

SUPERVISION AND DUTY OF CARE POLICY AND PROCEDURES

PURPOSE:

To ensure that Baden Powell P-9 College (BPC) have an awareness and understanding of their duty of care obligations to provide adequate supervision to students.

GOALS:

To explain the nature of the legal duties owed by teachers and school staff towards students.

To ensure that BPC staff conduct themselves at all times consistently with these legal obligations and responsibilities.

GUIDELINES:

Principals and teachers have a special duty of care in relation to their students to take steps that are reasonable in the circumstances to protect students from risks of injury that should reasonably have been foreseen. This duty includes the duty to provide an adequate system of supervision.

The duty is not to prevent injury in all circumstances – it is a duty to take *reasonable* steps to prevent injury which is *known or foreseeable*. The question of what is reasonable steps will depend on the individual circumstances of the case, and the consideration of the following factors:

- 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

The duty may, in some circumstances, extend to *outside school hours* and *outside the school premises*. This will depend on whether the relationship between staff and students extends to the individual circumstances, whether the risk was known or foreseeable, and whether there were any reasonable steps that could be taken to prevent the injury from occurring.

The duty is *non-delegable*, meaning that it cannot be assigned to another party.

IMPLEMENTATION:

The principal is responsible for:

- ensuring that there is an adequate system of supervision in place during school hours, before and after school and on school excursions
- arrange for student supervision according to school needs
- ensure staff are aware of their responsibilities to supervise students during school times as well as before and after school.

Note: School authorities in breach of their duty of care may be liable for injuries to students.

Teachers and other school staff are responsible for following reasonable and lawful instructions from the principal, including instructions to provide supervision to students at a specific date, time and places.

In schools there must be clearly allocated specific responsibilities to staff members to undertake student supervision, as determined by the needs of the school, to protect students from reasonably foreseeable risks of injury including hazard that:

- are known
- could have been foreseen and prevented.

Note: This duty extends to intervention in single sex areas by a teacher of the other gender, if required.

Before School & After School:

Students must be supervised a minimum of **10 minutes** before and after school. This supervision may include some or all of the following:

- Monitoring of entry or exit points and/or designated pick up and drop off points
- Yard supervision
- Classroom supervision
- Bike shed supervision

At BPC, supervision at the beginning of the school day will commence at 8.30am at Tarneit and 8.45am at Derrimut Heath. This supervision will include: Yard, bike shed, exit and entry points and classroom supervision.

Supervision at the end of the school day will be provided until 3.15pm at Tarneit and 3.30pm at Derrimut Heath. The supervision will include: Yard, bike shed, exit and entry points and classroom supervision.

If a parent, guardian and carer (or other authorised person) drops off or otherwise arranges for a student to be on the school premises before the supervision commences at the beginning of the day, the principal will, as soon as practicable, follow up with parents, guardian and carer to:

- Advise of the supervision arrangements before school and
- Request that the parent, guardian or carer make alternative arrangements

If the parents, guardian or carer (or other authorised person) has failed to collect the student after school, the next steps, may include some or all of the following:

- Attempting to contact the parent, guardian or carer
- Attempting to contact the emergency contacts
- Placing the student in the out of school hours care program (if appropriate)

- Contacting the Victorian Police and/or the Department of Health and Human Services (Child Protection) to arrange for the supervision, care and protection of the student

Classrooms:

The classroom teacher has ultimate responsibility for the supervision of all students in their care.

This duty cannot be delegated to an external education provider, parent or Pre Service teacher.

In addition, no student should be left unsupervised outside the classroom as a withdrawal consequence for misbehaviour. Withdrawal from the classroom is only to occur in accordance with the *Colleges Student Engagement policy*.

If a teacher needs to leave the classroom unattended at any time during lesson he or she should contact the College Administration for assistance. The teacher should then wait until alternative supervision is being provided prior to leaving the classroom.

Recess and Lunchtimes:

The principal is responsible for ensuring that students are adequately supervised during recess and lunch. This will usually involve designating areas in the yard, and developing a roster for staff to supervise students in the designated areas for the time indicated in the roster.

At BPC Assistant Principal responsible for rosters is responsible for preparing and communicating the yard duty roster of a termly basis.

Teachers who are rostered for duty are responsible for remaining in the designated area until the end of the break period, or until replaced by a relieving teacher, whichever is applicable. During yard duty, teachers supervising should be guided by the following:

- In large areas; methodically move around the area, do not remain static in one place. This increases the ability to appropriately monitor student activity
- Be alert and vigilant
- Be punctual
- Intervene in potentially dangerous behaviour as observed in the yard
- Enforce behaviour standards and implement logical consequences from breaches of safety rules
- Ensure that students who require first aid assistance receive it as soon as possible
- Wear the High Visible vest provided
- Carry a Yard Duty Folder

If the supervising teacher is unable to conduct yard duty at the designated time, he or she should contact the Assistant Principal to ensure that alternative arrangements are made.

If the supervising teacher needs to leave yard duty during the allocated time, he or she should contact or send a message to the *Administration Office* but should not leave the designated area until the relieving teacher has arrived in the designated area.

If a relieving teacher does not arrive for yard duty, the teacher currently on duty should send a message to the *Administration office*, but not leave the designated area until a relieving teacher has arrived in the designated area.

Late Arrivals or Early Departures:

The Principal will ensure that the College has a procedure in place for the safe collection and drop off of students at school during school hours (e.g. late arrival and early departure). This will include a record of the date and time, the reason for the late arrival or early departure, and the person who has authorised the late arrival or early departure.

In relation to early departure from school the procedure will also include:

- Students will only be permitted to leave the school premises under the supervision of a parent or another person authorised by parents to collect the student
- If the person collecting the student is unknown to school staff, school staff will request a photo identification to verify the person's identity and a phone call to Adult A or B from the student details
- Early Leavers: for students to be able to catch the 3pm bus, parents are to complete and sign a permission form. Students are then allocated a bus pass

At Baden Powell College the procedure is as follows:

Late Arrivals:

- Parents, guardians, carers or student present to the administration office and a late form is completed
- Parents, Guardians, carers can also telephone Administration to inform about a student late arrival or absence. They are also able to enter the notification on COMPASS
- Late form is given to the teacher when student enters the classroom
- Teacher files the absence note

Early Departure:

- Parent, guardian or carer come to the administration office
- Complete an early Departure form
- Early departure from is signed by administration staff
- Form given to teacher when collecting student from the classroom
- Teacher files the Early departure note

Visitors:

The Principal will ensure that there is a procedure to monitor all visitors in the college. As a minimum procedure all visitors arriving and departing the

college premises during school hours are to use the Compass Kiosk to record their name, their signature, the date and time, and the purpose of the visit.

At BPC the procedure is as follows:

- Attend the administration office and ask for person who you will be visiting
- Complete the kiosk registration and clearly show the pass at all times
- Administration contact visiting person to collect visitor and check visitors pass has been completed and is on show
- Visiting person to return visit back to the administration office for visitor to sign out and return pass

Use of information and communication technologies:

Teachers and other staff at BPC also have a responsibility to reasonably supervise the use of Information Communication Technologies, and the use of online environments at the College.

In doing so, teachers and other staff are guided by the following:

- Relevant Departmental Policies (Student Engagement, Acceptable use Policy, Internet User Agreement, Anti-Bullying in the workplace, Bully stoppers)
- Relevant BPC policies (Internet Users Agreement, Privacy Policy,

It is important to note that:

- It is not reasonable or practicable for a teacher or Principal to inspect every website that will be accessed by a student. The nature of the Internet means that there can be no guarantee against inappropriate contact or changing circumstance in website content
- It is not reasonable or practicable for a teacher or principal to supervise an online learning environment 24 hours a day

The Principal and teachers are expected to respond to an online incident that impacts on students at the College as soon as they have knowledge of its occurrence.

At BPC the procedure is as follows:

- Teacher asks student to log off internet
- Teacher informs ICT technicians and ICT AP
- Website/incident is investigated
- If required consequence given (removal to access to website/computes)
- If required parents to be informed

Incursions:

Teachers must continue to supervise their students even whilst a visitor, speaker or instructor is presenting to the class

Visitors, speakers and instructors should not be responsible for supervising students on the College premises (Including Pre service teachers, SEDA students and work experience students)

Excursions and Camps:

This policy was approved by College Council in September 2019.

The Principal must ensure that students participating in excursions and camps are appropriately supervised.

Supervision can be provided by teachers, education support officers, trainee teachers, volunteer parents and carers, campsite staff and specialist instructors.

The Schools policy and advisory guide provides minimum requirements for staff-student ratios. However, Principals should determine the appropriate and effective level of supervision for each individual excursion or camp, taking into account the following:

- The experience, qualification and skills of staff
- The age, maturity, physical characteristics and gender of the students
- The size of the group
- The nature and location of the excursion/camp
- The activities to be undertaken

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>

Most excursions and camps must:

- Be under the direct control of a teacher with at least one other excursion staff member present
- Have enough teachers to maintain appropriate control of the excursion and each activity
- Have teachers comprising at least half of the excursions staff

Any person who supervises student on an excursion or camp must have a Working with Children Check or equivalent.

Prior to the commencement of the excursion or camp, the Principal must ensure that the specific roles and responsibilities of each supervisor are clarified and understood by all supervisors and students

The supervision of students on a camp or excursion will include the following:

- Retaining copies of all confidential medical forms and permission slips for each student who is participating in the excursion or camp
- Regularly marking of all attendance of students – this may include at the beginning of the excursion, on the transport, and at each location and activity
- Ensuring that the venue, transport and activities conducted to adhere to Department of Education and Training (DET) guidelines
- Monitoring student behaviour, enforcing behaviour standards, and implementing logical consequences for a failure to comply with the behaviour and safety standards
- Ensure that students who require first aid assistance receive it as soon as possible
- Ensure that risk management plans and emergency management plans are implemented as necessary

Roles and responsibilities:

The Principal will:

- Regularly communicate the duty of care and supervision obligation and responsibilities to all staff via the staff bulletin, staff briefing and meetings
- Regularly communicate the supervision arrangement to parents via College Newsletter, Information Booklet
- Determine the level of student supervision to be provided to students in all of the circumstances
- Allocate specific responsibilities to staff members to provide the supervision that is required
- Communicate the specific supervision responsibilities allocated to staff members
- Regularly review the level of student supervision provided to students and make adjustments as and when deemed appropriate

Teachers and other staff will:

- Comply with the lawful and reasonable directions of the Principals
- Comply with all DET and BPC policies
- Perform supervisory duties as required

Parents, guardians and carers will:

- Make appropriate arrangements for the transport, care and supervise students travelling to and from College
- Make appropriate arrangements for the care and supervision of students outside the supervision times before and after school
- Comply with late arrival and early departure policies and other college based policies

The Principal will communicate this policy to all staff using the following mechanisms:

- A copy of this policy will be provided in the Policy Handbook in the IRC
- New Staff will be informed of the policy as part of the Induction Program
- College staff will be directed to familiarise themselves with all relevant sections of the *Schools Policy and Advisory Guide*

EVALUATION:

This policy to be reviewed as part of the school's two year review cycle, individually, in teams and with the community in 2021 or more often if necessary due to changes in legislation, policy or local circumstances.