

Winthrop Primary School: Student Duty of Care 2023 – 2025

Rationale:

The *Duty of Care for Public School Students* policy 2019 identifies all Department of Education employees as having a duty of care to protect students from risk of harm that can reasonably be foreseen when students are involved in all school activities. Teaching staff owe a duty to take reasonable care for the safety and welfare of students whilst under their direct or indirect supervision. Non-teaching staff, volunteers and/or external providers of a school also have a duty of care to students. The Department is committed to achieving a balance between protecting students from an unreasonable risk of harm and encouraging students' independence and maximising their educational opportunities.

This duty requires the person take reasonable and acceptable measures to protect a student from reasonably foreseeable harm.

School commences at 8:50 am and finishes at 3.00pm.

Staff assume the duty of care of students at 8.35 am when the classroom doors are open. Children are asked to arrive at school anywhere between 8.35 am and 8.50 am.

Students on school grounds before school

If children arrive at school earlier than **8.35 am** without parental supervision must sit on the bench on the verandah outside the Deputy Principal's Office.

Where this time is difficult for families, Before and After School Care on-site may be an option
Please contact 0422 226256

Students who arrive before 8.35 with parental supervision: Parents, carers or others dropping students off assume responsibility for supervising the students while on the school grounds or while using the playground equipment.

Students on school grounds after the close of school

Where the presence of students on school grounds is known:

1. *Students who leave school grounds and return later (e.g. in the evenings, weekends) to use the grounds.*

There is no duty of care owed to students who leave the school grounds and return later to use the grounds or playground equipment (unless they return to participate in a school activity).

2. *Students who remain on school grounds after being collected by parents.*

Parents, carers or others collecting the students, assume responsibility for supervising the students while on the school grounds or while using the playground equipment.

3. *Students are asked to go to the front office in the event that they are not collected.*

Parents will be contacted individually and invited to come and discuss the matter with the Leadership Team if children are repeatedly not collected by 3 pm.

It is not reasonable to expect staff members to supervise students when parents are regularly and significantly late in collecting their children. The school may report concerns to the Child Protection and Family Support Services Division (CPFS), of the Department of Communities. After making all attempts to contact a parent to collect the child after school, the school will contact the local district office of CPFS for assistance (during business hours). For concerns after hours, the school may contact Crisis Care (CPFS) on (08) 9223 1111 or country free call: 1800 199 008.

Students leaving school grounds during school hours

The school does not allow students to leave school premises during the school day in circumstances where there is no parental permission.

A school may release a student where parental permission has been given. The form of the permission should clearly state the terms upon which parents are giving permission for the student to leave premises, including the purpose for the absence, the times during which the student leaves the school grounds (for example daily or on a specified day each week) and the period for which the permission is given (for example, a term).

Additionally, the school should be satisfied that the parent is giving informed permission by advising the parent of any concerns it has for the student's safety. Moreover, if the school, having assessed the situation, considers that the student may be placed at risk if allowed to leave the school premises, then permission to leave may be refused, notwithstanding that parental permission has been given. If, for example, the school becomes aware of unsatisfactory behaviour, risk related behaviour or other circumstances likely to affect the health, safety or welfare of the student, it is justifiable to withdraw permission, and the school will discuss these concerns with the student's parent or guardian. The situation will be directly influenced by the age and capacity of the student.

Provided that the school is satisfied on reasonable grounds that no foreseeable harm will come to a student, the student-teacher relationship ends and a duty of care will no longer be owed once the student leaves the premises during a free period/break or for other non-school activities, such as a doctor's appointment.

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| Reviewed: April 2023 | Next Review: April 2025 |
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