



## Definition:

- ‘Duty of Care’ relates to the law of negligence and it means in simple terms that teachers and schools owe a duty to students to take reasonable care or exercise reasonable skill to protect them from injury (‘Civil Liability Act, Section 3).

## Rationale:

- Students have a right to be safe and to feel safe. They have a right to expect that those put in charge of them take all necessary measures to ensure they are kept safe while under their supervision.
- If an injury results from a staff member’s or school’s failure to exercise the required standard of care, a negligence claim may result. Hence it is necessary to have a school policy that sets out what is required of staff when working with children who are under their care.

## Aims:

- To ensure that the College meets its Duty of Care responsibilities.
- To have a written policy that details what is required of staff to carry out their duty of care.

## Implementation:

- In fulfilling the responsibility of Duty of Care, Sacred Heart College will abide by the SACCS Policy on Duty of Care to Students.
- The College’s written policy will model itself on the “Duty of Care to Students Policy” published by SACCS (2014).
- ‘Duty of Care’ is an overarching term. As such, it will be necessary to develop other school policies that pick up on certain aspect of the broad perspective of duty of care. Examples of such accompanying policies would relate to such things as a code of conduct for staff and students, school excursions, student supervision, child protection and safety in school work areas.
- The College Executive will ensure that effective procedures, guidelines and structures are in place to protect the safety and wellbeing of the students. In the event of issues or breaches of the SACCS Duty of Care for Students Policy, the Principal will be informed immediately. The Principal will inform his Principal Consultant from CESA and also the Director of Marist Schools Australia. The Campus Leadership Teams will ensure that all staff and students are aware of and are required to abide by school policies, practices and procedures that relate to duty of care. The College will keep accurate records of any incident that relates to an infringement of duty of care and the College’s response to it.

Please refer to the following CESA Policy [Duty of Care Policy](#)

Policy Title	Duty of Care Policy
Ratified by Executive and College Council	February 2019
Policy due for review	February 2022

