



Policy Number:	STUDENT 17
Policy Name:	Duty of Care (Supervision of Students Policy)
Contact Officer:	Principal
Date Approved by Executive:	September 12, 2019
Date of Next Review:	September 2022
Related Policies:	First Aid Policy Pastoral Care Policy Code of Conduct Anaphylaxis Policy Student Behaviour Support Policy Student Device Acceptable Use Policy SunSmart Policy Critical Incident Plan / Emergency Management Plan CECV Child Safety Commitment Statement DET Safety Guidelines for Education Outdoors Camps & Excursions Policy

PREAMBLE

God is at the centre of our College...Mercy is the heartbeat of the Gospel. We encourage every student to grow in the fullness of life and realise their potential through the bread we break at school, the bread of relationships and the bread of conversation. Let us engage the heart and bring faith to life and life to faith (Thomas Groome).

LEGISLATION

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in *Ministerial Order No. 1359*. This policy applies to St Joseph's College staff, including employees, volunteers, contractors and clergy.

Further information relating to the Ministerial Order can be found at <https://www.safeguardingservices.com.au/wp-content/uploads/2022/02/Ministerial-Order-1359.pdf>

1. PURPOSE

1.1 A safe environment plays an important role in assisting students to reach their potential and enhance their wellbeing. The teacher-student relationship is regarded legally as a relationship in which principals and teachers have a duty of care to:

- Provide suitable and safe premises;
- Ensure that procedures for child safety are implemented at all times;
- Provide adequate supervision in all aspects of schooling;
- Implement strategies to prevent bullying (including cyberbullying) and harassment;
- Ensure that medical assistance or care is provided to a sick or injured student;
- Ensure the safety and wellbeing of students in an emergency or critical incident.

2. DEFINITION

2.1 **Duty of care** relates to the responsibility that Principals and teachers have in relation to their students to take steps that are reasonable in the circumstances to protect students from risks of injury that should reasonably have been foreseen. The duty is not to prevent injury in all circumstances. It is a duty to take reasonable steps to prevent injury, which is known or foreseeable. The question of what are reasonable steps will depend on the individual circumstances of the case, and consideration of the following factors:

- The probability that the harm would occur if care was 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.

2.1.1 The duty may, in some circumstances, extend outside school hours and outside the College premises. This will depend on whether the relationship between staff and student extends to the individual circumstances, whether the risk was known or foreseeable, and whether there were any reasonable steps that could be taken to prevent the injury from occurring. The duty is non-delegable, meaning that it cannot be assigned to another care party (refer to *Catholic School Operational Guide - CEVN*).

2.2 **School environment** means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- A campus of the College;
- Online school environments (including email and intranet systems); and
- Other locations provided by the College for a child's use including, without limitation, locations used for College camps, sporting events, excursions, competitions, and other events (*Ministerial Order 870*).

3. POLICY STATEMENT

3.1 St Joseph's College provides effective student supervision and care to ensure that students are in safe environment at all times.

4. PRINCIPLES

- Learning within a safe environment plays an important role in student outcomes and sense of wellbeing.
- The Principal and teachers must take reasonable steps to ensure the safety of students and others within the College environment.
- Clear procedures and processes that are consistently applied are important in ensuring high standards of duty of care at all times.
- The College will comply with all diocesan and legislation requirements for child safety outlined in the Child Safe standards (Ministerial Order 870) including reasonable precautions to prevent the abuse of a child by an individual associated with the College while the student is under the care, supervision or authority of the College.
- Effective strategies that ensure the safety and care of all students are implemented. This includes appropriate measures for younger students, students with disabilities or students at risk.
- All staff have a responsibility to take reasonable steps to prevent potential injury to students and others.
- Strategies are implemented, as required, for specific students such as students with disabilities and age levels to ensure that the environment is safe for all students.

5. IMPLEMENTATION

5.1 Child Protection & Mandatory Reporting

5.1.1 All College staff have a duty of care to take reasonable steps to prevent reasonably foreseeable injury to children and young people under their care. This includes taking reasonable steps to protect their safety, health and wellbeing.

5.1.2 A child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, reasonable steps under Duty of Care obligations may include:

- Acting on concerns and suspicions of abuse as soon as practicable;
- Seeking appropriate advice or consulting with other professionals or agencies when the school staff member is unsure what steps to take;
- Reporting the suspected child abuse to appropriate authorities such as Victoria Police or DHHS Child Protection;
- Arranging counselling and/or other appropriate welfare support for the child;
- Providing ongoing support to the child and young person;
- Sharing information with other College based staff who will also be responsible for monitoring and providing ongoing support to the child or young person.

5.1.3 For further information please refer to the [Child Safe Policy and Safeguarding Children & Young People Code of Conduct](#).

5.2 Playground Supervision

5.2.1 The Principal is responsible for ensuring that students are adequately supervised before and after school and during recess times. This will involve designating areas in the yard, and developing a roster for staff to supervise students in the designated area for the time indicated on the roster. The roster will be made available to all staff and be displayed in the staffroom, staff intranet and any short-term changes will be recorded on the staffroom whiteboard.

5.2.2 All teachers are required to do yard duty according to a designated roster for before and after school and at recess times. Teachers who are rostered for duty are responsible for remaining in the designated area until the end of the break period, or until replaced by a relieving teacher, whichever is applicable.

5.3 Yard Duty Teachers

- Are expected to move around the area rather than remain static in the one position;
- Should be alert and vigilant to what is happening in the yard;
- Are not permitted to carry hot drinks while on duty;
- Ensure that students' behaviour is safe, sensible and fair and consistent with College expectations and rules;
- Act as role models in demonstrating safe behaviour, for example wearing SunSmart hats;
- Intervene if potentially dangerous behaviour is observed in the yard;
- Enforce behaviour standards and implement logical consequences for breaches of safety rules (Refer St Joseph's College Student Behaviour Support Policy);
- Ensure that students who require first aid assistance receive it as soon as practicable;
- Wear the College visible vest and carry a College or personal electronic communication device;
- Record any incidents in the Incidents Book (located in the Administration office), and if required, follow up with classroom teacher and parent;
- Take preventative steps. If any safety issue is unidentified, such as faulty playground equipment. The area of concern is to be closed for student use and reported immediately to the Administration Office. The teacher will need to follow up with the Occupational Health and Safety Officer as soon as possible;
- Ensure that phones for yard duty or excursions are returned to the chargers in the main College Office.

5.3.1 If a relieving duty teacher does not arrive for yard duty, the teacher currently on duty should contact the Daily Organiser using the College communication device, but should not leave the designated area until a relieving teacher has arrived.

5.3.2 If the supervising teacher is unable to conduct yard duty at the designated time, the Daily Organiser is to be contacted to ensure that alternative arrangements are made. If at any time the Daily Organiser is not responding to a call from a yard duty teacher, then the yard duty teacher should contact the main College Office who will notify one of the Deputy Principals, Director of Students or House Leaders.

5.3.3 If a student leaves the College grounds without authorisation, the Student Office is contacted and the parents will be informed immediately.

5.3.4 If the supervising teacher needs to leave yard duty during the allocated time, the teacher must contact the Daily Organiser, but should not leave the designated area until a relieving teacher has arrived.

5.4 Designated Yard Duty Areas

5.4.1 At St Joseph's College the designated yard duty areas for recess are:

Enright Campus

- Cleadon East
- Cleadon West
- Flagpole, Maths
- Canteen, Quadrangle
- Twelfth Street front of buildings
- McAuley
- Langtree Park
- Overseer

Mercy Campus

- Stadium Courts
- Stadium Inside
- Stadium Outside

5.4.2 The designated yard duty areas for before school are:

Enright Campus

- Canteen, Quadrangle
- Flagpole, Maths
- Langtree Park
- McAuley

Mercy Campus

- Stadium Courts
- Stadium Outside

5.4.3 The designated yard duty areas for after school are:

Enright

- Twelfth Street Bus

Mercy Campus

- Riverside Bus

5.5 Inclement or Hot Weather

5.5.1 If the weather is unsuitable for outside play, students will be supervised in their classrooms. On these occasions a specific indoor duty roster will take effect. This roster will be available on the staff notice board and staff intranet.

5.5.2 In the event of hot weather, the temperature and wind conditions will be taken into account. The Principal or delegate will determine when students are to remain inside at recess times and before school. If students are outside at recess times and before school and the weather becomes inclement, yard duty teachers are to ask students to move to the sheltered areas and wait for the PA announcement to move to their classrooms.

5.5.3 A yard duty teacher may need to contact the Daily Organiser to check awareness of changed weather conditions. Refer to the College SunSmart Policy regarding sun protection measures.

5.6 First Aid (Refer First Aid Policy)

5.6.1 In the event of a student requiring first aid, the student will be sent to the First Aid Office with another student, a staff member will be on duty to assist the student.

5.6.2 If a student requires an EpiPen, the teacher must contact the First Aid Office immediately and ask that it be brought to the teacher to administer (or student to self-administer).

5.6.3 If a student is injured and should not be moved or requires emergency assistance, the yard duty teacher is to ring 000 for assistance and then contact the First Aid Office.

5.5.4 Staff who assist with an incident will be required to complete an Incident Report.

5.7 Before School and After School

5.7.1 Yard duty will commence at 8.30am before school and at 3.20pm after school.

5.7.2 If a parent (or other authorised person) has failed to collect the student after school, the next steps may include some or all of the following:

- Attempting to contact the parents;
- Attempting to contact the emergency contacts;
- Contacting the Victoria Police (local Police Station) and/or the Department of Human Services (Child Protection) to arrange for the supervision, care and protection of the student.

5.7.3 Parents will be informed via the College website and reminded in the College newsletter of the designated supervision times. Students who arrive late or leave early will be signed in / out at the Student Office. The Student Officer will maintain a record of late arrivals and early departures.

5.8 Classroom Supervision

5.8.1 The classroom teacher has ultimate responsibility for the supervision of all students in their care. The classroom at all times must be a safe learning environment. This duty cannot be delegated to learning support officers, external education providers, parents, volunteers or students undertaking Initial Teacher Education (ITAs). In addition, no student should be left unsupervised outside the classroom as a withdrawal consequence for misbehaviour. Withdrawal from the classroom is only to occur in accordance with the College Student Behaviour Support Policy. In order to provide a safe learning environment classroom teachers:

- Must be organised and implement learning experiences that address all students' needs;
- Interact regularly and positively with students in the classroom;

- Ensure a consistent communication and response to expectations and student responsibilities;
- Inform and regularly remind students of acceptable internet and social media use (Refer Social Media Policy);
- Be vigilant and respond appropriately to any incidents of bullying and harassment;
- Are proactive in reporting any defects in the maintenance register or safety concerns to the Occupational Health and Safety Officer and take immediate steps to ensure the issue does not pose a risk to students and others;
- Be consistent in their implementation of the Student Behaviour Support Policy;
- Implement the processes for Child Safety Standards and Mandatory Reporting;
- Attend to student injuries/illness according to the First Aid Policy.

5.8.2 If a teacher needs to leave the classroom at any time during a lesson, the teacher should contact the Daily Organiser. The teacher should then wait until alternate supervision is being provided prior to leaving the classroom.

5.8.3 Teachers are required to be in attendance at the commencement of all classes and will supervise all students in the class until the bell signals the end of class. Teachers will not dismiss students earlier than 3.20pm when the bell sounds to indicate the end of the school day finish time. Students will not be allowed to remain in rooms or any indoor spaces without direct teacher supervision.

5.8.4 Individual staff members will not be permitted to supervise a student alone except in a public space that is visible by others. Individual staff members may not transport single students in a vehicle. In situations that require a single student to be transported, another staff member must accompany the driver.

5.9 **Volunteers**

5.9.1 St Joseph's College welcomes volunteers to assist in school activities such as assisting in the classroom, maintenance, excursions/camps and canteen. St Joseph's College implements the *CECV Guidelines on the engagement of volunteers in Catholic schools* available at <http://www.cecv.catholic.edu.au/getmedia/14f0d67b-fb34-48eb-bd2c-0a32688b1a96/Volunteer-Guidelines.aspx>. This link is also provided on College website.

St Joseph's College volunteers will:

- Have completed a Volunteer Application Form and undertaken screening process as outlined in the *CECV Guidelines on the engagement of volunteers in Catholic schools*;
- Have participated in an induction of relevant College policies and procedures including Child Safety Standards and their role as a volunteer;
- Have a current Working with Children Check (WWCC) and if required, a National Police Records Check (Police Check);
- Be under the supervision of the classroom teacher or other appropriate staff members at all times when engaged in activities;

5.10 **Incursions**

5.10.1 Incursions are in-school experiences in which a visitor, such as a speaker or instructor is invited by the teacher due to their experiences or expertise to share their knowledge and skills with the students in a one-off session.

5.10.2 Incursion visitors:

- Must sign-in via the digital sign-in register located in the main College Office on arrival and when exiting the College;
- Must respect the vision, mission, ethos and code of conduct of the College;
- Should not be responsible for supervising students;

- Have a current Working with Children Check (WWCC) and if required, a National Police Records Check (Police Check).

5.10.3 Classroom teachers must:

- Closely supervise the visitor at all times including accessing facilities such as staffroom and staff toilets and must not have access to student personal information or use student toilets;
- Ensure that the visitor conducts the session in a safe manner and the content, equipment or resources used are also suitable and safe for students in a Catholic school.

5.10.4 Teachers must complete the school incursion form before the commencement of the activity. This form is filed in the school document management system and includes:

- Date and time of activity;
- Teacher and Class;
- Learning goal and outcomes;
- Visitor name and background (relevant to the learning focus).

5.11 External Providers

5.11.1 External providers are contracted by the College to provide a service. This can include learning and teaching services, another school, health professionals, information technology technicians or trades peoples such as electricians or plumbers. St Joseph's College follows the *CECV Guidelines on Engagement of External Contractors in Catholic Schools* to ensure the College meets its duty of care in providing a safe environment for students including procedures for Child Safety Standards. The guidelines are available at <http://www.cecv.catholic.edu.au/getmedia/a099f220-2e9a-4b5a-9147-8f11e49a28d1/Contractor-Guidelines.aspx>. All external providers must have a current Working with Children Check (WWCC) and if required, a National Police Records Check (Police Check).

5.12 Student Learning and Wellbeing

5.12.1 Where an external provider is used to provide specialised learning and teaching such as a series of drama lessons, the students will be under the supervision of the classroom teacher if the provider does not have a current Victorian Institute of Teaching (VIT) teacher registration. A current WWCC will be required. The external provider will complete an induction on relevant St Joseph's College policy and procedure before commencing.

5.12.2 The classroom teacher will monitor and supervise the lessons and report any concerns to the Principal.

5.12.3 In the case of a specialised teacher from an external provider that has current VIT registration:

- The Principal will determine whether classroom teacher supervision and assistance is also required during the learning sessions;
- The Memorandum of Understanding (MOU) with the external provider will outline their responsibilities including duty of care. It is also the responsibility of the external provider to check the credentials of the person assigned to St Joseph's College and other requirements outlined in the MOU;
- The Principal will also check with VIT the registration, proof of identity before the external provider arrangement commences;
- The specialised teacher from an external provider will participate in an induction on College policy and procedure, including duty of care before commencing teaching at the College;
- The Principal or delegate will be responsible for monitoring and ensuring that the teachers from the external provider follow College policy and procedure.

5.12.4 Teachers with VIT Permission to Teach are required to be supervised by a registered teacher at all times.

5.12.5 The College will at times engage external agencies to provide services such as chaplaincy or health professionals. These services may require one to one contact with students without direct supervision. These providers will require a WWCC and proof of identity and will be inducted in College policy and procedure before commencing and will be monitored by the Principal or delegate.

5.12.6 External contractors such as IT technicians and trades people will be engaged by the College and will have no or limited contact with students. The processes to be followed are outlined in the *CECV Guidelines on Engagement of External Contractors in Catholic Schools*. The Principal or delegate will ensure that these procedures are followed as well as occupational health and safety procedures.

5.12.7 All external providers or contractors (i.e. staff who are delegated by the external provider to provide a service to the College) regardless of the service they provide, must have a current WWCC and undertake an induction process.

5.13 **Off-site Activities (Refer Camps & Excursions Policy)**

5.14 **College Emergency Management Plan** (see Emergency Management Plan)

5.14.1 It is responsibility of all staff to familiarise themselves with the Emergency Management Plan (EMP) and ensure that students understand the procedures to be undertaken in an emergency. This includes familiarisation of the assembly location area/s. Members of the Incident Management Team (IMT) will have specific roles and responsibilities.

5.15 **Specific Roles and Responsibilities**

5.15.1 Each learning area and all other rooms such as First Aid will have a copy of the EMP in a wall folder that is located at each door. First Aid will need to keep a copy of student requirements, such as those requiring asthma puffers. It is important that student health and medical information is kept confidential according to the privacy laws and not on display in the classroom (unless parents have requested information to be openly available).

5.15.2 The Principal and administration team will have/will delegate responsibility for whole of school copies of student class lists, first aid kits (including asthma puffers and Epipens) and instructions for any special requirements for staff and students.

5.15.3 Copies of Critical Incident response instructions and maps will be placed in prominent positions in all classrooms, staff offices and work spaces.

5.15.4 All teachers are expected to participate in practice evacuation procedures. All staff and students are to view the Invac/Evac video produced for St Joseph's College in Term 1 of each year.

5.16 **Critical Incidents** (see Critical Incident Plan)

5.16.1 All staff need to familiarise themselves with the Critical Incident Plan and ensure that they communicate as soon as possible any critical incident to the Principal or a member of College Executive (if Principal is not available).

5.17 **Environmental Hazards**

5.17.1 All staff must advise the College office immediately of any safety issues in the College environment such as presence of unauthorised persons or potential environmental hazard such as broken steps or faulty equipment. It may require a staff member to place a barrier, wait for assistance or ask a person to leave the College. The staff member will need to follow up with the Occupational Health & Safety Officer to ensure that environmental hazards have been addressed.

5.18 Communication

5.18.1 The Principal has the responsibility for ensuring that any new staff to the College are inducted on policy and its implementation, and all staff are made aware of any changes to the policy and procedures. The policy will be available on the staff intranet and procedures in the Staff Handbook.

5.18.2 At the beginning of each school year staff will clarify the College policy as a group and review its implementation expectations. Staff will be informed of any changes during the year to requirements at staff meetings and staff bulletins. Staff will also use student incident data to assist in providing effective duty of care. This will also include related policy and procedures such as emergency management and critical incidents.

5.18.3 Teachers will remind students of yard expectations and procedures, processes for first aid and inclement or hot weather at the beginning of the year and as required. Teachers will remind, as required, students of expectations and processes while on an off-site activity.

5.18.4 Teachers must always be proactive in monitoring student safety and report any concerns to the Principal or the Occupational Health and Safety Officer.

5.18.5 Parents will be informed of times when playground supervision will be provided and that no formal supervision of the playground occurs outside those hours. Parents will also be informed of bus arrangements (i.e. students from other schools will use the same bus) and that students will only be supervised after getting off the bus in the morning and while waiting and getting on the bus in the afternoon. This will be communicated to parents at the beginning of the year, reminders in the College newsletter at regular intervals. The policy will be available on the website.

5.18.6 Parents are encouraged to report any safety concerns to the child's Homeroom Teacher who will forward the information to the relevant person.

5.18.7 Parents will be provided with communication regarding the supervision of students on off-site activities. This information will be part of parent information and consent form for the activity.

6 RELATED POLICY AND DOCUMENTS

- <http://www.education.vic.gov.au/school/teachers/studentmanagement/excursions/Pages/outdoorguidelines.aspx>