
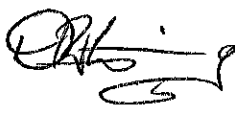




Student Welfare and Duty of Care Policy and Procedure

Policy number	P-8		
Version number	3.0		
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Responsible person CEO	Veronica Kioria	Signature 	Date: 22/15/19
Approved by the Board:			
On behalf of the Board	David Ling President	Signature 	Date: 22/09/19
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Basic Beliefs/Purpose

Diamond Valley Learning Centre (DVLC) has a safety and duty of care responsibility for students enrolled in its education and training programs, especially those students under the age of 18 years.

Scope

This policy applies to all DVLC staff and students, including VCAL students and students under the age of 18 years.

Policy Guidelines

DVLC is committed to providing a safe, secure, inclusive and supportive learning environment for all students undertaking education or training. In order to meet this commitment, DVLC has set in place:

- processes for working with students and their parents / guardians / carers to meet individual student learning needs, and assist in successful completion of their education or training course;
- a network of supporting agencies to assist in meeting student welfare needs; and
- a range of policies and procedures addressing specific welfare issues, and will ensure that all staff are aware of their specific responsibilities.

DVLC acknowledges that:

- student safety and wellbeing is the responsibility of all staff, volunteers and other stakeholders;

- teachers have a particular responsibility to take reasonable measures within the circumstances, to protect students under their charge from reasonable and foreseeable risks of injury;
- teachers and staff have additional responsibilities relating to students who are under the age of 18 years; and
- duty of care requirements also apply to excursions and other off-campus events where students are being supervised by DVLC staff or teachers.

In seeking to minimise the risk of harm, DVLC will:

- ensure that all staff have an up to date Working with Children Check or VIT Registration;
- ensure that staff are made aware of policies and procedures, and meet DVLC conduct standards, including duty of care and confidentiality;
- provide training for relevant staff in first aid;
- provide training for staff on safety issues, including appropriate measures for dealing with safety concerns;
- encourage staff to identify potential risks of harm and immediately report them to management;
- ensure that management evaluates any identified risk in regard to its seriousness, the likelihood of harm occurring, the burden associated with any precautionary measures to be undertaken, and the utility of the activity that has potentially created the risk;
- ensure that any identified precautionary measures or processes are implemented;
- regularly evaluate its processes to ensure that they meet requirements

Procedure Guidelines

This procedure applies to VCAL students, and to all enrolled students who are under the age of 18 years. Additional procedures may apply under related policies.

1. Consent from parents / guardians / carers

DVLC requires signed consent when a VCAL student under the age of 18 years is:

- a. enrolling in education or training;
- b. absent from class;
- c. intending to leave class early;
- d. attending community or other off-campus activities related to their education or training, and outside of normal school hours;
- e. attending any on-campus activities related to their education or training, where the student will not be supervised by DVLC staff;
- f. participating in structured workplace learning; attending excursions; or
- g. photographed.

2. Arrangements for ill students

If a student becomes ill or is injured during normal school hours, DVLC staff will:

- a. arrange for a parent / guardian / carer to take the student home;
- b. administer first aid where required, and follow the relevant emergency, first aid or accident processes to manage the incident;
- c. update the injury / illness register where first aid treatment has been provided;
- d. call an ambulance immediately in an emergency;
- e. advise parents / guardians / carers where professional medical treatment is being organised; and
- f. only administer medication where parental / guardian / carer consent has been given.

3. Supervision arrangements

- a. Parents / guardians / carers are responsible for the care and supervision of VCAL students and other students under the age of 18 years when travelling to and from DVLC, and outside of the supervision times before and after school. Parents / guardians / carers should consider the appropriateness of public transport for their child. Parents should also advise VCAL staff if there are

changes to the usual travel arrangements, particularly where this impacts on arrival or departure times.

- b. DVLC staff have a duty of care responsibility for students during class times (9:30 am – 3pm for VCAL students), class breaks (including lunch), on excursions and off-campus activities (including boarding buses) and during guest speaker activities.
- c. Before and after school supervision is available for VCAL students for up to 30 minutes before and after normal school times.
- d. DVLC staff are not obliged to supervise students taking public transport to and from classes, but may do so if students are under the age of 18 years and there are known risks such as proximity to the school, particular student needs or unruly or anti-social behaviour.
- e. Where necessary, additional supervision arrangements may be approved by the Chief Executive Officer (CEO).

Definitions

Duty of Care is a non-delegable, legal duty to take reasonable steps to minimise the risk of reasonably foreseeable harm including:

- ensuring that the school / organisation complies with the Child Safe Standards;
- providing suitable and safe premises and equipment;
- providing adequate supervision systems;
- implementing strategies to prevent bullying;
- ensuring that sick or injured students receive medical assistance; and
- managing employee recruitment, performance and conduct.

Related Policies

P-1 Risk Management Policy and Procedure

P-11 Occupational Health & Safety Policy and Procedure

P-16 Student Complaints and Appeals Policy and Procedure

P-20 Workplace Learning Policy and Procedure

P-24 Critical Incident Policy and Procedure

P-26 Access, Anti-Discrimination, Equity, Diversity and Empowerment Policy

P-31 Student Safety and Security Policy

P-35 Mandatory Reporting and Protection of Children Policy and Procedure

P-40 Child Safe Policy

P-42 Consumer Protection Policy

P-44 Student Engagement Policy

P-43 Privacy Policy

P-45 VCAL Attendance Policy and Procedure

P-51 Bullying and Harassment Policy and Procedure

P-55 Anaphylaxis Management Policy and Procedure

P-56 Accident and First Aid Policy and Procedure

P-54 Excursions Policy and Procedure

P-57 Asthma Management Policy and Procedure

P-58 Sunsmart Policy and Procedure

P-59 Computer, Internet and Email Usage Policy and Procedure

P-61 VCAL Student Behaviour Management Policy

P-63 Medication Distribution Policy and Procedure

Related Documents

D-028 Student Handbook

Legislation

Child Wellbeing and Safety Act 2005

Consumer and Competition Act 2010

Fair Work Act 2009

Human Rights and Equal Opportunity Commission Act 1986

Privacy Act 1988
Amended Ministerial Orders 723 and 724 (Education and Training Reform Act 2006)
Charter of Human Rights and Responsibilities Act 2006 (Vic)
Children, Youth and Families Act 2005 (Vic)
Disability Act 2006 (Vic)
Education and Training Reform Act 2006 (Vic)
Health Records Act 2001 (Vic)
Occupational Health and Safety Act 2004 (Vic)
Privacy and Data Protection Act 2014 (Vic)
Working With Children Act 2005 (Vic)
Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)

Mapping Information

VRQA Guidelines for Non-school Senior Secondary Education Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary Course, Standard 3
AQTF Standard 2.3, 3.2