

DUTY OF CARE POLICY



Help for non-English speakers

If you need help to understand the information in this policy, please contact the General Office.

PURPOSE

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

CONTEXT STATEMENT

Located in the Wyndham growth corridor of Tarneit, Brinbeal Secondary College provides students from the Tarneit community a wide range of diverse and outstanding opportunities in an orderly and inclusive learning environment that promotes and fosters educational attainment and academic excellence for all.

Brinbeal Secondary College is a Supported Inclusion School (SIS). A SIS is a local government school with additional professional capabilities and facilities designed to cater to a higher proportion of students with disability (up to 10%). Students with a disability will be provided with enhanced support to receive high-quality, evidence-based educational provision alongside their peers without disability in a safe, accessible and supportive environment.

Brinbeal Secondary College can enrol 1,300 students, including 100 places for students with disability.

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
- Tree Maintenance
- Grounds Maintenance
- Student Private Property
- Child Safe Standards
- External Providers (including RTOS delivering VET)

- Emergency Management
- Volunteers
- Visitors
- Working with Children and Suitability Checks
- Mandatory Reporting
- Occupational Health and Safety

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.

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.

Risk identification using the [SWOT matrix analysis tool](#) takes place for every in-school activity and excursion. We use the Department's [School Risk Register template](#) and [Registered Bus Operator Risk Register](#) to record possible cause, impact and strategies to mitigate the risk. The completed template is stored securely on the school's shared drive. All staff who are involved with the in-school activity or excursion are expected to familiarise themselves with the risk register prior to the event.

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.

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 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://www2.education.vic.gov.au/pal/structured-workplace-learning/policy>

COMMUNICATION

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

- provided to staff at induction and included in staff handbook/manual
- discussed at staff meetings/briefings as required
- made available publicly on our school website
- included as annual reference in school newsletter
- made available in hard copy from the General Office upon request.

FURTHER INFORMATION AND RESOURCES

- The Department’s Policy and Advisory Library (PAL):
 - [Duty of Care](#)
 - [Restraint and Seclusion](#)
 - [Structured Workplace Learning](#)
 - [COVID19 School Operations Guide](#)

- Related school policies:
 - Bullying Prevention Policy
 - Camps and Excursions Policy
 - Child Safety and Wellbeing Policy
 - Emergency Management Plan
 - First Aid Policy
 - Child Safety Responding and Reporting Obligations Policy and Procedures
 - Occupational Health and Safety
 - Volunteers Policy
 - Visitors Policy
 - Yard Duty and Supervision Policy

POLICY REVIEW AND APPROVAL

Policy last reviewed	May 2023
Approved by	Principal
Next scheduled review date	May 2025 – to ensure ongoing relevance and continuous improvement, this policy will be reviewed every 3-4 years thereafter.