



Policy No. F4 STUDENT WELFARE	Title Duty of Care	Effective Date: Sept 2020
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"Pay careful attention to yourselves and to all the flock, in which the Holy Spirit has made you overseers, to care for the Ecclesia of God, which he obtained with his own blood." Acts 20 v 28

1. Policy Statement

Heritage College embraces a duty of care for all its students. Every teacher takes responsibility for the care of the students under his or her supervision as a condition of employment and as a matter of conscience, to do what is required in a given situation to protect students from reasonably foreseeable harm.

2. Definitions

- 2.1. **Care:** In the context of a duty of care, the care is largely for the physical but it is also for the social and emotional wellbeing of students, that is, the understanding and communication of physical risk, and the prevention of reasonably foreseeable harm. Other documents are concerned with the more general aspects of student wellbeing, on the social/emotional, intellectual and spiritual levels.
- 2.2. **Supervision:** There are parameters for practical reasons to the duty of care that are delineated below.
- 2.3. **Reasonably foreseeable harm:** Reasonably foreseeable harm takes into consideration the circumstances of each situation that presents itself, in regards to the prediction of the likelihood and severity of harm.

3. Guiding principles

- 3.1. **Individual teacher level**
 - 3.1.1. Teachers' duty of care is non-delegable.
 - 3.1.2. Teachers' duty of care extends to all times when students can be reasonably considered to be under their supervision.
 - 3.1.3. Teachers are expected to communicate and enforce school rules, to implement school policies and procedures as a means of preventing harm.
 - 3.1.4. Teachers are expected to use their common sense to assess the level of risk involved in any situation and take reasonable action to prevent foreseeable harm.
 - 3.1.5. Teachers are expected to be vigilant in checking that equipment and facilities are safe.
 - 3.1.6. Teachers have a duty to warn students of dangerous situations or practices.
 - 3.1.7. Teachers have a duty of report any potential risk as soon as practical within the school day.
- 3.2. **System level**
 - 3.2.1. Heritage College follows procedures to write and revise the policies, rules and procedures designed to ensure the safety of students.

- 3.2.2. The acceptable arrival time for students is 8:30am. No students should be on the premises before this time, unless agreed beforehand with the Principal.
- 3.2.3. Students are dismissed from school at 3:20pm from which time supervision is provided by the duty teachers until 3.40pm.
- 3.2.4. Duty of care is assumed for after school and out of school activities that have been organised by teachers and supervised by them or another member of staff.

4. Specific Guidelines

- 4.1. Transportation
 - 4.1.1. Where the College provides transport for students or where the College assumes responsibility in escorting students then a duty of care can be assumed.
- 4.2. Before School hours on school grounds
 - 4.2.1. The College has a duty of care that commences from 8.30 am Monday to Friday. There should be no students on site before this time unless accompanied by their parent or by prior arrangement with the Principal.
- 4.3. After School hours on school grounds
 - 4.3.1. The College has a duty of care to ensure the safety of its students until such a time as they are collected by their parents or an adult requested to collect them by their parents or until their departure off a bus or other arranged transport. If a parent has arrived and collected their child but remains on school grounds, the duty of care has transferred to the parent, unless other arrangements have been made.
 - 4.3.2. The College does not provide a duty of care to students who remain on school grounds after 3:40pm. However, students will be brought into the foyer and monitored by support staff until they have been collected. Any students elsewhere in the College must be accompanied by their parent and if staff children they are their responsibility.
- 4.4. After School activities on school grounds
 - 4.4.1. Authorised activities (e.g. sporting activities) are ones that have the approval of the College. Activities sanctioned by the College require the staff members supervising these activities and the College to provide the same duty of care as during school hours. A staff member will not undertake activities at school after hours that are not sanctioned by the College. Upon private hiring any school facilities, the duty of care resides with the hirer as per the hiring agreement.
- 4.5. Activities taking place off school grounds
 - 4.5.1. In general, the College and its staff have duty of care for all students during off campus activities as covered in the Camps and Excursions Policy.
- 4.6. Students Leaving School
 - 4.6.1. As a rule the school does not permit students to leave the school grounds during the school day, except with the permission of the Principal. The student is required to sign out at the front office.
 - 4.6.2. If a student is required to leave the school grounds during the day they must have written parental permission to do so. The permission must state the date, time and duration and purpose for the absence. In doing so the parents are acknowledging that the school cannot be held responsible for safety and/or conduct of the student when he/she is away from the premises. However, should the teacher of the student feel that there is an unsatisfactory risk to the student in leaving the school premises then the matter must be referred to the Principal who may refuse permission to leave regardless of the written parental

permission. The parent/guardian will be informed of this decision as soon as possible.

- 4.6.3. If any student is required to leave the school grounds with their parent/guardian during the school day he/she must be collected by the parent/guardian from the Front Desk area, and personally sign the child out.
- 4.6.4. Whenever a student enters or leaves the school site during the school day, it is the responsibility of the front desk personnel to ensure that at that moment, College attendance data is updated in Sentral accordingly.
- 4.7. Off-site learning
 - 4.7.1. Off-site learning programs include, but are not limited to adult education centres, work experience, work placement for VET courses, career education programs and school based apprenticeships and traineeships. Employers have responsibilities for the health, safety and welfare of employees and visitors to their premises, but this does not exempt the school from its responsibilities. The school must take reasonable care to keep all students undertaking workplace learning free from harm. The College will continue to review student learning sites to be satisfied that the sites provide a safe workplace environment.
 - 4.7.2. Insurance and indemnity provisions of the College apply to workplace learning placements approved by the Principal or nominee. However, those provisions do not apply to the paid employment component of school-based apprenticeships and traineeships. Regular and effective communication with parents/carers, support staff and with employers, is an essential aspect of all workplace learning programs.
- 4.8. Bushfires
 - 4.8.1. The Association of Independent Schools (AISSA) will advise schools as soon as possible when it becomes aware of significant bushfires. When a catastrophic rating has been issued and/or a significant bushfire has been announced, the College will check the CFS website (www.cfs.sa.gov.au) for any bushfires that may impact on students travelling home. In these circumstances, the pre-agreed arrangements will be implemented.

5. Related Policies, Procedures and Documents

- 5.1. Staff Code of Conduct
- 5.2. Policy B2: Camps & Excursions
- 5.3. Policy D2: Employment

Document History

Jun 2004	Policy written
May 2007	Reviewed, updated and approved by Council
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