

BEECHWORTH PRIMARY SCHOOL



No. 1560

Believe - Persist - Succeed

Beechworth Primary School

Supervision & Duty of Care Policy

Purpose

To ensure that Beechworth Primary School staff have an adequate awareness and understanding of their duty of care obligations and responsibilities to provide adequate supervision to students.

To ensure that Beechworth Primary School staff conduct themselves at all times consistently with these legal obligations and responsibilities.

Policy statement

Background

Principals and teachers have a special duty of care in relation to their students to take steps that are reasonable in the circumstances to protect students from risks of injury that should reasonably have been foreseen. This duty includes the duty to provide an adequate system of supervision.

The duty is not to prevent injury in all circumstances – it is a duty to take *reasonable* steps to prevent injury which is *known or foreseeable*. The question of what are reasonable steps will depend on the individual circumstances of the case, and consideration of the following factors:

- The probability that the harm would occur if care were not taken
- The likely seriousness of the harm
- The burden of taking precautions to avoid the risk of harm
- The social utility of the activity that creates the risk of harm

The duty may, in some circumstances, extend *outside school hours* and *outside the school premises*. This will depend on whether the relationship between staff and student extends to the individual circumstances, whether the risk was known or foreseeable, and whether there were any reasonable steps that could be taken to prevent the injury from occurring.

The duty is *non-delegable*, meaning that it cannot be assigned to another party.

The Principal must:

- arrange for student supervision according to the school needs
- ensure staff are aware of their responsibilities to supervise students during school times as well as before and after school.

At Beechworth Primary School there are clearly allocated specific responsibilities for staff members to undertake student supervision, as determined by the needs of the school, to protect students from reasonably foreseeable risks of injury including hazard that:

- are known
- could have been foreseen and prevented.

Note: This duty extends to intervention in single sex areas by a teacher of the other gender, if required.

Definitions

A Visiting Speaker is a person who comes into the school to conduct an oral presentation.

An Instructor is a person who comes into the school to instruct on a curriculum area. E.g. Sports instructor, music instructor.

Responsibilities

Beechworth Primary School has a responsibility to;

- Provide student supervision according to the school needs
- Ensure staff are aware of their responsibilities to supervise students during school times as well as before and after school
- Have in place clearly allocated specific responsibilities for staff members to undertake student supervision, as determined by the needs of the school, to protect students from reasonably foreseeable risks of injury including hazards that:
 - Are known
 - Could have been foreseen and prevented

The Principal will

- Regularly communicate the duty of care and supervision obligations and responsibilities to all staff
- Regularly communicate the supervision arrangements to parents
- Determine the level of student supervision to be provided to students in all of the circumstances
- Allocate specific responsibilities to staff members to provide the supervision that is required
- Communicate the specific supervision responsibilities allocated to staff members
- Regularly review the level of student supervision provided to students and make adjustments as and when deemed appropriate
- Regularly review the duty of care and supervision policy to ensure that it is consistent with the *School Policy and Advisory Guide*, and continues to meet the duty of care obligations and responsibilities for all students

Teachers and other staff will:

- Comply with the lawful and reasonable directions of the Principal
- Comply with all Department and school policies
- Perform supervisory duties as required

Parents, guardians and carers will

- Make appropriate arrangements for the transport, care and supervise students travelling to and from school
- Make appropriate arrangements for the care and supervision of students outside the times of supervision before and after school
- Comply with late arrival and early departure policies and other school based policies

Procedures

The Principal of Beechworth Primary School will communicate this policy to all staff using the following mechanisms:

- A copy of this policy will be provided to each member of staff in the Staff Handbook at the first staff meeting at the commencement of the school year.
- New staff will be informed of this policy as part of the School's Induction Program
- School staff will be directed to familiarise themselves with all relevant sections of the *Schools Policy and Advisory Guide*.

This Policy will be included in the School Policy area of the Beechworth primary School website.

- **Supervision responsibilities before and after school:**

- A yard duty timetable is in place and includes before and after school times
- Staff on duty will attend the prescribed school entry and exit point.
- School supervision is provided for a minimum of 15 minutes before and after school
- Two staff members supervise the departure of students at the end of the school day
- Teachers supervising departures are not to be called away for other duties without alternate supervision being arranged
- Monitoring of entry or exit points and/or designated pick up and drop off areas
- Supervision of the arrival and departure of school contract buses
- Yard supervision
- Classroom supervision

If a parent, guardian and carer (or other authorised person) drops off or otherwise arranges for a student to be on the school premises before supervision commences at the beginning of the day, the principal will, as soon as practicable, follow up with the parent, guardian and carer to

- advise of the supervision arrangements before school, and
- request that the parent, guardian or carer make alternate arrangements.

If a parent, guardian or carer (or other authorised person) has failed to collect the student after school, the next steps may include some or all of the following:

- Attempting to contact the parents, guardians or carers
- Attempting to contact the emergency contacts
- Placing the student in the out of school hours care program (if appropriate)
- Contacting the Victoria Police and/or the Department of Human Services (Child Protection) to arrange for the supervision, care and protection of the student

- **Classroom:**

The classroom teacher has ultimate responsibility for the supervision of all students in their care.

This duty cannot be delegated to external education providers parents or trainee teachers.

In addition, no student should be left unsupervised outside the classroom as a withdrawal consequence for misbehaviour. Withdrawal from the classroom is only to occur in accordance with the Discipline policy.

If a teacher needs to leave the classroom unattended at any time during a lesson, he or she should contact the office for assistance. The teacher should then wait until alternate supervision is being provided prior to leaving the classroom.

- **Supervision at recess and lunchtimes:**

The Principal is responsible for ensuring that students are adequately supervised during recess and lunch. This will usually involve designating areas in the yard, and developing a roster for staff to supervise students in the designated area for the time indicated in the roster.

- At Beechworth Primary School, the Principal is responsible for preparing and communicating the yard duty roster on a weekly/fortnightly/monthly basis. At Beechworth Primary School the designated yard duty areas are split into two main areas. Junior, encompassing the junior playground, oval and basketball court at the front of the school. Senior, encompassing the wetlands, senior playground, netball court. The toilet block at the back of the school will be monitored by both yard duty teachers.
- Teachers who rostered for duty are responsible for remaining in the designated area until the end of the break period, or until replaced a relieving teacher, whichever is applicable. During yard duty, supervising teachers should be guided by the following:
 - If the designated area is large in size, teachers are expected to methodically move around the area rather than remain static in the one position. This increases the ability to appropriately monitor student activity.
 - Be alert and vigilant
 - Intervene if potentially dangerous behaviour is observed in the yard
 - Enforce behaviour standards and implement logical consequences for breaches of safety rules
 - Ensure that students who require first aid assistance receive it as soon as practicable through communicate with the First Aid Officer on duty via a walkie-talkie.
 - When needed, a third staff member will also assist with yard duty

- If the supervising teacher is unable to conduct yard duty at the designated time, he or she should ensure that alternative arrangements are made with another staff member and inform the Principal.
- If the supervising teacher needs to leave yard duty during the allocated time, he or she should contact the Principal or another staff member who can relieve, but should not leave the designated area until the relieving teacher has arrived in the designated area.
- If a relieving teacher does not arrive for yard duty, the teacher currently on duty should send a message to the office, but not leave the designated area until a relieving teacher has arrived in the designated area.

- **Late arrival or early departure:**

The Principal will ensure that the school has a procedure in place for the safe collection and drop off of students at school during school hours (eg late arrival or an early departure). This will include a record of the date and time, the reason for the late arrival or early departure, and the person who has authorised the late arrival or early departure.

In relation to early departure from school, the procedure will also include:

- Students will be only be permitted to leave the school premises under the supervision of a parent or another person authorised by parents to collect the student
- If the person collecting the student is unknown to school staff, school staff will request photo identification to verify the person's identity

At Beechworth Primary School the procedure is as follows:

- Parents or person's authorised by a parent must report to the General Office if a child is late to school or departing from school early.
- The Office personnel will record the late arrival or early departure onto compass and issue a note to the teacher that ensures that the office has been informed of the student's entry to or exit from the school.

- **Visitors:**

The Principal will ensure that there is a procedure to monitor all visitors in the school. As a minimum this procedure must require all visitors arriving and departing the school premises during school hours to use a visitors' book to record their name, their signature, the date and time, and the purpose of the visit.

At Beechworth Primary School, the procedure is as follows:

- Visitors must report to the General Office to register their entry to and exit from the school.
- The Office personnel will ensure their name, date and time of entry and exit are recorded, they read the child safety statement and they are issued with a Visitors tag.

- **Outside school grounds:**

- Student supervision will be overseen by staff members at all out of school activities. Education support officers, parents/carers, and volunteers may assist with this supervision

- **Swimming Program:**

- Staff and education support officers are required to provide supervision when students are attending school swimming programs
- Water activities must adhere to staff/student ratios as set by DET, and vigilance must be taken when students are changing. Same sexed staff members must supervise the change area.

- **Use of information and communication technologies:**

Teachers and other staff of Beechworth Primary School also have a responsibility to reasonably supervise the use of information and communication technologies, and the use of online learning environments at school.

In doing so, teachers and other staff should be guided by the following:

- Relevant Departmental policies (eg. Student Engagement Guidance, Bully Stoppers, Acceptable Use Policy)

- Relevant Beechworth Primary School policies (eg. Acceptable Use Agreements)

It is important to note that

- It is not reasonable or practicable for a teacher or principal to inspect every website that will be accessed by a student. The nature of the Internet means that there can be no guarantee against inappropriate content or changing circumstances in website content.
- It is not reasonable or practicable for a teacher or principal to supervise an online learning environment 24 hours a day.

The principal and teachers are expected to respond to an online incident that impacts on students at the school as soon as they have knowledge of its occurrence.

At Beechworth Primary School, the procedure is as follows:

- Report the matter to the Principal
 - Use the ICT Acceptable Use Policy as a guideline for action.
- **Buses:**
 - Students arriving at school using a school contract bus are dropped off at the allocated bus circuit at the front of the school
 - The Bus Travellers' Policy describes all procedures for supervision of students catching either school buses after school.
 - Regular meetings are held to remind students of their responsibilities when travelling by bus
 - Any reported behaviour issues on the buses are dealt with by the Principal and may result in students not being permitted to catch a bus

Students are to be supervised following the outlined guidelines within the contexts of the relevant activity:

- **Camps:**
 - Students should be supervised by an adult who has a current "Working with Children Check" at ALL times. The school has a responsibility to ensure any staff conducting activities with students has this check.
 - All staff and parents present must have a knowledge of and maintain the requirements of the school Child Safety Policy and Code of Conduct.
 - Water activities must adhere to staff/student ratios and vigilance must be taken when students are changing. Same sexed staff members must supervise the change area.
 - At least one attending staff member to be First Aid qualified.

- **Excursions:**

The principal must ensure that students participating in excursions and camps are appropriately supervised.

Supervision can be provided by teachers, education support officers, trainee teachers, volunteer parents and carers, campsite staff and specialist instructors.

The *Schools Policy and Advisory Guide* provide minimum requirements for staff-student ratios. However, Principals should determine the appropriate and effective level of supervision for each individual excursion or camp, taking into account the following:

- The experience, qualifications and skills of staff
- The age, maturity, physical characteristics and gender of the students
- The size of the group
- The nature and location of the excursion / camp
- The activities to be undertaken

Most excursions and camps must;

- be under the direct control of a teacher with at least one other excursion staff member present

- have enough teachers to maintain appropriate control of the excursion and each activity
- have teachers comprising at least half of the excursion staff

Any person who supervises students on an excursion or camp must have a Working with Children check.

Prior to the commencement of the excursion or camp, the Principal must ensure that the specific roles and responsibilities of each supervisor are clarified and understood by all supervisors and students.

The supervision of students on a camp or excursion will include the following:

- Retaining copies of all confidential medical forms and permissions slips for each student who is participating in the excursion or camp.
- Regularly marking off the attendance of students – this may include at the beginning of the excursion, on the transport, and at each location and activity.
- Ensuring that the venue, transport and activities conducted adhere to DET guidelines.
- Monitoring student behaviour, enforcing behaviour standards, and implementing logical consequences for a failure to comply with the behaviour and safety standards
- Ensure that students who require first aid assistance receive it as soon as practicable
- Ensure that risk management plans and emergency management plans are implemented as necessary
- All staff and parents present must have a knowledge of and maintain the requirements of the school Child Safety Policy.
- Water activities must adhere to staff/student ratios and vigilance must be taken when students are changing. Same sexed staff members must supervise the change area.
- **Incursions/Visiting Speakers/Instructors:**
 - Visiting speakers do not have the authority to supervise students at school
 - Teachers must continue to supervise their students even whilst a visitor, speaker or instructor is presenting to the class.
 - Visitors, speakers and instructors should not be responsible for supervising students on the school premises.

- **Court Orders:**

Beechworth Primary School is committed to supporting all students, and is mindful that families may experience changes to their parenting arrangements. Parents, guardians and carers are responsible for ensuring that our school has up to date information about the parenting arrangements for our students, including a copy of any relevant Family Law Court Orders, Intervention Orders or Parenting Plans.

- Court Orders are confidential documents and are securely stored in the school safe
- Parents must provide up to date copies of Court Order to the office.
- The school is not bound by the terms of a Family Law Court Order, but will at all times be mindful and respectful of a student's parenting arrangements.
- Department policy requires the school to report to Victoria Police breaches or alleged breaches of a Personal Safety or Family Violence Intervention Order.
- Parenting disputes, including disputes about collection, enrolment, transfers and requests for information will be managed by the school principal consistent with Departmental policy, available here:
<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/parentalresponsibility.aspx>

All staffing and supervision should adhere to the requirement set out on the Department School Policy & Advisory Guide webpage - [School Policy & Advisory Guide - Staffing and Supervision](#)

Relevant accountability documents

[School Policy & Advisory Guide - Supervision](#)

[School Policy & Advisory Guide - Duty of Care](#)

Related school policies

- Camps and Excursions Policy
- Child Safety Policy
- Bus Travellers' Policy
- ICT Acceptable Usage Policy

Monitoring and review

This policy should be review in the review cycle of policies annually or more often if necessary due to changes in legislation, policy or local circumstances.

Endorsed by school council:

Date: 18th October 2017

Next review date: October 2018