

YARD DUTY (ON-SITE SUPERVISION POLICY)

POLICY:

“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 a negligent act or omission of another, the injured person should be compensated for loss and damage flowing from that negligence.

Adequate supervision of students in the school yard is a requirement of the school’s duty of care, including:

- school supervision is provided from 8.25 am to 8.45 am prior to the commencement of the school day and from 3.00 pm to 3.20 pm at the end of the school day.
- parents/carers are regularly informed about supervision available before and after school
- sufficient teachers are available to supervise the departure of students at the end of the school day
- teachers supervising departures are not called away for other duties without alternate supervision being arranged
- Senior school students who have a study period will be supervised in either the Senior Study Centre, the library or in scheduled classes. Year 11 and Year 12 students who have a study period at the start of the day or at the end of the day, may be allowed to leave school early with parent permission. Students undertaking study period on site will be required to sign in or a roll will be marked depending on the year level. Students will not be permitted to leave school grounds during a study period.

The school will normally satisfy the duty of care for the on-site management of students outside normal timetabled class time by allocating responsibilities for supervision to different staff.

The principal is responsible for making and administering such arrangements for supervision as are necessary according to the circumstances in the school, and teachers are responsible for carrying out their assigned supervisory duties in such a way that students are, as far as can be reasonably expected, protected from injury.

When students are participating in workplace learning programs, such as work experience, school-based apprenticeships and traineeships, and structured workplace learning, the safety and welfare of the student is paramount. Organising staff are required to follow all applicable Department of Education and Training policies and guidelines in relation to off-site learning, including policy and guidelines on the safety and wellbeing of students. Refer to:

- [Structure Workplace Learning](#)
- [School Based Apprenticeships and Traineeships](#)
- [Work Experience](#)
- [School Community Work](#)

This duty extends to intervention in single-sex areas if need be by a teacher of the other gender.

GUIDELINES:

The principal and teachers are held to a high standard of care in relation to students. The duty requires principal and teachers to take reasonable steps to minimise the risk of reasonably foreseeable harm, including:

- Ensuring the school complies with the seven Child Safe Standards
- 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
- As part of its duty of care Mooroolbark College will adequately supervise students before school; at recess time and lunch time; and after school
- Wherever possible, the yard duty roster be designed where duties are assigned to staff who are free either before or after duty
- The College will review the placement of yard duty on a regular basis and communicate to staff the yard duty positions and associated responsibilities
- It is essential parents/carers are kept informed as to when supervision of students is available before and after school, and that outside these times supervision and/or the collection of students is the responsibility of parents/carers. This information should be clearly provided to parents/guardians on a regular basis in the college newsletter

Teachers will ensure that all precautions have taken place to prevent the injury from occurring.

- The duty is non-delegable, meaning that it cannot be assigned to another party
- This on-site supervision requires not only protection from known hazards, but also protection from those that could arise (that is, those the teacher should reasonably have foreseen) and against which preventive measures could be taken
- Whilst on yard duty staff must be actively supervising students
- The law has established that, in some circumstances, a school's duty (and therefore the Department's duty) will extend beyond school hours and outside of school grounds. The duty will be extended to outside school hours and premises when the relationship between the school and the student requires it in the particular circumstances
- Whether the duty extends outside of school grounds therefore depends on all the circumstances of each individual case, and the staff's knowledge of any dangers
- Mooroolbark College staff will clearly inform parents when playground supervision will be provided and that no formal supervision of the playground occurs outside those hours
- Mooroolbark College staff will inform parents of bus arrangements leaving it to parents to make appropriate arrangements for transporting their children to and from school
- There will be other situations in which schools will be under a duty to take reasonable steps to avoid injury. For example, a known bully on a school bus may require the school to suspend or

refuse to transport the bully. If the danger to students is beyond the control of the school, reasonable steps may involve contacting police or issuing warnings to parents

IMPLEMENTATION:

Principals may organise supervision of entry and exit points that considers:

- any entry or exit points that are in use
- road traffic conditions
- designated pick up and drop off areas
- whether any entry or exit points should be:
 - locked
 - designated as out of bounds
 - supervised
- A yard duty roster will be used to inform staff members for yard supervision
- Staff are required to wear a supervisors vest and collect the first aid kit from the library
- Yard supervision will be split into the following time periods:
 - Before school – 25 minutes prior to the commencement of the first class
 - Recess – from the beginning of recess to the commencement of the first class after recess
 - Lunch – from the beginning of lunch to the commencement of the first class after
 - Afterschool duty - 25 minutes after the end of the last period of the day
- In determining whether supervision of students entering or exiting the school is adequate, the principal or their nominee will consider a number of factors including:
 - Which entry/exit points should be or are used by students
 - Whether any entry or exit points should be locked, designated as out of bounds, or supervised
 - Road traffic conditions
 - Designated pick up and drop off areas
- The supervision of the arrival and departure of any school contract buses is a matter for the discretion of the principal who will consider the following:
 - the number of students alighting from and boarding the bus at the school
 - the age of students alighting from or boarding the bus
 - the times of the arrival and departure of the bus(es)
 - the location of the pick-up and drop-off points in relation to the other areas of the school
 - whether supervision is required to protect students on the bus, or from unruly student behaviour when boarding or alighting from the bus
- The supervision of the arrival and departure of any students on public transport is a matter for the discretion of the principal who will consider whether supervision is required to protect students on the bus, or from unruly student behaviour when boarding or alighting from the bus.

- Parents/carers are discouraged from sending their children to school before the designated supervision time in the morning. Parents/carers are encouraged to pick up their child by the end of the designated end of day supervision period. Parents will also be informed of the times when staff members will be rostered to undertake yard supervision before and after school each day.
- The Mooroolbark College Yard Duty (On-site supervision) Policy is to be read in conjunction with the DET Student Supervision Policy and the Mooroolbark College 'Duty of Care Policy' and 'Yard Duty Handbook'.

REVIEW PROCESS

Date of approval by School Council (March 2020)

Internal Review (January 2021)

Internal Review (November 2021)

