

SUPERVISION AND DUTY OF CARE POLICY

PURPOSE OF THIS POLICY

At Global Village Learning (GVL), in addition to their professional obligations, the principal and staff have a legal duty to take reasonable steps to protect students in their care from risks of injury and harm that are reasonably foreseeable.

The duty is not to prevent injury or harm in all circumstances – it is a duty to take reasonable steps to prevent injury or harm that 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

Global Village Learning (GVL) proactively identifies and considers the needs of vulnerable students who may be more at risk of injury and harm. At risk students may include those with special educational needs and/or with a disability and young children.

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 or harm from occurring.

AIMS OF THE POLICY

To ensure that staff have an awareness and understanding of their duty of care obligations and responsibilities in order to provide adequate supervision.

To ensure that staff consistently conduct themselves, at all times, within the legal obligations and responsibilities.

GUIDELINES AND IMPLEMENTATION

At Global Village Learning, each class has a qualified VIT teacher and a classroom assistant. Classes have a maximum of 28 students.

Children will be supervised by GVL staff from 8:55am to 3:35pm.

All staff need to be aware that different or sometimes greater measures may need to be taken for younger students or students with special needs or disabilities to discharge this duty of care.

The Principal 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.

Duty of care includes:

- Providing adequate supervision in the school or on school activities;
- Providing safe, well maintained and suitable premises, grounds and equipment to minimise the risk of injury or damage to a person;
- Taking reasonable care that any student (and any other person) on the premises will not be injured or damaged by reason of the state of the premises or of changes done or omitted to be done in relation to the state of the premises;
- Providing effective anti-bullying strategies and;
- Ensuring appropriate and timely medical assistance is provided to injured or sick students

Whilst each case regarding a teacher's legal duty of care will be judged on the circumstances that occurred at the time, the following common examples may be times when a teacher has failed to meet legal duty of care to students:

- Arriving late to scheduled timetabled responsibilities including yard duty;
- Failing to act appropriately to protect a student who claims to be bullied;
- Believing that a child is being abused but failing to report the matter appropriately;
- Being late to supervise the students after the bell has sounded or when class begins;
- Leaving students unattended in the classroom or ignoring dangerous play;
- Leaving the school during 'non face-to-face teaching time' without approval from the Principal, exceptions may include, to buy lunch;
- Inadequate supervision on a school excursion;
- Failing to notice or prevent students from leaving the learning space without permission whilst under the teacher's care

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.

A teacher's duty of care is not confined to the geographic area of the school, or to school activities, or to activities occurring outside the school where a student is acting on a teacher's instructions. The duty also applies to situations both before and after school where a teacher can be deemed to have assumed the teacher student relationships.

All staff at Global Village Learning, when working with students one-on-one, should ensure that they are in the line of sight of another staff member using glass windows, open doors, utilizing public spaces, and corridors. This requirement also applies to any other visitors to the school, such as parent/carer helpers, allied health professionals etc.

PRIMARY CLASSROOM SUPERVISION

The class or specialist guide has ultimate responsibility for the supervision of all school age children in their care. It is not appropriate to leave Primary students in the care of education support staff, external providers (e.g. incursion staff) parents or pre-service teachers (at law, the duty of care cannot be delegated). If a student is attending a scheduled therapy session with an allied health professional, they must remain in line of sight of a teacher at all times.

It is not appropriate to leave students in the care of external education providers, for example in-school visitor (at law, the duty of care cannot be delegated). Where the school has contracted an external provider, then a contractual agreement needs to be signed by the school and the other provider.

In a situation where the teacher needs to leave the classroom, they must phone through to administration or contact the teacher in an adjoining learning space. The teacher should wait until alternate supervision is in place prior to leaving the room.

No student should be left unsupervised outside the learning space as a withdrawal consequence for misbehaviour. Withdrawal is to be conducted by sending a student to a colleague's learning space, contacting them first to alert them that the student is on their way accompanied by an aide/assistant or two other students. If the Principal is required to supervise a student who is withdrawn from class, the teacher in charge should contact the Principal.

PRE-SCHOOL AND CHILD CENTRE SUPERVISION

Global Village Learning (GVL) adheres to the ratios as set out in the National Quality Frameworks whereby ratios are calculated across a service, not on a room-by-room basis. GVL will comply with the ratios set out in the Education and Care National Quality Standards 2011:

Ratios

- Birth to 36 months – 1:4
- 36 months to school age (Foundation) – 1:11

YARD SUPERVISION

Yard supervision is an essential element in teachers' and supervising staff duty of care. At Global Village Learning (GVL), there will be a minimum of 3 qualified staff members on duty at any one time including one supervising staff member in the dining area, during eating time.

Staff on yard duty will ensure that students are only permitted to play in the designated play areas

Be aware that students are usually less constrained and more prone to accident and injury than in a more closely supervised learning space, especially towards the end of a break time.

Supervising staff should always be on the move and actively supervising the students at play.

Staff should be vigilant. Staff are not to make personal phone calls or text whilst on supervision, nor should they be on laptops or iPads.

Staff rostered for yard duty are to attend the designated area at the time indicated on the roster. Staff on yard duty are to remain in the designated area until the end of the break period or until replaced by the relieving teacher. If not replaced teachers should send a message to the office/staffroom, but not leave the area until replaced.

The handing over of yard duty from one staff member to another must be quite definite and must occur in the area of designated duty. Where a relieving staff member does not arrive for yard duty, the staff member currently on duty should send a message (via a student or other staff member) on TEAMS, but not leave the area until replaced.

No changes to the yard duty roster are to be made without the approval of the Daily Organiser or Principal.

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:

- Attempt to contact parents, guardians or carers
- Attempt to contact emergency contacts
- Contact the Victoria Police and/or the Department of Human Services (Child Protection) to arrange for the supervision, care and protection of the student

RISKS TO STUDENTS OUTSIDE THE SCHOOL ENVIRONMENT

Legal cases establish that a teacher's duty of care does not start nor end at precise times during the day. The approach generally taken is that a teacher's duty applies irrespective whether the risk occurs in or outside the school environment. However, the important issue in all cases will be whether the school took reasonable steps to protect the student from the risk. Risks outside the school environment may sometimes call for immediate and positive steps by a school depending on the age of students, urgency and threat of injury.

IN-SCHOOL VISITS, CAMPS AND EXCURSIONS

The class or specialist teacher has ultimate responsibility for the supervision of all students in their care. An in-school visit with an external provider or visitor such as a speaker/presenter does not absolve supervision duties of the teacher, including First Aid duties. A teacher must be present at all times and remain the person designated with duty of care responsibilities.

Camps and excursions outside the school require teachers to fully comply with the Global Village Learning (GVL) Camps and Excursions Policy and Bushfire Management requirements. It is a teacher's responsibility to be aware of these guidelines, which include consideration of the risk of bushfire in the activity location, and to ensure that all students are appropriately supervised.

Supervision at camps can be provided by others, including volunteer parents, campsite staff, specialist instructors, and pre-service teachers.

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
- When school aged students attend off site activities, the following ratios will apply:
- Day Excursions – 1:20 with a minimum of 2 staff
- Camps – 1:10 with a minimum of 2 staff

Any person (other than a teacher) who supervises students on an excursion or camp must provide the school with a copy of their current 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.

If crossing roads, students are to use designated crossing points where available. Staff are to walk to the middle of the crossing to ensure visibility and that students cross in a safe and orderly manner.

The teacher in charge or designated teacher of an excursion or camp will carry a mobile phone and a first aid kit and student specific medical requirements. The teacher in charge will have access to all permission notes with contact details on the day.

LATE ARRIVALS AND EARLY DEPARTURES

When students are dropped off late or picked up early during school hours, parents are required to notify the school of the date, time and reason via a note to the front office prior to departure. Students will be only permitted to leave the school premises under the supervision of a parent or another person authorised by parents or guardians to collect the student.

STUDENT RESPONSIBILITIES

Students attending GVL will ensure:

- They play in the designated play areas;
- They always move around the school in pairs or more when moving independently

PARENT AND GUARDIAN RESPONSIBILITIES

Parents and guardians will ensure that they will:

- Supervise their children before and after school
- Ensure that if they allow their children to play after school, then they will do so only in the Cycle One playground and will always be present to supervise their own child
- Communicate to the Global Village Learning the details of any late arrival or early departure of their children, including date, time and reason.

SCOPE

This Policy applies to parents, students, visitors, contractors and Staff, including casual relief staff of Global Village Learning.

COMPLIANCE AND REVIEW

This Policy must be complied with at all times. Failure to comply with this Policy may lead to disciplinary action including termination of employment or engagement. Serious cases may result in legal proceedings or referral to appropriate authorities.

This Policy will be reviewed every three years by the Global Village Learning Board and the principal.

APPROVAL

Created date	30 August 2024
Consultation	Staff Board
Endorsed by	The Global Village Learning Board
Endorsed on	3 Sept 2
Next review date	August 2027