



Duty of Care

Purpose of this policy

To explain the legal duties owed by teachers and school staff towards students at Research Primary School.

Standard of care required by schools

Principals and teachers are held to a high standard of care in relation to students. The duty requires principals and teachers to take reasonable steps to minimise the risk of reasonably foreseeable harm, including;

- ensuring the school complies with the seven Child Safe Standards
- provision of suitable and safe premises
- provision of an adequate system of supervision
- implementation of strategies to prevent bullying
- ensuring that medical assistance is provided to a sick or injured student
- managing employee recruitment, conduct and performance.

The duty 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.

Research Primary School will take reasonable steps to prevent injury from occurring with the following considerations in mind:

- identifying the risk of harm
- the probability that the harm would occur if care were not taken
- the likely seriousness of the harm
- the burden of taking precautions to avoid the risk of harm
- the social utility of the activity that creates the risk of harm.

Duty of care to students outside of school

In some circumstances, a school's duty of care will extend beyond school hours and outside of school grounds. This will occur when the relationship between the school and the student requires it in the particular circumstances. This, therefore, depends on all of the circumstances of each individual case, and the school's knowledge of any dangers.

Research Primary School guidelines

Research Primary School is committed but not limited to ensuring the following. We will;

- clearly inform parents/carers that the playground is supervised from 8.50am before school and until 3.40pm after school. No formal supervision of the playground occurs outside those hours
- arrive on time to scheduled timetable yard duty responsibilities
- adequately supervise during recess, lunchtime and before and after school duty
- act appropriately to protect a student who claims to be bullied
- believe that a child is being abused and report the matter according to the child protection policies
- be on time to supervise the line-up of students after the bell has sounded
- ensure that students are not left unattended in the classroom
- notice dangerous play and instruct a student who is not behaving in a safe manner
- instruct a student who is not wearing a hat to play in the shade
- adequately supervise students on a school excursion , camp or other activity
- ensure prior notification is given to the principal or delegate when leaving the school with students
- ensure that any request for access to student information by persons not usually associated with the student will be referred to the principal. The release of confidential information will be determined in accordance with DET policy and procedures
- limit our advice to students in areas within our own professional competence
- ensure that students do not leave the grounds during the school day unless the parent/guardian signs the student out at the office prior to the student being collected from their classroom.

Date policy ratified – October 2018

Date policy reviewed – 2022