
	Policy Name:	Duty of Care	First approved:	08-2011
			Last approved:	11-2021
	Responsible:	Principal	Review date:	11-2024
Status	Compulsory policy for VRQA registration Council approval not required Council consultation not required		Basis	DET Template

1. Purpose:

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

2. Policy:

- 2.1 “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.
- 2.2 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
 - Private Property
 - Child Safe Standards
 - External Providers
 - Volunteers
 - Visitors
 - Working with Children and Suitability Checks
 - Mandatory Reporting
- 2.3 Although the Duty of Care is non-delegable, as a Public/Private Partnership School, policies and procedures for some aspects of the Duty of Care for Lyndhurst Primary School are developed in conjunction with Cushman & Wakefield and the school OSSA. These may include:
- Tree Maintenance
 - Emergency Management
 - General Maintenance
 - Grounds Maintenance
 - Occupational Health and Safety
- 2.4 Our school acknowledges we are required to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision or authority of the organisation.

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- 2.5 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.
- 2.6 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.
- 2.7 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.

3. Evaluation:

- 3.1 This policy will be reviewed as part of the school's three-year review cycle.

References:

DET Duty of Care policy

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

Duty of Care and Supervision

<http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/prindutycare.aspx>

Reporting and Legal Obligations

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/reportobligations.aspx>

Child Safe Standards - DET

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