

## DUTY OF CARE POLICY

### Rationale

Duty of care is mandated by law and underpinned by our ethical and moral values in that every person is responsible for their actions towards others. At Darul Ulum College of Victoria, staff, student teachers on placements and others who are on school premises or engaged in a school activity have a duty of care towards every student. The College will endeavor to take all reasonable steps to ensure the safety of students and any person in an effort to avoid both known and reasonably foreseeable risks of harm and/or injury.

This policy must be read in conjunction with the Teacher Duties and Responsibilities Policy, the Child Safety policy, the Protecting Children Policy and the Code of Conduct for Staff and Others Who Interact with Children.

### Definition

Duty of care means a duty imposed by the law to take care to mitigate the risk of harm to another. Keeping children safe from harm requires a vigilant and informed school community that is confident in making judgements and assertive in taking actions. The duty is to protect students from risks of harm that reasonably ought to be foreseen. This requires not only protection from known hazards, but also protection from harm that could foreseeably arise.

### Aims

1. To ensure that an effective response to protecting children from harm is provided.
2. To promote an Islamic environment in which the rights for the care and safety of students are always fulfilled by staff.
3. To ensure that school buildings, equipment and facilities are safe.
4. To ensure that non-teaching staff, volunteers and external providers who agree to perform tasks that require them personally to interact with students are aware that they will also owe a duty of care towards students.
5. To take such reasonable measures in all circumstances to protect students from risks of harm that reasonably ought to be foreseen. This requires not only protection from known hazards, but also protection from harm that could arise from a variety of circumstances, including contractors, visitors, parents, traffic and procedures.
6. To discharge duty of care responsibilities by exercising the staff members' professional judgement to achieve a balance between ensuring that students do not face an unreasonable risk of harm and encouraging students' independence and maximising learning opportunities.
7. To ensure all school policies pertaining to duty of care are implemented throughout the school.

## Guidelines

Factors to be considered in situations of potential harm are:

1. The risk and likelihood of harm.
2. The sorts of injuries that could occur.
3. Precautions that could be taken to minimise the risk, harm or injury.
4. The usefulness of the activity involving risk.

## Avoiding Harm or Injury

1. Determining when harm or injury is foreseeable.
2. Safeguarding oneself and others against harm or injury.
3. Taking account of the seriousness of the potential harm or injury.
4. Not actively harming or injuring the other person.
5. Avoiding compromises to the rights of others.
6. Noticing risks that other people alert you to.
7. Supporting people to confront risks safely.
8. Recognising that some risks are reasonable.
9. Maintaining confidentiality.
10. Considering alternatives where risks are minimised.

## Implementation

Darul Ulum College is committed to address the following duty of care areas:

1. **A duty to take reasonable care that any student (or other person) 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.**

The Child Safety Risk Management Policy and the Code of Conduct for Staff and Others Who Interact with Children identify a range of measures and strategies under the guidance of the Board of Directors to mitigate the risk of exposing a student or any person on the school premises or engaged in a school-based activity to any form of harm as far as practicable.

Before the commencement of any works on the school premises, subject to who initiates the work, i.e., either the Property Manager or the Maintenance and Operations Manager, they must make an entry in the designated register and submit that work request to the principal for prior approval.

The register will consist of the following headings:

- Type of work intended and exact location
- Risks to students, staff, volunteers, contractors, the public
- Physical environment - facility, campus, safety risks
- Compliance risks
- Awareness and communication risks

**The Property Department is** responsible for monitoring the physical state of the school premises. The Property Department Manager is responsible to carry out termly safety audits of the following areas [but not limited to] which must also be recorded in the designated DUCV register and/or the DUA register:

- indoor and outdoor environments;
- cleaning services;
- playground equipment;
- pest control;
- ensuring that all equipment and materials used at the school meet relevant safety standards;
- implementing and practising emergency and evacuation procedures; and
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.

**2. A duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the school while the child is under the care, supervision or authority of the school.**

**Consistent with the** Code of Conduct for Staff and Others Who Interact with Children Policy, the Protecting Children\_ Mandatory Reporting of Child Abuse Policy and the Student Behaviour Management Policy, all of which have been ratified and endorsed by the Board of Directors, Darul Ulum College has a policy of zero tolerance towards all forms of child abuse. This includes physical abuse, emotional abuse, sexual abuse, bullying, discrimination, harassment and violence.

3. Schools and teachers must take reasonable care for the safety and welfare of students whilst students are involved in school activities or are present for the purposes of a school activity.
2. The school will satisfy its duty of care commitments by allocating responsibilities to different staff.
3. The school is responsible for making and administering such arrangements for supervision as necessary according to the circumstances in the school.
4. The school takes responsibility to assign supervisors for student's between 7:45am and 4:30pm. Students who have not been picked up by 4:30 pm will be directed to the office to call their parents.
5. If the parent/guardian cannot be reached, the child's authorized emergency personnel will be contacted. If by 4:45pm, the College is still not able to establish contact with the parent/guardian and/or an authorized emergency contact, the College may call Child Protection Services and/or the local police department (due to child safety reasons) if this is a chronic issue with a given family.
6. Parents must inform the College of any circumstantial difficulties in picking up their children in a timely manner.
7. Teachers are responsible for being proactive in carrying out their assigned supervisory duties.
8. Emergency replacement will be arranged by the Daily Organisers on the occasion that a teacher is absent on the day of their supervisory duty.
9. Students must be adequately supervised during recesses and lunchtimes.
10. In the event of an incident involving an injured student, a written report of all the

circumstances, and details of all witnesses, must be entered on AWMS by the school nurse or supervising teacher. Teachers witnessing the incident must report the case to the Heads of School. In the event where the Head of School is unavailable, the Principal or his delegate will attend to this.

11. Minor incidents where no obvious injuries are apparent will be recorded in the Yard Duty Book. Level coordinators follow up if deemed necessary.
12. Children must not be left without teacher supervision.
13. Teacher on playground duty must be vigilant and endeavor to avoid distractions.
14. Once a situation develops which has the potential to be dangerous, the teacher's response to the situation should be immediate.
15. Children should NOT be released prior to the school's stipulated dismissal times neither should they be permitted outside the school grounds without prior parental consent.
16. The approval of the Principal should be sought for all after-hours activities.
17. Teachers have a duty of care to students during all school related activities. This includes:
  - in classrooms, laboratories, computer rooms, library, etc.;
  - during extra curricula or co-curricular activities;
  - outdoor and indoor play areas;
  - during sport and physical education activities;
  - when students are moving about the school;
  - travelling to, returning from and during excursions and school camps.
18. Where there is reasonable concern for the student's safety or the safety of others, immediate contact should also be made with the police and the relevant department.
19. Early leaver passes for students can only be issued to the legal guardians.
20. Duty of care is not extended to those students who are not marked present or deemed absent from the College.
21. Students will be trained with the College's Emergency Management Plan & Procedures.
22. Parents/guardians are kept informed as to when supervision of students is available before and after school, and that outside these times supervision and/or the collection of students is the responsibility of parents/guardians.
23. Whilst the school supervises students during school hours and on school grounds, parents/guardians have responsibility for the care and supervision of students travelling to and from school. Parents / carers / guardians are also responsible to pick up their children in a timely manner.
24. Parents dropping off or picking up students outside the school premises are liable for their children's safety. The College does not take any responsibility for any incidents or accidents that may occur outside the school premises or outside school hours.

Date of Review	Next Review
Term 1, 2023	Term 4, 2024
<b>Principal's Endorsement:</b> 	