

SOUTH YARRA PRIMARY SCHOOL ON-SITE SUPERVISION POLICY



Definitions

Duty of Care - "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.

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, managing employee recruitment, conduct and performance. 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.

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.

Supervision – is defined by the ability of students to be constantly in the eyesight of the supervising staff member. Other considerations are: the number of students to be supervised at the time and the size of the space students may be spread over while being supervised. On-site supervision requires not only protection from known hazards, but also protection from those that could arise (that is, those the teacher/other adult should reasonably have foreseen) and against which preventive measures could be taken.

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Rationale

Adequate supervision of students is a requirement of South Yarra Primary School's duty of care and is dependent upon all staff members fulfilling their duty of care responsibilities during designated school times including 15 minutes prior to and directly after school. The supervision of students is a shared responsibility and is critical to ensuring the safety and wellbeing of all students.

Purpose

It is important that schools arrange for student supervision according to the school's needs and to ensure staff are aware of their responsibilities to supervise students during school times as well as before and after school.

Note: School authorities in breach of their duty of care may be liable for injuries to students.

In schools there must be clearly allocated specific responsibilities to staff members to undertake student supervision, as determined by the needs of the school, to protect students from reasonably foreseeable risks of injury including hazard that are known or could have been foreseen and prevented.

Aims

- To ensure schools satisfy their duty of care in supervising students.
- To explain the nature of the legal duties owed by teachers and school staff towards students.
- To explain when supervision is the responsibility of the school and when it is that of parents.

- Parents/carers are to be kept informed as to when supervision of students is available before and after school, and that outside these times (i.e. before 8.45 am and after 3.45 pm) supervision and/or the collection of students is the responsibility of parents/carers. This information will be provided in the newsletter and on the school's website.

Implementation

During School Hours

- The school takes responsibility of the supervision of all enrolled students from 8.45am to 3.45pm on all normal school days.
- Supervision is the responsibility of
 - 8.45am – 9.00pm – supervising yard staff member
 - 9.00am – 3.30 – supervising teaching staff members
 - Recess & lunch breaks – supervising yard staff members
 - 3.30pm – 3.45pm – supervising yard staff members.
- For fifteen minutes directly before and after school, a duty teacher will be rostered to supervise the park area/back gate (pickup and drop-off) zone. Other staff are also expected to be observant as they move through the grounds and between buildings during these times.
- Should a rostered teacher not be punctual and/or present or has not provided adequate supervision on a scheduled duty, that teacher may be in an adverse position if an accident occurs and complaints or litigation follows.
- Supervising Yard Duty teachers will attend to minor first aid situations and/or call for assistance and/or refer students to the office as deemed appropriate at the time.
- At times, wet and/or extremely hot and/or windy weather can necessitate a change to normal supervision arrangements. The school will have supervision systems in place for Wet and hot days (and other 'no outside play' circumstances). The SYPS Wet Day Supervision Timetable and Guidelines will be implemented when students are required to remain indoors during designated school break times.
- A designated teacher will be responsible for organising and overseeing the Yard Duty procedures including the Yard Duty timetable.
- There will be one staff member designated "First Aid" on duty throughout each recess and lunch time and during class time. (Ref First Aid Policy & Procedures)
- Circumstances could result in students having to stay inside, a lock down being called and/or restricted or no movement outside. The principal or deputy will be responsible for communicating any changes to supervision arrangements. Students not accounted for at 3.45pm will be taken to the school office by the supervising yard staff members.
- Parents/guardians must visit the office and sign out their child if they need to leave school before dismissal time. Teachers only dismiss a child early when an endorsed early departure note is provided.
- Supervising yard staff members will wear high visibility jackets.
- The school will have supervision systems in place as follows:
 - For prep student handover with Out of School Hours Care in Terms 1 & 2
 - Classes are to be supervised by a teacher when proceeding to and from different areas of the school during learning time.
 - Specialist changeover procedures are to be clear, punctual and negotiated so that supervising teachers are aware of where to exchange classes, at what time, who picks up and who returns. The supervising teacher is expected to keep the group together and not have them spread out.
 - Students will be supervised during eating times
- The school will provide bells to advise students, staff and parents of line up times.

- Staff will make internal arrangements to ensure students are supervised in all circumstances.
- Staff will know the whereabouts of all the students in their care.
- Staff will provide student supervision when students are being instructed by an external provider, with the exception of instrumental music programs, Lego and Chess Clubs.
- Students remaining inside while other students are outside during a designated break will be supervised by a staff member in the same designated space.
- Students performing a task that removes them from the supervising teacher must be accompanied by at least one other student.
- Students going to the toilet during class time will be accompanied by at least one student. This student will be of the same gender.
- Parents acting in the capacity of a classroom helper may work with small groups of students and are expected to exercise duty of care. The wellbeing of the students however remains the responsibility of the classroom teacher.
- In the case of an emergency situation, the office is to be notified either by phone or sending another student for assistance.
- If students need to leave class (toilet, monitor role etc.) the supervising teacher is still responsible for the students and needs to ensure minimisation of time out of the room as well as monitoring of what the child is doing whilst out of the class.
- Students are expected to be supervised in a quiet, orderly and controlled manner at all times. No students are to be left unsupervised in or outside classrooms during teaching times.
- During school times, any unidentified adults in the grounds are deemed a “stranger” and must be challenged by a staff member who will inquire as to the reason for their presence.

Outside School Hours

- The school does not accept responsibility for the supervision of students before 8.45 am in the morning and after 3.45pm, nor on any day that the school is closed to students.
- The after school duty person’s responsibilities include the supervision of students being collected by parents.
- In cases when a student has not been collected by 3.45pm they are to wait at the General Office Foyer. Subject to arrangements made with a parent, a child may need to be placed in the Out of School Hours Care Program whereby the parent will be responsible for paying for care.
- The safety of everyone is paramount. Responsibility of student supervision outside of these times belongs to parents/guardians or any external provider the parent may have engaged (i.e. before and after school care).
- Students who are in the care of staff members outside of school hours will have adult supervision during this time.

Special Activities & Circumstances

- Student supervision on excursions, camps or other special events will be in accordance to policies specific to those events.
- Supervising teachers are still responsible for the supervision of students during incursions and when an external provider is taking a session.

Training & Review

- Operational details and the importance of student supervision will be a component of annual staff induction.

Refer also to **SYPS Duty of Care Policy**

- The school will review the school's supervision procedures each year.

Evaluation

- This policy will be reviewed as part of the school's three-year review cycle.

THIS POLICY WAS RATIFIED BY SCHOOL COUNCIL ON AUGUST 16, 2016.