



Help for non-English speakers

If you need help to understand the information in this policy, please contact Marnebek School Cranbourne on 5996 3858.

Purpose

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at Marnebek 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
- Student Private Property
- Child Safe Standards
- External Providers (including RTOS delivering VET/VCAL)
- 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.

Duty of care of students

School staff have a duty of care in relation to students. Principal, teachers and other staff working with students must take reasonable steps to minimise the risk of reasonably foreseeable harm, including by:

- Providing suitable and safe premises
- Providing an adequate system of student supervision
- Undertaking risk assessments for school activities and events
- Implementing strategies to prevent reasonably foreseeable injuries, whether physical or psychological, to students (including injuries suffered as a result of bullying)
- Ensuring that appropriate medical assistance is provided to a sick or injured student
- Ensuring the school complies with Child Safe Standards
- Taking other reasonable precautions to minimise the risk of child abuse by an individual associated with the school
- Implementing relevant Department and local school policies
- Managing employee recruitment, conduct and performance.

External Providers

Staff at our school acknowledge that, as our duty of care is non-delegable, meaning that it cannot be assigned to another party. However, this does not mean that only one person holds a duty of care to a particular student at any one time. Multiple staff may have a duty of care to the same student, with differing responsibilities and roles to play in relation to the school discharging its overall duty of care.

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>

Communication

This policy will be communicated to our school community in the following way:

- Included in staff induction training
- Staff briefing and/or meetings as required
- Available publicly on our school’s website
- Hard copy available from school administration upon request
- Included in staff handbook/manual
- Discussed at staff briefings/meetings as required

Further Information and Resources

- School Policy and Advisory Guide: [Duty of Care](#)
- School Policy and Advisory Guide: [Workplace Learning](#)
- [Risk assessment template](#)
- [Bullying Prevention and Response](#)
- [Child Safe Standards](#)
- [Child Protection and Child Safe Standards \(PROTECT\)](#)
- [Excursions](#)
- [Legal Claims, Subpoenas, Summonses and Other Legal Documents](#)
- [Risk Management — Schools](#)
- [Supervision of Students](#)
- [Volunteers in Schools](#)

REVIEW CYCLE AND EVALUATION

Policy last reviewed	June 2023
Approved by	Principal
Next scheduled review date	June 2026

Marnebek School
Cranbourne

Duty of Care
Policy

