



## **SUPERVISION & DUTY OF CARE POLICY**

College council will review this policy every three years or as directed by DET

**Date approved:** March 2019

**Date of next review:** 2022

### **RATIONALE**

Teachers and other staff in a school have a responsibility to take reasonable steps to protect students from risks of injury, including those that may be encountered within the online learning environment. Teachers must understand their Duty of Care responsibilities and other school-based policies, processes and procedures that work to support it such as the Student Engagement Policy, Child Safe Standards and Incident Management protocols.

“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.

Teachers are required to supervise all learning environments; the school grounds, off site, the classroom and online spaces are also considered a learning environment. Therefore, as part of that duty, teaching staff are required to adequately supervise students who are working in these spaces. This duty also requires protection from risks that could arise (that is, those that the teacher should reasonably have foreseen) and against which preventive measures could be taken.

### **BROAD GUIDELINES**

The elements of the Duty of Care are illustrated through a range of policies, practices, guiding principles, rights and responsibilities:

- the Student Engagement Policy.
- every student has the right to feel safe at school (including broader learning situations such as digital learning environments).
- Child Safety policy and the associated processes and protocols.
- inappropriate behaviour such as bullying will not be tolerated.
- Initiatives and strategies will be implemented to prevent and respond to bullying and inappropriate behaviour, including cyberbullying, and to promote the responsible use of digital technologies. The teacher will clearly establish the educational purpose for the activity, the appropriate tools, online spaces, search engines etc; which support the activity’s educational purpose and additional support that is available for students who may need assistance.
- the College will provide a holistic approach to promoting respectful relationships including school culture, policies and procedures, curriculum, programs and partnerships with families and community organisations.
- the following operational documents give effect to the policy goals: Anti-bullying, Harassment and Child Safety Information for Students, College Rules, Expectations and procedures and Use of Information and Communication Resources.

- Whole-school programs will support quality relationships between people, for example bystander training, restorative practices, School-wide positive behaviour support.
- Professional learning programs for teachers will develop and refresh skills to collaboratively create and maintain safe, respectful, caring and supportive school cultures.
- The College will provide suitable and safe premises.
- The College will provide an adequate system and level of supervision in all school contexts during normal school hours and as appropriate in events occurring outside of school hours on and off site.
- The College will ensure that medical assistance is provided to a sick or injured student.
- The College will professionally manage employee recruitment including recognition of Child Safe standards, conduct and performance:
  - Teachers will take measures that are reasonable, in the circumstances, to protect students under their charge from risks of injury that the teacher should reasonably have foreseen.
  - 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 year 7 for swimming lessons than when teaching a group of year 12s in the classroom.
  - Precautions taken to prevent injury from occurring will include consideration of the following factors: the probability that the harm would occur if care were not taken, the likely or seriousness of the harm and the burden of taking precautions to avoid the risk of harm.
  - Additionally, in relation to international students under the age of 18 (who are not being cared for by a parent or suitable relative) maintain and implement a comprehensive homestay policy and procedures to assess and monitor the suitability of accommodation arrangements. See ISP Quality Standards and School Resources under **Department Resources**.
  - The duty of care extends outside of school grounds.
  - Teachers also have a duty of care in relation to advice and should ensure they limit their advice to students to areas within their own professional competence and in contexts arising from their particular role for example Careers Advisors. Teachers are to avoid giving advice in areas unrelated to their role or where they may lack expertise.