



Duty of Care

1. 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
- a shared commitment to zero tolerance of child abuse, and arrangements that allow it to occur.

The school takes into consideration the diversity of the children attending the school, and their particular vulnerabilities e.g. disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.

2. Aims

- i. To outline and explain the nature of the legal duties owed by teachers and school staff towards students.
- ii. For the school community to work together to provide a safe and secure learning environment for children.

3. Implementation

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

- i. The teacher is to take such measures as are reasonable in the circumstances to protect a student under their charge from risks that the teacher should reasonably have foreseen.
- ii. 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 Foundation students for swimming lessons than when teaching a group of Year 6 students in the classroom.
- iii. The Principal/teacher will consider what precautions the school could reasonably be expected to have taken to prevent harm from occurring. This will involve consideration of the following factors:
 - a. the probability that the harm would occur if care were not taken.
 - b. the likely seriousness of the harm.
 - c. the burden of taking precautions to avoid the risk of harm.
 - d. the social utility of the activity that creates the risk of harm.
- iv. The teachers' duty of care extends outside of school grounds for camps, sporting events and excursions.
- v. The playground at St Kilda Park Primary School is supervised when students are outside between 8.45 am and 3.45 pm, including at break times.
- vi. 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.
- vii. Parents/carers should ensure that their child arrive at the school in the mornings after 8.45 am, when the yard is supervised.
- viii. At 3.30pm students remain under a teacher's supervision until they are picked up or are dismissed to make their independent travel arrangements at the end of the school day. If students are not picked up by 3.45pm, they will be taken to the office to be supervised, or enrolled in Out of Hours School Care.
- ix. Parents/carers should notify the school if they are going to be late after school so that alternative care arrangements can be made.



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- x. If the danger to students is beyond the control of the school, reasonable steps may involve contacting police or issuing warnings to parents/carers.

Note: School staff in breach of their duty of care may be personally liable for injuries to students.

4. Evaluation

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 in August 2017
All policies are available at <http://www.skipps.vic.edu.au/about/policies.html>*