



*"To Live, To Love, To Grow In Christ"*

# HOLY SPIRIT CATHOLIC PRIMARY SCHOOL

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## DUTY OF CARE POLICY

### 1. **Policy objective**

To ensure that Holy Spirit Catholic 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 staff comply with Mandatory Reporting Legislation – Care and Protection of Children Act 2007 (Reporting Obligations). Please refer Holy Spirit Catholic Primary School Mandatory Reporting Policy.

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

### 2. **Policy statement**

All staff has 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 reasonable steps are 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, e.g., school camps and excursions. 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.

Where after school community events occur, duty of care is the responsibility of families.

### 3. **Supervision Policy**

The school is responsible for ensuring that there is an adequate system of supervision in place during school hours, before and after school, and on school excursions and camps.

Teachers and other school staff are responsible for following reasonable and lawful instructions from the Principal, including instructions to provide supervision to students at specific dates, times, and places.

## **Before School and After School**

Students must be supervised for a minimum of 20 minutes before and after school. This supervision may include some or all of the following:

- Monitoring of entry or exit points and/or designated pick up and drop off areas.
- Yard supervision
- Classroom supervision

At Holy Spirit Catholic Primary School supervision at the beginning of the school day will commence at 7:45am. This supervision will include a teacher on active duty in the assembly area followed by two teachers at 8:00am. At 8:00am the school basketball court is open for students to move about safely. (Please refer Holy Spirit Playground Duty Policy).

Supervision at the end of the school day will be provided up until 2:50pm at all supervised areas. Where a child has not been collected by this time, the teacher on duty will take them directly to Out of School Hours Care (OSHC) where they will be signed in. Families will be charged for this service as this occurs.

If a family (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 parent/carer to:

- Advise of the supervision arrangements before school, and
- Request that the parent/carer make alternative arrangements.

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

- Attempting to contact the family.
- Attempting to contact emergency contacts.
- Placing the student in Out of School Hours Care program – charges will be incurred.
- Contacting NT Police 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 during school hours; this duty of care is from 7:45am to 2:35pm.

This duty cannot be delegated to external education provider's parents, trainee teachers or support staff.

In addition, no students 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 school's Positive Behaviour and Agreed Practices.

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

## **Important Note to Families:**

For the purpose of Due Diligence and Duty of Care – no student is to be left unattended or unsupervised both prior and following out of school events or extra-curricular events. Transport to and from identified venue is the responsibility of families. If staff are yet to arrive, families are to remain until duty of care is provided.

Where students wish to ride a bike/scooter – permission must be sought and approved in writing. Families contact details, including those to call in emergency must be provided. Where this does not occur, a child will not be permitted to ride bike/scooter to event.

## **Recess and lunch times**

The school is responsible for ensuring that students are adequately supervised during recess and lunch. This involves designating areas in the yard and developing a roster for staff to supervise students in these areas for the time indicated in the roster.

The designated yard duty areas for recess and lunch are as follows:

- **Area 1**
  - Basketball court, assembly area and supervision of children moving across the courtyard to toilets located near rooms one and six.
- **Area 2**
  - Soccer field, behind Out of School Hours Care (OSHC) building, sandpit, under trees near OSHC, Years 3-6 playground equipment and swing set
- **Area 3**
  - Early Childhood playground equipment and AFL oval.
    - Please note the gardens (formally bush tucker track) around the edge of school property is out of bounds.

Teachers who are rostered for duty are responsible for remaining in the designated area until the end of the break period, or until replaced by a relieving teacher, whichever is applicable. During yard duty, supervising teachers should be guided by the following:

- In all yard duty areas 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.
- Encourage and guide behaviour expectations and implement appropriate consequences.
- Ensure that students who require first aid assistance receive it as soon as practicable.

If the supervising teacher is unable to conduct yard duty at the designated time, he or she should arrange a swap with another teacher. If this is not possible the teacher should contact the Deputy Principal to ensure that alternative arrangements are made.

If the supervising teacher needs to leave yard duty during the allocated time, he or she should contact the Deputy Principal, but should not leave the designated area until the relieving teacher has arrived. Where Deputy Principal is not available you are to contact our front office.

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.

## **Extreme Weather Conditions (Wet weather)**

Where possible a decision on extreme weather will be made prior to children leaving the classroom by the Principal/Deputy Principal. However, if the weather changes once the children are outside, then a member of staff on yard duty will request that the children are to return to their designated classrooms. A message to inform staff of this will be made using the Green Running Card which allows for a student to move quickly and safely to the front office so that an announcement can be made, and all staff informed. Teaching teams as well as support staff are to make their way to designated wet weather classroom. Please refer Staff Handbook, Wet Weather Policy, 6.5 for specific details. A copy of this will be distributed to all staff at the beginning of the school year, and a copy placed on noticeboard in staffroom.

## **Severe thunderstorm procedures for end of school day (school and OSHC)**

When we receive a severe thunderstorm warning from TIO Alerts, the following will occur:

- Families will be notified of warning through email, school APP and Class DoJo
- Children will remain in their classroom with their teacher until collected by family or authorised adult until 2:50pm where they will be signed into After School Care. Charges apply.

- Before 2:45pm weather permitting children will be taken to parent pick-up as per normal procedures
- For those children who walk or ride they will remain at school until storm passes. Once weather has cleared those children will be permitted to leave
  - Where the storm persists, children will be signed into After School Care. Charges apply.
- For those children who catch a bus, they are to remain at school to wait for parents/carers or authorised adult to collect them. If after storm passes and children have not been picked up they shall be signed in to After School Care.
- After School Care will remain open and all children/staff from centre to meet in the Multipurpose Room where roll will be taken
  - Once weather clears, children and staff will then move back to OSHC building and playground area.
- For children who attend Homework Centre (HWC) on Monday, they will meet in the Art Room with staff as opposed to walking over to the library. They will remain there until the storm passes.

### **Late arrival or early departure**

The school leadership team will ensure that the school has a procedure in place for the safe collection and drop off of students at the school during school hours (e.g., Late arrival or early departure) – families required to sign students in/out of school from our front office). 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 departure.

### **Late arrivals at Holy Spirit Catholic Primary School**

- Children who arrive after 8:10am are to collect a Late Pass from the front office and have their names and time of arrival recorded in the attendance book.
- The Principal will contact families of children who are consistently or frequently late.

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

- Persons collecting students prior to the end of the school day to complete sign in/out book which is located at our front office.
- Students will only be permitted to leave the school premises under the supervision of family, or another person authorised by parents to collect the student (front office admin to be informed)
- If the person collecting the student is unknown to school staff and not listed as a contact on the child's enrolment form, school staff will request photo identification to verify their person's identity and check he/she is authorised on the child's enrolment form to collect the child.

### **Visitors/Contractors**

The school leadership team 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' or contractors' book to record their name, signature, the date and time, purpose of the visit and a Working with Children's Card (as required). Teachers Registration documentation also required to all members from CENT upon arrival.

At Holy Spirit Catholic Primary School, the procedure is as follows:

- All visitors report to the front office on arrival.
- All visitors must sign in and wear a visitor's tag.
  - Where a tag is not available, visible Working with Children's Card to be made available upon request at any time while on site.
- All visitors must sign out when leaving the school.

## **Use of information and communication technologies**

Teachers and other staff of Holy Spirit Catholic Primary School 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 Holy Spirit policies and procedures (eg. Acceptable User Agreements)
- Relevant Catholic Education NT policies and procedures

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 Holy Spirit Catholic Primary School, the procedure is as follows:

- Teachers will inform the principal and members of Information Computer Technology (CT) Action Team when they become aware of the incident.
- ICT Action Team will follow-up with student/s involved and, if deemed necessary contact parents/carers
- In severe cases, Emergency Management will be advised, and Legal advice may be sought from Catholic Education, NT. If advised, Police NT may be informed.
- Area 9 will be contacted to investigate website and ensure that it becomes blocked.
- Students' internet access may be withdrawn for a period of time depending on the incident.

## **Incursions/School Masses and Liturgies**

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.

## **Excursions and camps**

The school must ensure that students participating in excursions and camps are appropriately supervised. Supervision can be provided by teachers, support staff, trainee teachers, volunteer parents/carers, campsite staff and specialist instructors.

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

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

## **All 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.
- Staff in attendance must hold current First Aid (this includes anaphylactic and asthma awareness training)

Any person who supervised students on an excursion or camp must have a Working with Children's Card.

Prior to the commencement of the excursion or camp, the school 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 permission 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 bus, and at each location and activity.
- Ensure that the venue, transport and activities conducted adhere to Catholic Education policy and guidelines.
- Completion of Risk Assessment a minimum of one month prior to excursion. This must be authorised by school principal. The principal can cancel an excursion/camp if they feel adequate safety measures/procedures are not in place or the risk of an injury or accident is high.
- Monitor student behaviour, encouraging positive behaviour and implementing reasonable consequences.
- 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.

**4. Roles and responsibilities**

The school leadership team 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 adjust 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 Catholic Education and school policies.
- Perform supervisory duties as required.
- Complete Mandatory Reporting as required.

Parents/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 for Implementation**

The school leadership team will communicate this policy to all staff using the following resources:

- A copy of the policy will be provided to each staff member with the Staff Handbook at the first staff meeting to commence 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.

#### 5. **Related School Policies**

This policy should be read and understood (but not limited to) in conjunction with the following policies:

- Holy Spirit Positive Behaviour Policy
- Holy Spirit Positive Behaviour Support Agreed Practices
- Holy Spirit Anti-Bullying Policy
- Holy Spirit Student Wellbeing and Pastoral Care Policy
- Holy Spirit Mandatory Reporting Policy
- Holy Spirit ICT Policy (Acceptable User Agreement)
- Holy Spirit Yard Duty Policy
- Holy Spirit Duty of Care Policy
- Holy Spirit Wet Weather Policy
- Holy Spirit Camp Policy
- Holy Spirit Incursion Policy
- Holy Spirit Excursion Policy
- Holy Spirit Student Engagement and Inclusion Policy
- Holy Spirit New Staff Induction Policy

#### **Ratification:**

This policy was ratified by School Board on Tuesday 23rd August 2016

#### **Review:**

This policy was reviewed and ratified by School Board, Thursday 21st May 2020

#### **Evaluation:**

This policy will be reviewed as part of the school's three-year review cycle – May 2023