



Duty of Care Policy

Antonine College Ltd (ACL) is a Catholic College in the Tradition of the Maronite Antonine Sisters (MAS). As a MAS College, ACL aims to serve the community by providing a high-quality Catholic education within the wider context of Catholic Education in Australia.

Antonine College Ltd is an incorporated entity and as such is governed by a Board of Directors who ensure a strategic approach to the College's future.

The Statement of Mission in the constitution of Antonine College Ltd, sets out the sets out the Archbishop's expectations of Catholic schooling in the Archdiocese and provides an important context and grounding for the company and the direction which ACL Board must always observe in the pursuit of the company's objects. The Board must ensure that all policies and procedures concerning the operations of ACL are consistent with the Statement of Mission and company objects, as well as any directions issued by the Archbishop from time to time.

Introduction

The [Statement of Mission](#) in the MACS Constitution, and the constitutions of its subsidiaries, Antonine College Ltd, sets out the sets out the Archbishop's expectations of Catholic schooling in the Archdiocese and provides an important context and grounding for the company and the direction which ACL Board must always observe in the pursuit of the company's objects.

The Board must ensure that all policies and procedures concerning the operations of ACL, are consistent with the Statement of Mission and company objects, as well as any directions issued by the Archbishop from time to time.

Purpose

This policy sets out requirements to ensure duty of care is always maintained.

Principles

In having a duty of care to students, principals of ACL must:

- ensure compliance with all Child Safe Standards
- implement strategies to prevent reasonably foreseeable risk of harm or injuries to students (whether physical or psychological)(including the identification of risks).
- provide suitable and safe premises
- provide an adequate system of supervision
- implement strategies to prevent bullying
- ensure that medical assistance is provided to a sick or injured student
- manage employee recruitment, conduct and performance.

Policy

Antonine College Ltd (ACL) must ensure that the care, safety and welfare of all students attending the school is in accordance with any applicable state or Commonwealth laws (including Ministerial Order 1359), and that all staff are advised of their legal obligations under those laws.

All staff have a duty of care to students to take reasonable care to avoid acts or omissions that they can reasonably foresee would be likely to result in harm or injury to the student, and to work for the positive wellbeing of each child.



Whenever a teacher-student relationship exists, teachers have a special duty of care. Generally, teachers are expected to take such measures as are reasonable in the circumstances to protect a student under their charge from reasonably foreseeable risks of injury or child abuse.

Duty of care is non-delegable, meaning that it cannot be assigned to another party. The requirement to take reasonable steps to reduce the risk of reasonably foreseeable harm continues even when another party is involved (for example, a third-party providing services for an excursion or camp).

ACL principal must ensure that policies and procedures are in place to manage common risks in school environments (including physical and online environments), and to support staff to meet their duty of care, including:

- Monitoring, recording, and reporting of student attendance
- Bullying prevention and intervention (including cyber-bullying)
- Camps, excursions and international travel
- Child safety and wellbeing
- Codes of conduct for parents, students and staff
- Emergency management
- Employment and management of staff
- Health and first aid policies
- Medical management
- Medication administration
- Mandatory and other reports of child abuse
- Health, safety and wellbeing
- Student wellbeing and engagement
- Supervision of students in school environments and in school approved activities
- Procurement for facilities and services from third parties.

ACL has developed appropriate policies and contextualizable procedures to support the school in managing these common risks. Principal and school leaders in ACL have the responsibility for ensuring that all staff are familiar with their school's policies and procedures which are aimed at ensuring staff meet and comply with their duty of care.

Principals are responsible for ensuring that the policies for the care, safety and welfare of students are published and accessible to the school community. The school community should receive regular reminders of these policies, particularly following their review or amendment. All staff must uphold the Code of Conduct for staff. should be provided to the school community.

School Staff, Parents, Carers and Students are encouraged to speak to the principal to raise concerns about risks, hazards or duty of care obligations. If the matter cannot be resolved at the school level, complainants should be advised to contact the Chair of the Board or be referred to the Complaint Handling Policy.

Duty of Care to students outside of school

In some circumstances, the duty of care owed by school staff will extend outside of school grounds and beyond school hours. The circumstances are dependent upon each individual case.



Roles, Responsibilities and reporting

Role	Responsibility	Reporting requirement (if applicable)
Principal	Ensure that all policies for the care, safety and welfare of students are published and accessible to the school community	Annual attestation to the Executive Director

Definitions

Duty of Care

Duty of care is a legal obligation that requires schools to take reasonable steps to reduce the risk of reasonably foreseeable harm, which can include personal injury (physical or psychological) or damage to property. The reasonable steps a school may decide to take in response to a potential risk or hazard will depend on the circumstances of the risk.

School environment

Means any of the following physical, online or virtual places used during or outside school hours:

- A campus of the school.
- Online or virtual school environments made available or authorised by ACL or a ACL school for use by a child or student (including email, intranet systems, software, applications, collaboration tools and online services).
- Other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for camps, approved homestay accommodation, delivery of education and training, sporting events, excursions, competitions and other events) (Ministerial Order No. 1359)

Related policies and resources

Anaphylaxis Policy

Bullying Prevention Policy

Attendance Policy

Child Safety and Wellbeing Policy

Child Safety Code of Conduct

Code of Conduct for Staff

Emergency Management Plan

Emergency Management Planning Policy

First Aid Policy

ICT Acceptable Use Policy

Medical Management Policy

Health, Safety and Wellbeing Policy

Parent Code of Conduct

Pastoral Care of Students Policy

Privacy Policy

PROTECT – Identifying and Responding to Abuse – Reporting Obligations Policy

Recruitment Policy

Student Behaviour Policy

Student Code of Conduct

Supervision of Students Policy



Legislation and standards

Education Training and Reform Regulations 2017 (Vic.)

Occupational Health and Safety Act 2014 (Vic.)

Ministerial Order 1359 – Implementing the Child Safe Standards – managing the risk of Child abuse in schools.

Policy Information table

Responsible person	ACL Principal
Policy owner	ACL Principal
Approving authority	College Executive
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