

## Duty of Care

In partnership with families, Loreto College Ballarat is entrusted with the care of children and young people in our College and work together with families for the wellbeing of all students. Loreto College Ballarat has legal and pastoral responsibilities for the duty of care to students to take reasonable care to avoid acts or omissions, that are reasonably foreseeable, that would be likely to result in harm or injury to students at Loreto College Ballarat.

Loreto College Ballarat must ensure it has policies and procedures to provide students with a safe environment where the risk of harm is minimised, and students feel safe.

Loreto College Ballarat has approved a suite of policies and procedures that underpin the care, safety, and welfare of students, including duty of care obligations. These documents outline our approach to protecting the children and young people in our care and ensure Loreto College staff are fully aware of their legal obligations. They include:

- Loreto College Ballarat Duty of Care Statement
- Loreto College Ballarat Pastoral Care and Wellbeing Policy
- Loreto College Ballarat Anaphylaxis Policy
- Loreto College Ballarat Bullying Prevention and Intervention Policy
- Loreto College Ballarat Asthma Policy
- Loreto College Ballarat Attendance Monitoring Policy and Procedures
- Loreto College Ballarat Student Behaviour Management Policy and Procedures
- Loreto College Ballarat Shared Behaviour Code of Conduct – Students, Parents and Staff
- Loreto College Ballarat ICT Policy
- Loreto College Ballarat Emergency and Critical Incident Management Policy
- School Emergency Management Plan
- Loreto College Ballarat Occupational Health and Safety Policy and Procedures
- Loreto College Ballarat Supervision of Students Policy

## Loreto College Ballarat's Statement on Duty of Care

The Loreto College Ballarat has a responsibility to ensure that the College provides a safe learning environment for its students in accordance with Schedule 4, clause 12 of the Education and Training Reform Regulations 2017.

Loreto College Ballarat recognise that:

- It owes all students a duty of care to take reasonable measures to protect them from reasonably foreseeable risks of injury.
- It owes a duty to take reasonable care that any student (and other persons) on the premises will not be injured or damaged because of the state of the premises, including things done or omitted to be done to the premises.
- It owes a duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision, or authority of the organisation.
- Different and sometimes greater measures may need to be taken for younger students or students with disabilities and other vulnerabilities in order to discharge this duty of care.
- As part of their professional obligation, all employees at Loreto College Ballarat, have a legal duty to take steps to protect students in their charge from the risk of injury or child abuse that are reasonably foreseeable.

Loreto College Ballarat Duty of Care Policies and Procedures are applicable to:

- Board members
- all employees
- contractors
- volunteers
- those involved in religious ministry
- and visitors

Loreto College Ballarat has a responsibility to ensure the duty of care to all students includes:

- Ensuring that the employees of Loreto College Ballarat understand their obligations and comply with Ministerial Order 870: Child Safe Standards – Managing the risk of child abuse.
- Provision of suitable and safe school environments
- Development of policies to enable school principals to provide adequate systems for supervision of students at all times.
- Development of policies for the care, safety, and welfare of students at Loreto College Ballarat
- Managing the recruitment, employment, induction, and performance of staff at Loreto College Ballarat
- Managing the risks associated with the prevention of child abuse by an individual associated with Loreto College Ballarat

The Loreto College Ballarat Board, Management and all staff are cautioned against giving advice on matters that they are not professionally competent to give (negligent advice). Negligent advice could constitute a breach in duty of care. Advice is to be limited to areas within one's own professional competence and given in situations arising from a role specified for them by the nature of their employment or engagement within at Loreto College Ballarat.



## Legislative requirements

These at Loreto College Ballarat Policies and Procedures reflect the mandatory requirements imposed on at Loreto College Ballarat under the Education and Training Reform Regulations 2017.

## Review

Loreto College Ballarat Duty of Care policy suite and appendices will be reviewed by the Loreto College Ballarat Board and Leadership on a regular basis, at least every three years or when there is a change in relevant legislation or a significant incident, to ensure that they continue to be suitable, adequate, and effective to achieve compliance.