

# DUTY OF CARE POLICY

*This policy was last ratified by School Council* March 25, 2019

## Purpose

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at Buninyong Primary School owe to our students and members of the school community who visit and use the school premises.

## Policy

“Duty of care” is a legal obligation that requires schools to take reasonable steps to reduce the risk of reasonably foreseeable harm, which can include personal injury (physical or psychological) or damage to property. The reasonable steps that our school may decide to take in response to a potential risk or hazard will depend on the circumstances of the risk.

Our school has developed policies and procedures to manage common risks in the school environment, including:

- Yard duty and Supervision
- Bullying Prevention
- Camps and Excursions
- Outside of School Hours Care
- First Aid
- Tree Maintenance
- Travel Between Campuses
- Bushfire risk, particularly for Scotsburn
- Buildings and Grounds Maintenance
- Student Private Property
- Child Safe Standards
- External Providers
- Emergency Management
- Volunteers
- Visitors
- Working with Children and Suitability Checks
- Mandatory Reporting
- Occupational Health and Safety, including safe work practices for our maintenance staff and other contractors

Staff at our school understand that school activities involve different levels of risk and that particular care may need to be taken to support younger students or students with additional needs. Staff also understand that their duty of care is non-delegable, meaning that it cannot be assigned to another party.

*Whenever a teacher-student relationship exists, teachers have a special duty of care. Generally, teachers are expected to take such measures as are reasonable in the circumstances to protect a student under their charge from reasonably foreseeable risks of injury.*

Our school also understands that it is responsible for ensuring that the school premises are kept in good repair and will take reasonable steps to reduce the risk of members of our community suffering injury or damage because of the state of the premises.

School staff, parents, carers and students are encouraged to speak to the principal to raise any concerns about risks or hazards at our school, or our duty of care obligations.

## Further Information and Resources:

- [Child Safe Standards](#)
- [Personal Liability of School Employees](#)
- [SERS Insurance Claims and Settlement Process](#)
- [Volunteer Workers](#)
- [Risk Management](#)
- The [PROTECT](#) Portal - provides further information on how schools can meet their obligations under the Child Safe Standards
- [ISP Quality Standards and School Resources](#) - see: International Student Program Quality Standards for Schools, Quality Standard 5 - Younger Students
- School Policy and Advisory Guide: [Duty of Care](#)

## Evaluation

This policy will be reviewed every three years, or earlier as required, following analysis of school data on reported incidents of, and responses to duty of care breaches.

## Review Cycle

This policy was last updated on 25<sup>th</sup> of March, 2019 and is scheduled for review in March, 2022.