



# ELTHAM HIGH SCHOOL

## POLICY DOCUMENT *Duty of Care*

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### INTRODUCTION

This policy outlines the duty of care obligations for staff in our school community.

### PHILOSOPHY

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

### POLICY STATEMENT

'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.

### GUIDELINES FOR IMPLEMENTING THE POLICY

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
- First Aid
  - Anaphylaxis
  - Asthma
  - Medication
- Child Safe
  - Child Protection Reporting
  - Child Safe Code of Conduct
- Emergency Management
- Volunteers
- Visitors
- Occupational Health and Safety
- External Providers (including Registered Training Organisations delivering VET)
- Working with Children and Suitability Checks

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. 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.

## **External Providers**

Staff at our school acknowledge that, as our duty of care is non-delegable, we are also required to take reasonable steps to reduce the risk of reasonably foreseeable harm when external providers have been engaged to plan for or conduct an activity involving our students. Our *Visitors Policy* and *Camps and Excursions Policy* include information on the safety and care of our students when engaged with external providers.

Our school also takes steps to ensure student safety when they are engaging in off-site workplace learning programs with external providers, such as when students are participating in work experience, school-based apprenticeships and traineeships, structured workplace learning and any other workplace learning program involving external providers. Our school will follow all applicable Department of Education and Training policy and guidelines in relation to off-site learning and will ensure that the safety and welfare of the students engaging in these activities is paramount. The Department's guidelines in relation to Workplace Learning are available at the following link:

<https://www.education.vic.gov.au/school/principals/spag/curriculum/pages/workplace.aspx>

## **BASIS OF DISCRETION**

The School Council has responsibility for the establishment, evaluation and review of school policies. The School Principal has the responsibility to ensure that school policies are implemented effectively.

Minor changes to the policy (changes that will not affect the spirit of the policy) may be made at the discretion of the Principal.

The Policy Review and Evaluation process will recommend any major changes to the policy to School Council.

## **RELATED POLICIES**

All associated policies can be found on the school website at:

<https://www.elthamhs.vic.edu.au/documents/index.php?dir=Information+and+Help%2FPolicies%2F>

Further information can be accessed on the DET website at:

Duty of Care

<https://www.education.vic.gov.au/school/principals/spag/safety/Pages/dutyofcare.aspx>

Workplace Learning

<https://www.education.vic.gov.au/school/principals/spag/curriculum/pages/workplace.aspx>

## **REVIEW**

This policy should be reviewed every 3 years.

Date Endorsed: 28/07/20 (*This policy is not required to be endorsed by School Council*)

## **Executive Officer**

Eltham High School Council

**CONSULTATION PROCESS AND WORKING PARTY INFORMATION:**

**This policy was written by: Fran Mullins**

**Consultation has taken place with the relevant group(s) in the following list:**

Group	Consultation ✓
School Operations Committee	✓
Staff	✓
Students (randomly selected group)	
Parents (randomly selected group)	
Members of the Community	
Other (where relevant please specify)	
Planning and Policy Review Team of Council <b>(Mandatory)</b>	✓
School Council <b>(Mandatory)</b>	

