

PURPOSE

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at Western Autistic 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
- First Aid
- Grounds Maintenance
- Student Private Property
- Child Safe Standards
- Emergency Management
- Volunteers
- Visitors
- Working with Children and Suitability Checks
- Mandatory Reporting
- Occupational Health and Safety

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.

PROGRAM

Western Autistic School has developed procedures for the communication of duty of care responsibilities of staff for students.

- All staff will be informed of their duty of care responsibilities via the staff handbook and through staff meetings.
- The Induction Program for new staff will include communication of duty of care responsibilities.

- The principal or nominee will highlight duty of care responsibilities in detail at one staff meeting on each campus, per term.

All staff members must refer to two important documents during the staff meeting each term:

- **Victorian Government School Policy and Advisory Guide**

In addition to their professional obligations, principals and teachers have a legal duty to take reasonable steps to protect students in their charge from risks of injury that are reasonably foreseeable. Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involve:

- *Providing adequate supervision in the school or on school activities*
- *Providing safe buildings, grounds and equipment.*

The teacher's duty is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student, while the ordinary citizen may choose to do nothing in a similar situation.

- **Ministerial Order Number 199 Teaching Service** (Employment Conditions, Salaries, Allowances, Selection and Conduct Order 2009)

REVIEW CYCLE AND EVALUATION

This policy will be reviewed every 3 to 4 years or more often if needed due to changes in regulations or circumstances.

Evaluation	Recommended review cycle 3 to 4 years
Date Ratified	July 19
Next review date	2023
School Council Approval	Approved