to accident and injury than in a more closely supervised classroom.
- Teachers rostered for duty are to attend the designated area at the time indicated on the yard duty roster. Teachers on duty are to remain in the designated area until the bell signals 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 area of designated duty.
While at school, teachers must be alert and vigilant and must intervene immediately if potentially dangerous behaviour is observed in the playground.

Any misbehaviour must be reported/recorded in the yard duty book.

While on yard duty staff must always be moving and alert to:

* Students leaving the school grounds;
* Strangers in the school ground or in the vicinity of the school;
* Student conflict;
* Rough play;
* Running on concrete areas;
* Playing with sticks or inappropriate items;
* Throwing stones;
* Teasing;
* Playing inappropriately on play equipment;
* Other potential dangers.

An excursion or camp outside the school requires the teacher to fully comply with Department of Education and Early Childhood Development (DEECD) guidelines and brings with it an increased duty of care.

Students must be counted on and off transport and at other times on a regular basis whilst on excursion or camp activities.

The teacher in charge of the excursion or camp will have copies of all confidential medical forms and permission notes with contact details. A copy of this material will also be kept at school. The teacher in charge will also carry mobile contact known to the school and a first aid kit.

If crossing roads students are to use designated crossing points. Staff are to walk to the middle of the crossing to ensure visibility and orderly crossing. Other staff must control the flow of students across the road.

Teachers should limit their advice to students to areas within their own professional competence and given in situations arising from a role specified for them by the Principal. They should ensure the advice they give is correct and in line with the most recent available statement from institutions or employers. Teachers should not give advice in areas unrelated to their role or where they may lack experience.

References

- School Policy & Advisory Guide

Evaluation

This policy will be reviewed every three (3) years or as deemed necessary.