Duty of Care Policy

1. Introduction

Djerriwarrh Community College (the College) is an independent specialist senior secondary school based in Melton. We deliver the Victorian Pathway Certificate (VPC) and VCE Vocational Major Certificate (VM) for students aged 15-19 years. We provide a safe and inclusive learning environment for young people who may have been disengaged or are at risk of disengaging from education. The College is committed to supporting students to reach their individual personal, social and educational potential.

2. Purpose

The purpose of this policy is to explain to our school community the non-delegable duty of care obligations that all staff at the College owe to our students and members of the school community who visit and use the school premises.

3. Scope

This policy applies to College staff, volunteers, third-party providers students and parents, guardians and/or carers.

4. Definitions

Duty of Care	Is a legal duty to take reasonable steps in protecting students in our charge from risks or injury that are reasonably foreseeable
School Community members	Refers to other students, parents, guardians, carers and family members of College students and visitors to the College
Student	The Student named in the Enrolment Application Form
Teachers	Includes employed teachers (full time and part time) and casual relief teachers (CRTs)
Principal	The Principal of the College, or the Principal's authorised representative

5. 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 abuse of a child, personal injury (physical or psychological) or damage to property. The reasonable steps that the College may decide to take in response to a potential risk or hazard will depend on the circumstances of the risk.

5.1 Duty of care obligations

The College has a duty to take reasonable steps to protect students under our care and supervision from harm that is reasonably foreseeable (this applies to all school staff).

The question of what constitutes reasonable steps will depend on the individual circumstances of each case. The College staff may be in breach of our duty of care towards a student if we fail to act in the way a reasonable or diligent professional would have acted in the same situation.

The College has developed policies and procedures to manage common risks in the school physical and online environment, including:

- Supervision
- Bullying and Cyber bulling Prevention
- Excursions
- First Aid & Medical
- Child Safe Standards
- Student Wellbeing
- Emergency Management and risk assessment procedures
- Working with Children Checks
- Mandatory Reporting
- Health and Safety

Staff at our College understand that school activities involve different levels of risk and that particular care may need to be taken to support students with additional needs. Our College 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.

College staff, parents/guardians, volunteers 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.

Third-Party Providers

Staff at the College 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. The College Excursions

Policy includes information on the safety and care of our students when engaged with external providers. The College also takes steps including site visits to ensure student safety when they are engaging in off-site workplace learning programs with external providers, such as when students are participating in work experience, school-based apprenticeships and traineeships, structured workplace learning and any other workplace learning program involving external providers.

Child Abuse

In relation to suspected child abuse, reasonable steps may include (but are not limited to):

- acting on concerns and suspicions of abuse as soon as practicable
- seeking appropriate advice or consulting with other professionals or agencies when the school staff member is unsure of what steps to take
- reporting the suspected child abuse to appropriate authorities such as Victoria Police and DFFH Child Protection
- arranging counselling and/or other appropriate welfare support for the child
- providing ongoing support to the child (this may include attending DFFH Child Protection Case Planning meetings, and convening regular Student Support Group meetings)
- sharing information with other school based staff who will also be responsible for monitoring and providing ongoing support to the child.

6. Communication

This Policy is available on the College website, Compass and hard copies can be obtained from the College Reception.

7. Associated documents

Associated policies and procedures	Duty of Care Procedure Student Behaviour Management Policy Student Wellbeing and Engagement Policy Information Communication Technology User Policy Restrictive Intervention and Seclusion Policy and Procedure Bullying Prevention Policy Child Safety and Wellbeing Policy Mandatory Reporting Policy Reportable Conduct Scheme Policy Supervision Procedure Excursion Procedure

	Complaints Policy Smoke Free Environment Policy SunSmart Policy Accident and First Aid Policy Anaphylaxis Management Policy Storing and Handling Dangerous Good and Hazardous Substances Procedure
Other associated documents **Internal**	Wellbeing Referral Form Student Services Referral Form Excursion Approval Form Excursion Parent/Guardian Consent Form Template Teacher Checklist Excursion Form Risk Assessment - Excursions Incident Accident Report Form Register of Injury Emergency Management Plan Maintenance Schedule
Relevant legislation	*Education and Training Reform Act 2006 (Vic)* *Disability Standards for Education 2005 (Cth)* *Privacy Act 1988 (Cth)* *Racial Discrimination Act 1975 (Cth)* *The Racial Hatred Act 1995 (Cth)* *The Sex Discrimination Act 1984 (Cth)* *Charter of Human Rights and Responsibilities Act 2006 (Vic)* *Child Wellbeing and Safety Regulations 2017 (Vic)* *Children, Youth and Families Act 2005 (Vic)* *Disability Act 2006 (Vic)* *Racial and Religious Tolerance Act 2001 (Vic)* *Worker Screen Act 2020 (Vic)*
Other associated documents **External**	VRQA Guidelines to the Minimum Standards and Requirements for School Registration *Ministerial Order No. 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises*

8. Issuance and approval

Document No:	113	**Version no:**	1.3	**Classification:**	Welfare
Document owner:	Compliance		**Authorised by:**		Principal
Issue date:	6 May 2025		**Review date:**		6 May 2028