

## COMMUNICATION OF SCHOOL POLICIES, PROCEDURES AND SCHEDULE POLICY

### Rationale:

The policies of William Ruthven Primary School guide and describe the main processes, functions and operations of the school. The development and review of policies is part of an agreed process to ensure that key stakeholders are part of the consultation and review process.

### Aims:

To ensure that all policies frame and accurately reflect the school operations, directions, and goals and meet all legislative, compliance and duty of care requirements.

### Implementation:

- The policies describe the rationale, aims and implementations of the operations and directions of the school as a whole.
- The process of considering school policies will be managed by the principal and will be a continuous cycle, and will use a transparent and consultative process.
- New policies will be added and modified to reflect the growth and evolution of the new school and new programs.
- All policies will use the school policy layout, meet legislative and compliance requirements, and have a designated review period
- When developing a new policy, the principal will consult with appropriate personnel in order to draft the initial policy statement. The draft policy may be circulated for comment to the appropriate committee/s, to staff members, to parents, to students before ratification by School Council.
- Policies will be developed taking into account DEECD policies, memos and circulars relating to a particular policy area.
- A database of policies and a review schedule to provide a timeline for reviews either annually or on a three-year basis is to be maintained.
- When reviewing an existing school policy as per the three-year review cycle, the principal will consult with staff and the appropriate Committee/s, and to School Council for ratification.
- Changes as a result of policy developments and/or reviews will be widely advised to students, staff and parents.
- Staff will be given opportunity to provide input into the policy development or review process.
- The focus of all school policies must remain the needs of students and school operations. **Appendix A : Duty of Care Policy**
- Any concerns relating to the structure of the school should be directed to the principal or School Council President.
- Relevant policies will also be loaded onto the intranet and school website for community observation and comment

Policy	Communication Procedures and schedule for members of the school community				
	Staff	Students	Parents	General Community	Policy Review Date
Excursion, Incursion and Camping Policies & procedures	<ul style="list-style-type: none"> <li>Brief in 1st Day of new school year.</li> <li>Staff manual</li> <li>Policy manual</li> </ul>		<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	August 2014
Yard Duty / Supervision Policy Duty of Care Policy	<ul style="list-style-type: none"> <li>Brief in 1<sup>st</sup> day of new school year.</li> <li>Staff manual</li> <li>Policy manual</li> </ul>		<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	March 2015
Student Engagement & Attendance Policy Student Welfare Policy Student Management Policy Mandatory Reporting Policy	<ul style="list-style-type: none"> <li>Brief in 1st day of new school year.</li> <li>Staff manual</li> <li>Policy manual</li> <li>Student engagement workshops – staff meetings</li> <li>Restorative Practices Training</li> </ul>	<ul style="list-style-type: none"> <li>Student diary (School engagement, attendance and student welfare services)</li> </ul>	<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> <li>Information Guide (in enrolment pack)</li> <li>Parent Information Night</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	All December 2014 (part of annual Wellbeing Review)
Computer & Internet Usage Policy	<ul style="list-style-type: none"> <li>Brief in 1<sup>st</sup> day of new school year.</li> <li>Staff manual</li> <li>Policy manual</li> <li>E-learning meeting at start of each year</li> </ul>	<ul style="list-style-type: none"> <li>Student diary</li> <li>Enrolment pack</li> </ul>	<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> <li>Enrolment Pack</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	July 2014 (reviewed/updated yearly)
Anaphylaxis Policy	<ul style="list-style-type: none"> <li>Staff manual</li> <li>Policy manual</li> <li>Meeting at start of each semester to review policy and anaphylactic children</li> <li>Twice yearly</li> </ul>	<ul style="list-style-type: none"> <li>Individual meetings with students and parents of anaphylactic children</li> <li>Classroom discussion re</li> </ul>	<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> <li>Parent Information Night</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	September 2014 (updated yearly)



	mandated training program	food handling issues	<ul style="list-style-type: none"> <li>Enrolment Information</li> <li>Individual parent meetings with anaphylactic children</li> </ul>		
First Aid Policy (incl. Medication and Asthma)	<ul style="list-style-type: none"> <li>Staff manual</li> <li>Policy manual</li> <li>Meeting at start of year to review each policy &amp; provide medical details of students.</li> <li>Update first aid qualifications, CPR qualifications &amp; asthma procedures</li> <li>OH&amp;S and Evacuation Planning cycle.</li> </ul>	<ul style="list-style-type: none"> <li>Enrolment pack</li> </ul>	<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> <li>Information Guide (in enrolment pack)</li> <li>Parent Information Night</li> <li>Parents sent medical information &amp; asthma plans to update at start of each year</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	March 2015
Harassment Policy	<ul style="list-style-type: none"> <li>Staff manual</li> <li>Policy manual</li> <li>Review of policy and procedures in 1<sup>st</sup> 3 days of school</li> <li>Wellbeing Team review of dealing with issues of harassment</li> <li>Restorative Practices Training program</li> </ul>	<ul style="list-style-type: none"> <li>Student Diary</li> <li>Assemblies</li> <li>Enrolment pack</li> </ul>	<ul style="list-style-type: none"> <li>All policies mentioned in the newsletter and available on request</li> <li>School website</li> <li>Information Guide (in enrolment pack)</li> <li>Parent Information Night</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	December 2014 (part of annual Wellbeing Review)
Home Learning Policy (In development)	<ul style="list-style-type: none"> <li>Staff manual</li> <li>Policy manual</li> <li>Reviewed in Domain meetings at start of each year</li> <li>Curriculum</li> </ul>	<ul style="list-style-type: none"> <li>Student Diary</li> <li>Mentor group</li> <li>Enrolment pack</li> </ul>	<ul style="list-style-type: none"> <li>Enrolment Pack</li> <li>School newsletter</li> <li>School website</li> <li>Parent Information Night</li> </ul>	<ul style="list-style-type: none"> <li>School website</li> </ul>	August 2015



	Committee overview				
Emergency Management & Critical Incident Policies	<ul style="list-style-type: none"> <li>• Staff manual</li> <li>• Policy manual</li> <li>• Review of policy and procedures in 1<sup>st</sup> 3 days of school</li> <li>• Evacuation Drill/Lockdown – twice per year</li> </ul>	<ul style="list-style-type: none"> <li>• Evacuation drills</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> </ul>	March 2015 – annually as part of compliance process (or after a critical incident)
Uniform Policy	<ul style="list-style-type: none"> <li>• Staff Manual</li> <li>• Policy manual</li> <li>• Staff meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Student Diary</li> <li>• Assemblies</li> <li>• Enrolment pack</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Enrolment Pack</li> <li>• School newsletter</li> <li>• School website</li> <li>• Information Night</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> </ul>	August 2014 – (council annual review)
Sunsmart Policy	<ul style="list-style-type: none"> <li>• Staff manual</li> <li>• Policy manual</li> <li>• Review of policy and procedures in 1<sup>st</sup> 3 days of school</li> </ul>	<ul style="list-style-type: none"> <li>• Student Diary</li> <li>• Enrolment pack</li> </ul>	<ul style="list-style-type: none"> <li>• Enrolment Pack</li> <li>• School newsletter</li> <li>• School website</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> </ul>	July 2014
Staff Leave Policy Privacy Policy Professional Learning Policy	<ul style="list-style-type: none"> <li>• Staff manual</li> <li>• Policy manual</li> <li>• Staff meetings</li> <li>• Local Agreement implementation</li> </ul>		<ul style="list-style-type: none"> <li>• School website</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> </ul>	November 2014(annually)
Raising Concerns and Complaints Policy (In development)	<ul style="list-style-type: none"> <li>• Staff manual</li> <li>• Policy manual</li> </ul>		<ul style="list-style-type: none"> <li>• Enrolment Pack</li> <li>• School newsletter</li> <li>• School website</li> </ul>	<ul style="list-style-type: none"> <li>• School website</li> <li>• School Newsletter</li> </ul>	April 2014



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## Appendix A :

### Duty of Care

#### Purpose of this policy

To explain the nature of the legal duties owed by teachers and school staff towards students.

#### Legal background

“Duty of care” is an element of the tort of negligence. In broad terms, the law of negligence provides that if a person suffers injury as the result of the negligence of another, they should be compensated for the loss and damage which arises from the negligent act or omission.

In order to successfully bring a claim in negligence for compensation for an injury, a person must establish, on the balance of probabilities, that:

- a duty of care was owed to the person harmed at the time of the injury
- the risk of injury was foreseeable
- the likelihood of the injury occurring was more than insignificant
- there was a breach of the duty of care or a failure to observe a reasonable standard of care
- this breach or failure was a cause of the injury.

The fact that a duty of care exists does not of itself mean that a school will be liable for an injury sustained by a student. In order for the student to succeed in a negligence claim, all of these elements must be established.

#### Standard of care required by schools

Principals and teachers are held to a high standard of care in relation to students. The duty requires principals and teachers to take all reasonable steps to reduce risk, including:

- provision of suitable and safe premises
- provision of an adequate system of supervision
- implementation of strategies to prevent bullying
- ensuring that medical assistance is provided to a sick or injured student.

The duty is *non-delegable*, meaning that it cannot be assigned to another party.

Whenever a teacher-student relationship exists, teachers have a special duty of care. This has been expressed as: “a teacher is to take such measures as are reasonable in the circumstances to protect a student under the teacher’s charge from risks of injury that the teacher should reasonably have foreseen.” (*Richards v State of Victoria*).

The nature and extent of the duty will vary according to the circumstances. For example, the standard of care required will be higher when taking a group of preps for swimming lessons than when teaching a group of year 12s in the classroom.



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The important issue in all cases will be what precautions the school could reasonably be expected to have taken to prevent the injury from occurring. This will involve 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.

### **Duty of care to students outside the school**

A number of cases have established that, in some circumstances, a school's duty (and therefore the Department's duty) will extend beyond school hours and outside of school grounds. The duty will be extended to outside school hours and premises when the relationship between the school and the student requires it *in the particular circumstances*.

- In 1977 the High Court found a school authority **liable** for an injury sustained by a student in the playground 15 minutes before school began for the day (*Geyer v Downs*). In that case the principal was aware that children were coming onto the grounds before school, and had instructed that children who did so were to read or talk quietly. The Court took the view that in so doing, the principal had brought the school-student relationship into existence and therefore created a duty to ensure that there was adequate supervision before school.
- In 1996, a non government school in NSW (*Trustees of the Roman Catholic Church for the Diocese of Bathurst v Koffman*) was **found liable** for an injury to a primary student at an unsupervised bus stop approximately 350 metres from the school and located outside a government secondary school. In that case, the school was aware that a large group of students regularly caught the bus from outside the neighbouring secondary school, and that there was a risk of harm. Moreover, a teacher from the primary school witnessed the incident but did not intervene. The Court found that the teacher-student relationship was still in existence at the time of the injury, and therefore the school authority had a duty of care.
- In 2001, a school in NSW (*re Graham v NSW*) was **found not liable** for injuries to a student with a disability who was hit by a motor vehicle when crossing a busy road a kilometre from school, when walking to school by herself. The allegation against the school was that it should have provided a bus, but the New South Wales Court of Appeal held that the school had discharged its duty by informing the parent at the start of the year that the bus service was no longer being provided, and that the parent should make appropriate arrangements.

Whether the duty extends outside of school grounds therefore depends on all the circumstances of each individual case, and the school's knowledge of any dangers.

It is important that schools clearly inform parents when playground supervision will be provided and that no formal supervision of the playground occurs outside those hours. Similarly, some risks outside of school (as in Graham's case) will involve informing parents of bus arrangements and leaving it to parents to make appropriate arrangements for transporting their children to and from school.

There will be other situations in which schools will be under a duty to take reasonable steps. For example, a known bully on a school bus may require the school to suspend or refuse to transport the



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bully. If the danger to students is beyond the control of the school, reasonable steps may involve contacting police or issuing warnings to parents.

### **Negligent advice: teachers**

Teachers are frequently called upon to advise students. When doing so teachers should:

- limit their advice to students to areas within their own professional competence and given in situations arising from a role specified for them by the principal
- ensure that the advice they give is correct and in line with the most recent available statements from institutions or employers. Careers teachers and coordinators at senior levels should keep contemporaneous notes of advice given to individuals
- avoid giving advice in areas unrelated to their role or where they may lack expertise.

Ratified by School Council on: \_\_\_\_\_

Signed School Council President: \_\_\_\_\_

Signed Principal: \_\_\_\_\_