

DUTY OF CARE POLICY

RATIONALE

Duty of care is mandated by law and underpinned by the teachings of Islam in that every person is responsible for his/her actions towards others. At Darul Ulum College of Victoria, every teacher has a 'duty of care' towards every student under his/her supervision. The College will endeavour to take all reasonable steps to ensure the safety and welfare of students in an effort to avoid both known and reasonably foreseeable risks of harm and/or injury.

DEFINITION

'Duty of care' means a duty imposed by the law to take care to minimise 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 teachers' 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 is 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

1. 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. In particular instances, non-teaching staff, volunteers and external providers will also owe a duty of care to students.
3. The duty of care is owed to students during school hours which are from 8:00 a.m. to 4:15 p.m. Students who have not been picked up by 4:15pm will be directed to an assigned waiting room and supervised. The parent will be required to fill in a Late Pick-up Form which is obtained from reception.
4. DUCV is responsible for making and administering such arrangements for supervision as necessary according to the circumstances in the school.
5. Teachers are responsible for being proactive in carrying out their assigned supervisory duties.
6. Teachers supervising the students will not be called away for other duties during this time unless replacements are organised.
7. Emergency replacement will be arranged by the Daily Organisers on the occasion that a teacher is absent on the day of their supervisory duty.
8. Students must be adequately supervised during recesses and lunch times. Division of areas to be supervised are made according to student-area accessibility.
9. 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 in the Accident & Incident Register by the respective Heads of School. 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.
10. Minor incidents where no obvious injuries are apparent will be recorded in the Yard Duty Book. Level coordinators follow up if deemed necessary.
11. Children must not be left without teacher supervision.
12. Teacher on playground duty must be vigilant and endeavour to avoid distraction.
13. Once a situation develops which has the potential to be dangerous, the teacher's response to the situation should be immediate.
14. Children should NOT be released prior to the school's established dismissal times neither should they be permitted outside the school grounds unsupervised.
15. The approval of the principal should be sought for all after hours' activities.
16. The school and teachers have a duty of care to students whenever the school is exercising control over the students' actions. 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;
 - during excursions and school camps.
17. When a student runs away from school, the parent/guardian should be informed immediately.

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 wdepartment
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. Student must be trained with the College's Emergency Management Plan & Procedure.
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. This information will clearly be provided to parents/guardians on a regular basis.
23. Under no circumstances should a child who is being cared for be left unattended.
24. 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.
25. Parents who still ignore this requirement and bring students to and from school outside school hours will be contacted. If the parents do not comply by the notice and discussion, the matter will be referred to the Principal.
26. 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.
27. Where all reasonable attempts have been made to contact parents/guardians, and the time is well beyond a reasonable time for collection, consideration should be given to send the child home at parent's cost.

PICK-UP PROCEDURE

1. All students are expected to be picked up by a parent / guardian by 4:15 pm the latest. If a parent/guardian arrives after 4:45 pm., families will be charged a late fee. There will be no exceptions or warnings. If a parent/guardian is late, a late charge will be issued. A "no exceptions" policy makes it easier to apply the late policy to everyone consistently and fairly.
2. If parents are running late, they must contact the College and let the office know if the anticipated arrival time is after 4:30. It is crucial to know the arrival time in advance in order to organise adequate supervision and/or possible transport arrangements.
3. The parent/guardian must sign the Late Pick-up Record Form (carbon copy) which can be obtained from the supervisor.
4. All students will be moved to a designated area in the school after 4:15 pm. The parents/ guardians will need to come in the respective front receptions to pick up their child/ren. If a parent has not contacted the College by 4:30, the College will follow the protocol below:
 - First the parent/guardian will be called.
 - If the parent/guardian cannot be reached, the child's authorized emergency personnel will be contacted.
 - If by 5pm, the College is still not able to establish contact with the authorized emergency contact, the College will call Child Protection Services and/or the local police department (due to child safety reasons) if this is a repeated offence. Possible options to be explored are:
 - Ask the child of any alternative family member to be dropped off there
 - Police station
 - Send home by taxi



5. The supervisor will complete the Late-Pickup Form and the parent/guardian will be asked to sign it.
6. Parents who are experiencing frequent difficulties in picking their child/ren due to their circumstances, Heads of School will arrange a meeting to discuss possible solutions.
7. Parents must inform the College of any circumstantial difficulties in picking up their children in a timely manner.
8. The College will refer cases of any consistent late pick-ups without significant communication to Child Protection Services.

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