



Help for non-English speakers.

If you need help to understand the information in this policy, please contact the school administration.

PURPOSE

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at Niddrie Autistic 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 Policy
- Bullying Prevention Policy
- Camps and Excursions Policy
- First Aid Policy
- Tree Maintenance Procedure
- Grounds Maintenance Procedure
- Personal Property Policy
- Child Safe Standards
- External Providers
- Emergency Management
- Volunteers Policy
- Visitors Policy
- 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.

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.

Niddrie Autistic 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.

During a pandemic, such as the 2020 COVID-19 pandemic, government schools are required to comply with the Department's Operations Guides applicable to that specific pandemic.

The Department updates the Operations Guides as required during a pandemic based on advice from the Department of Health and Human Services (DHHS). These Operations Guides cover procedures for management of duty of care.

The current COVID-19 Operations Guide includes a COVID Safe Plan for Schools that ensures schools remain safe environments. The current Operations Guide is available on the [Departments intranet](#).

Niddrie Autistic School acknowledge 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.

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.

PROGRAM

Niddrie Autistic School has developed procedures for the communication of duty of care responsibilities of staff for students.

- All staff will be informed of their duty of care responsibilities via the staff handbook and through staff meetings.
- The Induction Program for new staff will include communication of duty of care responsibilities.
- The principal or nominee will highlight duty of care responsibilities in detail at one staff briefing per term.



All staff members must refer to two important documents during the staff briefing each term:

[Victorian Government School Policy and Advisory Guide](#)

In addition to their professional 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. Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involve:

- *Providing adequate supervision in the school or on school activities*
- *Providing safe buildings, grounds, and equipment.*

The teacher's duty is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student, while the ordinary citizen may choose to do nothing in a similar situation.

Ministerial Order Number 199 Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct Order 2009)

COMMUNICATION

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

- Provided to new staff at time of induction.
- Discussed at staff briefings as required.
- Made available publicly on our school website.
- Included in transition and enrolment packs.
- Made available in hard copy from school administration upon request.

FURTHER INFORMATION AND RESOURCES

- the Department's Policy and Advisory Library (PAL): [Duty of Care](#)
- the Department's Policy and Advisory Library (PAL): [Structured Workplace Learning](#)
- Yard duty and Supervision Policy
- Bullying Prevention Policy
- Camps and Excursions Policy
- First Aid Policy
- Tree Maintenance Procedure
- Grounds Maintenance Procedure
- Personal Property Policy
- Child Safe Standards
- External Providers
- Emergency Management



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

POLICY REVIEW AND APPROVAL

Policy last reviewed	20 May 2024
Approved by	Principal: Lauren Topp School Council – 4 th June 2024
Next scheduled review date	June 2027