



OAKLEIGH PRIMARY SCHOOL

DUTY OF CARE POLICY

PURPOSE

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at Oakleigh Primary 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
- Bullying Prevention
- Camps and Excursions
- First Aid
- Grounds Maintenance
- Child Safe Standards
- External Providers
- Emergency Management
- Volunteers
- Visitors
- Working with Children and Suitability Checks
- Mandatory Reporting
- Occupational Health and Safety

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, students with additional needs or a student who is behaving inappropriately and aggressively in the playground who may require shadowing until the behaviour is modified.

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.

Staff members are also cautioned against giving advice on matters that they are not professionally competent to give (negligent advice). Advice is to be limited to areas within a teacher’s own

professional competence and given in situations arising from a role (e.g. Learning Specialists, PLC team leaders or classroom teacher) specified for them by the Principal.

Teachers must ensure that the advice they give is correct and, where appropriate, in line with the most recent available statements from institutions or employers. Teachers should not give advice in areas outside those related to their role where they may lack expertise e.g. diagnosis of a disability such as dyslexia.

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 learning programs with external (or community) providers, such as when students are participating in visits to local nursing homes or involved in enrichment activities. Our School will follow all applicable Department of Education and Training 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.

FURTHER INFORMATION AND RESOURCES

- School Policy and Advisory Guide: [Duty of Care](#)
- School Policy and Advisory Guide: [Workplace Learning](#)
- Related school policies can be found on the school website at: <https://www.oakleighps.vic.edu.au/policies-1>

REVIEW CYCLE

This policy was last updated on 27th January 2021 and is scheduled for review in 2023.