





Student Welfare and Duty of Care Policy and Procedure

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Drafted by	CEO		
Responsible person CEO	Mark Favetta	Signature 	Date: 26/4/22
Approved by the Board:			
On behalf of the Board	Ian Fisher President	Signature 	Date: 26/4/22
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Basic Beliefs/Purpose

Diamond Valley Learning Centre (DVLC) has a 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, volunteers and students.

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:

- a range of policies and procedures addressing specific welfare issues, to ensure that all staff are aware of their specific responsibilities;
- pre enrolment interviews for VET courses to establish student support needs;
- attendance monitoring processes to monitor student participation;
- supervision processes where students are under 18 years;
- feedback processes for trainers and students to monitor course and learner progress;

- individual study support sessions, especially for online VET courses, available on request;
- special consideration arrangements;
- smaller class sizes and friendly, supportive trainers; and
- a network of supporting agencies that students can be referred to for additional welfare support.

DVLC acknowledges that:

- student safety and wellbeing are the responsibility of all staff, volunteers and other stakeholders;
- teachers and trainers have a particular duty of care responsibility to take reasonable steps to protect students from foreseeable harm or injury in the classroom, on excursion, on work experience or work placement.

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

- ensure that staff and volunteers are aware of DVLC conduct standards, policies and procedures, including duty of care, child safety, privacy and confidentiality;
- ensure that all staff and volunteers have a valid and current Working with Children Clearance or VIT Registration;
- undertake risk assessments for activities and events;
- provide training for staff and volunteers including training in child safety, inclusivity, prevention of bullying or harassment, OHS, emergency responses and first aid, and related reporting processes;
- ensure that any identified precautionary measures or processes are implemented;
- regularly evaluate processes to ensure that they meet requirements.

Procedure Guidelines

This procedure applies 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 student under the age of 18 years is:

- a. enrolling in education or training;
- b. intending to leave class early or be absent;
- c. attending excursions or other off-campus activities related to their education or training;
- d. participating in structured workplace learning; or
- e. being 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 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 advise DVLC staff if there are changes to usual travel arrangements, particularly where this impacts on arrival or departure times.
- b. DVLC staff have a duty of care responsibility for students during timetabled class times, 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 on request for up to 30 minutes before and after normal timetabled hours.
- 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 there are known risks in proximity to the school, and will monitor unruly or anti-social behaviour.

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 Identification and Management Policy
- P-11 Occupational Health and Safety Policy and Procedure

- P-13 Code of Conduct and Ethics Policy
- P-16 Student Complaints and Appeals Policy and Procedure
- P-20 Workplace Learning Policy
- P-24 Critical Incident and Emergency Management Policy
- P-26 Access, Anti-Discrimination, Equity, Diversity and Empowerment Policy
- P-31 Student Safety and Security Policy
- P-35 Mandatory Reporting Policy and Procedure
- P-37 Professional Development Policy
- P-40 Child Safe Policy
- P-42 Consumer Protection Policy
- P-43 Privacy Policy
- P-44 Student Engagement Policy
- P-51 Bullying and Harassment Policy
- P-54 Excursion Policy and Procedure
- P-55 Anaphylaxis Management Policy and Procedure
- P-56 Accident and First Aid Policy and Procedure
- P-59 Computers, Internet and Email Policy and Procedure
- P-60 Social Media Policy
- P-65 Special Consideration Policy
- P-66 Withdrawal Policy
- P-68 Coronavirus Policy

Related Documents

- Guidelines issued by the Department of Education and Training Victoria for Registered Training Organisations and Employers in relation to Post-Secondary Students undertaking Practical Placements as at 10 April 2017
- D-002 Practical Placement Employer Information
- D-003 Practical Placement Student Information
- D-028 Student Handbook
- F-004 Practical Placement Agreement
- F-005 OHS Report
- F-012 Incident Report Form
- F-035 Complaints and Appeals Form
- F-040 Professional Development Plan
- F-104 Student Withdrawal Request
- DVLC COVIDSafe Plan
- Student survey and feedback forms

Mapping Information

- AQTF Standard 2
- VRQA VET Provider Guidelines 2.7 and 2.8

Legislation and Regulation

- Australian Human Rights Commission Act 1986
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005 (Vic)
- Disability Act 2006 (Vic)
- Disability Discrimination Act 1992
- Education and Training Reform Act 2006 (Vic)
- Health Records Act 2001 (Vic)
- Occupational Health and Safety Act 2004 (Vic)
- Privacy Act 1988
- Privacy and Data Protection Act 2014 (Vic)
- Worker Screening Act 2020 (Vic)