



DUTY OF CARE POLICY

CHILD SAFE STATEMENT

At Mornington Secondary College we hold the care, safety and wellbeing of children and young people as a central and fundamental expectation of our college. Mornington Secondary College is committed to protecting students from abuse or harm while at school and in our care. Mornington Secondary College's Child Safety Code of Conduct is consistent with the Education Department's recommendation.

<http://www.education.vic.gov.au/about/programs/health/protect/Pages/chilsafestandards.aspx>

PURPOSE

The purpose of this policy is to explain to our school community the duty of care obligations that all staff at Mornington Secondary College 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, Incursions and Excursions
- First Aid
- Child Safe Standards
- Emergency Management
- Working with Children and Suitability Checks
- 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.

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 as well as providing safe and suitable buildings, grounds and equipment.



A teacher's duty of care is not confined to the geographic area of the school, or to school activities, or to activities occurring outside the school where a student is acting on a teacher's instructions. The duty also applies to situations both before and after school where a teacher can be deemed to have 'assumed' the teacher pupil relationship. The teacher's duty of care 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 does not have a legal obligation to respond.

Whilst each case regarding a teacher's legal duty of care will be judged on the circumstances that occurred at the time, the following common examples may be times when a teacher has failed to meet their legal duty of care responsibilities to their students:

- arriving late to scheduled timetabled yard duty responsibilities
- failing to act appropriately to protect a student who claims to be bullied

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.

FURTHER INFORMATION AND RESOURCES

- School Policy and Advisory Guide: [Duty of Care](#)

REVIEW CYCLE

This policy was last rev May 2018 and is scheduled for review in March 2021.