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# Duty of Care: Supervision of Students Policy

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## Purpose

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

## Scope

This policy applies to all staff at Monivae College.

## Legislative Context

- Education and Training Reform Act 2006
- Education and Training Reform Regulations 2007

## Definitions

Term	Definition
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

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	<p>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 reasonable steps are will depend on the individual circumstances of the case, and consideration of the following factors:</p> <ul style="list-style-type: none"> <li>▪ The probability that the harm would occur if care were not taken</li> <li>▪ The likely seriousness of the harm</li> <li>▪ The burden of taking precautions to avoid the risk of harm</li> <li>▪ The social utility of the activity that creates the risk of harm</li> <li>▪ The duty may, in some circumstances, extend outside school hours and outside the school 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 party.</li> </ul>
School Environment	<p>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:</p> <ul style="list-style-type: none"> <li>(a) a campus of the school;</li> <li>(b) online school environments (including email and intranet systems); and</li> <li>(c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).</li> </ul>

## Policy Statement

Monivae College provides effective student supervision and care to ensure that students are in safe environment at all times. The safety and wellbeing of students is given the highest priority at all times.

## Principles

- Learning within a safe environment plays an important role in student outcomes and sense of wellbeing.
- Principal and teachers must take reasonable steps to ensure the safety of student and others within the school environment.
- Clear procedures and processes that are consistently applied are important in ensuring high standards of duty of care at all times.
- The school 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 school while the student is under the care, supervision or authority of the school.
- 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.

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## Supporting Documents

- Duty of Care: Supervision of Students Procedure

## Responsibility

- The Board Directors (*as the Approval Authority*) are responsible for monitoring the implementation, outcomes and scheduled review of this policy and its accompanying procedure/s
- The Director of Students (*as the Policy Sponsor*) is responsible for maintaining the content of this policy as delegated by the above title.
- The Compliance and Risk Manager is responsible for the administration support for the maintenance of this policy as directed by the above title.

## Promulgation

The Duty of Care: Supervision of Students Policy will be communicated throughout the School community in the form of:

1. Policies section of the Monivae website to alert the School-wide community of the approved Policy;
2. distribution of e-mails to all staff.

## Implementation

The Duty of Care: Supervision of Students Policy will be implemented throughout the School via:

1. Policies section of SIMON knowledge banks to alert the School-wide community of the approved Policy;
2. Staff briefing sessions
3. Training sessions

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