

## **SUPERVISION AND DUTY OF CARE POLICY** **(INCLUDING YARD DUTY AND SUPERVISION POLICY)**

### **RATIONALE:**

To explain the nature of the legal duties owed by teachers and school staff towards students. In addition to these 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. They also owe a duty to take reasonable care that any student (and other persons) on the premises will not be injured or damaged because of the state of the premises, including things done or omitted to be done to the premises

This policy should be read in conjunction with the Camps and Excursions Policy.

### **PURPOSE:**

To ensure that staff have an understanding of their duty of care obligations in order to provide adequate supervision at all times, and to ensure that staff consistently conduct themselves, at all times, with these legal obligations and responsibilities.

### **GUIDELINES:**

#### **Implementation of supervision requirements:**

- The Principal is responsible for ensuring that DET supervision requirements are met.
- Staff are responsible for following reasonable instructions from the Principal, including instructions to provide supervision to students at specific dates, times and places.
- Duty of Care requirements include providing adequate supervision in the school or on school activities; being aware that greater measures may need to be taken for younger students or students with disabilities. The teacher is legally obliged to protect a student from reasonably foreseeable harm or to assist an injured student.

#### **Supervision: Roles and Responsibilities - The school will:**

- Regularly communicate the duty of care and supervision obligations and responsibilities to all staff.
- Determine the level of student supervision to be provided to students in all circumstances.
- Allocate and communicate specific responsibilities to staff members to provide the supervision that is required.
- Regularly review the level of student supervision provided to students, as well as relevant policies and adjust as and when deemed appropriate.
- Ensure a copy of this document is placed on the School website and communicated to staff regularly.
- Ensure new staff are informed of their Duty of Care and Supervision requirements as part of the College's Induction Program.

#### **In meeting their Supervision / Duty-of-Care requirements, teachers will:**

- Comply with the lawful and reasonable directions of the Principal.
- Comply with all Department and school policies.
- Perform supervisory duties as required.

#### **Parents, guardians and carers will:**

- Make appropriate arrangements for the transport, care and supervision of students travelling to and from school.
- Make appropriate arrangements for the care and supervision of students outside the times of supervision before and after school

#### **Classroom Supervision:**

- It is not appropriate for a teacher to leave students in the sole care of an Educational Support (ES) member or an external education provider (e.g. presenter) when not in the line of site of a teacher. At law, duty of care cannot be delegated.
- Teachers are not to leave their class unsupervised. In an emergency, teachers should phone the Principal or Assistant Principal or contact the teacher in the next room. If appropriate, send another student for assistance.

#### **Yard supervision:**

- Yard supervision is an essential element in teachers' duty of care. It is clearly established that in supervising pupils, teacher's duty of care is one of positive action.
- Teacher's need to be aware that students are usually less constrained and more prone to accident and injury than in a more closely supervised classroom.
- Yard duty supervision within the school requires the teacher to fully comply with DET guidelines and brings with it an increased duty of care. It is a teacher's responsibility to be aware of these guidelines.
- Teachers timetabled for yard-duty must attend their designated area at the time indicated on the timetable. Teachers on duty must remain in this area until the end of the break period or until replaced by the relieving teacher, whichever is applicable.
- The handing over of duty must be quite definite and must occur in the area of designated duty. Where a relieving teacher does not arrive for duty, the teacher on duty should send a message to the office, but not leave the area until replaced.
- Teachers must be vigilant whilst undertaking yard-duty, intervene immediately if potentially dangerous behaviour is observed, and seek support as necessary.
- No changes to the yard duty timetable are to be made without the approval of the Daily organiser or Principal Class Officer. Communication on yard-duty supervision will be as follows: - The yard duty roster is displayed in the staffroom - Teachers are informed of their timetabled yard duty obligations via COMPASS.
- In addition to regular timetabled yard duties, teachers may be eligible to receive yard duty extras or in-lieu's. Teachers are informed of such yard duties via the Daily Organisation Schedule displayed in the staffroom, as well as via COMPASS.
- It is the teacher's responsibility to check the Daily Organisation Schedule each morning to ensure that they are aware of any extra or an in-lieu yard duty.

#### **Before and After School Supervision:**

- If a parent, guardian or carer drops off or otherwise arranges for a student to be on the school premises before supervision commences at the beginning of the day, the Principal (or delegate) may, as soon as practicable, follow up with the parent, guardian and carer to:
  - Advise of the supervision arrangements before school, and
  - Request that the parent, guardian or carer make alternate arrangements.
- If a parent, 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 parents, guardians, carers or emergency contacts.
  - Contacting the Victoria Police and/or the Department of Human Services to arrange for the supervision, care and protection of the student.

#### **Supervision and duty-of-care for late arrival or early departures:**

- The Principal will ensure that the school has procedures in place for the safe collection and drop off of students during school hours. 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.

### **Excursions, Incursions and Camps:**

- An incursion with an external provider does not absolve supervision duties of the teacher, including first aid duties. A teacher must be present at all times and remain the person designated with duty of care responsibilities.
- Camps and excursions outside the school require the teacher to fully comply with DET guidelines. It is a teacher's responsibility to be aware of these guidelines and remain the person designated with duty of care.
- The teacher in charge or designated teacher of an excursion or camp will carry a mobile phone and a first aid kit.
- If the return time from an excursion or camp is delayed, the teacher in charge will contact the school to inform the Principal of the new arrival time so that parents can be contacted, and a senior staff member will remain at school until they arrive.
- The teacher in charge will ensure that camps or excursions will comply with the college Camps and Excursion policy and DET Camps and Excursions guidelines.

### **Links for Teachers:**

DET Duty of Care Policy

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

DET Supervision and Access Policy

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

DET Visitors in Schools Policy

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

DET Child Safe Standards

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

DET Excursions and Activity Policy

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

### **Evaluation and Review:**

Policy last reviewed	2022
Consultation	
Approved by	Principal
Next scheduled review date	3-4 years 2026

