



## **Duty of Care Policy**

### **RATIONALE:**

This statement is underpinned by the SACCS Duty of Care Policy 2004. Duty of Care refers to the special relationship which exists between a teacher and a student. It also refers to the special relationship between a school authority and its students. A Duty of Care may also exist between non-teaching staff and students, depending on the staff member's role.

Duty of Care relates to the law of negligence. It means that teachers and schools owe a duty to students to take all reasonable measures to protect their safety and welfare. If an injury results from a teacher's or school's failure to exercise the required standard of care, a negligence claim may result. The immaturity and inexperience of the pupils and their propensity for mischief suggest that there should be a special responsibility on a school authority to care for their safety.

Educational negligence occurs when a student suffers harm because of negligent or incompetent teaching. Over time there has been an increasing focus on the legal environment in which teachers operate.

Staff are expected to be familiar with the following policies which together constitute a Duty of Care Policy for St Joseph's School:

- Behaviour Education & Personal Responsibility
- Child Protection
- Excursions and Camps
- First Aid
- Extreme Weather
- Information and Communications Technology
- WHS
- Critical Incident Management
- Drugs and Illicit Substances

Signed:

Chairperson School Board: Steve Atkinson.....August 2023

Principal: Don DePalma .....August 2023

Policy Review Date: August 2023

Next Review Date: August 2026