

	<b>Student Welfare and Duty of Care (Prace College) Policy &amp; Procedure</b>	Approval Date: 26/10/2023
		Review Date: 10/2025
		Version Number: 4.0
Authorised by:	Board	Version Date: 26/10/2023
Responsible Person:	Principal	
Staff Involved:	All Prace College staff	

## Purpose

The purpose of this Policy and Procedure is to ensure:

- Prace provides a safe environment for all students in the Prace College program at both the Merrilands and Mernda campuses, and during offsite activities
- Prace College staff are aware of their obligations in relation to duty of care
- That Prace College staff are aware of the processes in place to manage student safety and welfare at Prace College.

## Scope

This Policy and Procedure applies to students who are enrolled in the Prace College program at the Merrilands or Mernda school campus, or while participating in Prace College activities offsite.

It does not apply to any other students enrolled with Prace.

The Policy and Procedure addresses the following aspects of safety, welfare and duty of care for **students under the age of 18** in the Prace College program:

- Arrangements for ill students
- Consent from parents/guardians/carers
- Storing and administering medication
- Staffing
- Student supervision.

It also addresses the following aspects of welfare and duty of care for **all students** enrolled in the Prace College program:

- Student Code of Conduct
- Support services.

The following areas of student welfare and duty of care are addressed in other Prace policies and/or procedures for all students and include procedures for students who are under the age of 18:

Duty/Safety Area	Name of Policy/Procedure
Accidents and Incidents	OH&S Policy and Procedure
	Critical Incidents Policy and Procedure
Anaphylaxis management	Anaphylaxis Management Policy and Procedure
Attendance and attendance Monitoring	Prace College Attendance Policy and Procedure

Bullying and harassment	Bullying and Harassment Policy and Procedure
Child Safety	Child Safety and Wellbeing Policy and Procedure
Complaints	Complaints and Appeals Policy and Procedure
Emergency Management	Emergency Management Plan <ul style="list-style-type: none"> <li>• Merrilands Community Centre Campus</li> <li>• Mernda Campus</li> </ul>
Excursions	Excursions Policy and Procedure
First Aid	First Aid Policy and Procedure
Gender Identity	Gender Identity Policy and Procedure
Health and Safety	OH&S Policy and Procedure
Information sharing	Information Sharing Schemes Procedure
Internet Use	Acceptable Use of Digital Technologies Policy & Procedure
Mandatory Reporting	Child Safety Reporting Procedure
Medical Conditions	Medical Conditions Management Policy and Procedure
Onsite and offsite supervision of students	Student Supervision (Prace College) Procedure
Privacy	Privacy Policy and Procedure
Reportable Conduct	Child Safety Reporting Procedure
Sun Smart	Sun Smart Procedure
Work Experience / Structured Workplace Learning	Placement with Employers Policy and Procedure

## Definitions

**Duty of Care:** a legal duty to take reasonable steps to protect students in our charge from risks of injury that are reasonably foreseeable. Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involve: providing adequate supervision in the school or on school activities; providing safe and suitable buildings, grounds and equipment; implementation of strategies to prevent bullying; and ensuring that medical assistance is provided to a sick or injured student.

The teacher's duty is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student, while the ordinary citizen may choose to do nothing in a similar situation. The duty is non-delegable, meaning that it cannot be assigned to another party.

**Parent/guardian/carer (carer):** In relation to a child means any person who has parental responsibility for 'major long-term issues' as defined in the *Family Law Act*

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1975 (Cth) or has been granted 'guardianship' for the child pursuant to the *Children, Youth and Families Act 2005* (Vic) or other state welfare legislation, or an Informal Carer.

An Informal Carer is a person who has responsibility for the day-to-day care of the student and with whom the student is residing. Where a student is not living with a parent/guardian but is living in an informal care arrangement with a relative or other person, Prace may accept enrolment and other permission forms signed by the informal carer if the carer provides a signed Informal Carer's Statutory Declaration to Prace. This is a written declaration by the carer that sets out the care arrangements for the child — refer to: Informal Carer Statutory Declaration template. Generally, an informal carer who has provided Prace with a completed Informal Carer Statutory Declaration may make education-based decisions for the child and may access education and participation information ordinarily provided to a parent or guardian.

**Prace:** means the incorporated association (A0032713Z) which includes the Registered Training Organisation (4036) & Prace College (2110).

**Prace College:** means the section of Prace that operates as an independent school from both the Merrilands and Mernda campuses under registration number 2110.

**Prace College staff:** means the Principal, Assistant Principal, and any person employed or engaged as a part of Prace College (both Merrilands and Mernda campuses), including:

- to teach Prace College students, or
- in an educational support role for the Prace College program, including teacher's aides / education support workers, youth workers, psychologists, or
- administration staff.

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## **Policy Principles**

Students have a right to be educated in a caring, well-managed and safe, environment.

Prace works in partnership with students, families, government agencies, and community services, to support the wellbeing and safety of students.

In providing a caring, well-managed, safe environment for all students Prace also meets:

- The Prace Statement of Purpose (within the Rules of Association)
- Prace Mission Statement
- Prace College philosophy
- Duty of care obligations
- Child Safety principles
- Ministerial Order 1359,

Prace understands that different and sometimes greater measures may need to be taken to discharge its duty of care for vulnerable students such as students with disability, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, and LGBTIQ+ students.

This commitment to student welfare underpins all aspects of this policy and procedure.

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**Procedure****Aboriginal and Torres Strait Islander cultural safety**

Refer to the *Prace Aboriginal and Torres Strait Islander Cultural Safety Policy and Procedure* for Prace's approach to promoting cultural safety and inclusion.

**Arrangements for ill Students**

This section is to be read in conjunction with the:

- Medication section of this Policy & Procedure
- First Aid Policy and Procedure
- Occupational Health and Safety Policy and Procedure
- Medical Conditions Management (Prace College) Policy and Procedure
- Anaphylaxis Management Policy and Procedure (where relevant)
- Asthma Management Policy and Procedure (where relevant)

For all emergency and first aid matters refer to the *First Aid Policy and Procedure*, including:

- Any emergency illness or first aid situation
- Number and minimum training of first aid officers
- Blood spills management
- Notifying carers, including where professional treatment obtained, and/or to take the student home
- Notifying the Prace Assistant Principal & Principal
- First aid supplies, ordering and locations
- Maintaining the confidential, and up-to-date *Incidents and Issues Register* for all injuries or illnesses require first aid.

No medication including headache tablets will be administered to students without the express written permission of a carer.

All teachers have the authority to call an ambulance immediately in an emergency. If the situation and time permit, a teacher may confer with others before deciding on an appropriate course of action.

For arrangements for excursions and camps refer to the *Excursions Policy and Procedure*.

**Attendance and Attendance Monitoring**

Student attendance is monitored daily, with Prace College teachers being required to complete an attendance roll at the beginning of each class.

Absent students are contacted by phone, along with their carers where the student is under the age of 18. Failure to make contact will result in a text message being sent to the student and carers, as applicable. This is the responsibility of each campus administration officer.

All student absences require an explanation and/or a medical certificate – refer to the *Attendance (Prace College) Policy and Procedure* for more information.

If a student is to leave early, the carer needs to call or write a note.

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## **Consent from parents / guardians / carers**

Prace requires signed consent from a parent/guardian/carer for the following when a student is under the age of 18:

- To enrol a student at Prace College or in a Prace course
- To enrol a student in a course with an external training provider, including both onsite and offsite
- To attend excursions
- To participate in community activities and programs that help develop connectedness with Prace that are outside normal school hours
- To participate onsite in any activity where the student is not directly supervised by a Prace College staff member
- To take photos of students
- To participate in structured workplace learning or work experience
- To be absent from class
- To leave early.

The Principal and/or Assistant Principal will provide at enrolment an outline of the program and support services. This will be provided in the Prace College Student and Parent Handbook. By signing the enrolment form, carers will be giving consent to all onsite learning activities that have been mapped to the program's learning outcomes and where a Prace College staff member is present.

For offsite excursions and work experience / structured workplace learning activities the *Excursions Policy and Procedure* and the *Placement with Employers Policy and Procedure* will be followed respectively. Both of these procedures ensure carer permission is obtained prior to the activity commencing.

## **Emergency Management**

Refer to the campus-specific Prace Emergency Management Plan, and the *Critical Incidents Policy and Procedure* for details regarding Prace emergency responses to:

- Violent / threatening behaviour
- Serious injury
- Fatality
- Serious assaults / sexual assault
- Siege / hostage / firearms
- Disappearance or removal of a person
- Bomb threat
- Collapse / major damage to building or equipment
- Motor vehicle collision / impact
- Impact by equipment / machinery / aircraft
- Earthquake or other natural event
- Fire in building / bushfire
- Fumes / spill / leak contamination by hazardous material
- Outbreak of disease
- Flood / windstorm

## **Excursions**

Duty of Care applies not only during normal educational classroom activities, but also during local, non-local and major excursions. Duty of Care applies from the time of departure from Prace, for the duration of the activity/ excursion and until students have been dismissed from the excursion or returned to the College campus. Duty of

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Care requires that staff should take all reasonable measures to ensure the safety of any student under their care.

Refer to the *Prace Excursions Policy and Procedure* for more information.

### **First Aid**

Prace is committed to ensuring that every care is taken to prevent accidents as per the *Prace OH&S Policy and Procedure*. However, in the event of a staff member, student or volunteer having an accident or becoming ill, every attempt will be made to ensure the sound management of that person to prevent an exacerbation of the situation and to secure necessary medical treatment. Refer to the *Prace First Aid Policy and Procedure* for procedure details.

### **Health and Safety**

Prace has an Occupational Health and Safety (OH&S) Policy and a range of OHS procedures including:

- OH&S Procedure
- Anaphylaxis Management Policy and Procedure
- Asthma Management Policy and Procedure
- Sun Smart Procedure
- First Aid Policy and Procedure

The *OH&S Policy and Procedure* provides a policy statement, general principles, roles and responsibilities of staff. The Prace OH&S Committee meets bi-monthly and is responsible for overseeing the monthly OH&S checks, emergency drills and a range of other OH&S tasks. OH&S information and responsibilities are addressed at staff and student inductions. For staff, OH&S updates are provided at staff meetings and through the Staff Intranet. Students are informed about OH&S via the Prace College Student and Parent Handbook and are encouraged to inform their teacher and/or another Prace College staff member of any OH&S concerns.

### **Mandatory Reporting Responsibilities**

Refer to the *Prace Child Safety and Wellbeing Policy and Child Safe Reporting Procedure*, which outline staff responsibilities in relation to the reporting of child abuse and child sexual abuse including in relation to:

- Mandatory reporting obligations
  - all adults in Victoria
  - professional groups mandated to report a reasonable belief of child physical or sexual abuse to child protection authorities, including VIT Registered teachers, youth workers, registered psychologists, school principals
- Reportable Conduct Scheme

The *Prace Child Safety and Wellbeing Policy and Child Safe Reporting Procedure* are in place to ensure children's rights to be safe. These policies are consistently maintained and each child enrolled at Prace is protected against physical and sexual abuse, and neglect.

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### **Medication Distribution (with carer consent)**

Prace recognises that there may be times when staff need to administer medication to a student either in an emergency or when requested by a carer, when the student is under 18, and is unable to self-administer.

Prace has several trained first aid trained staff at each campus. Prace can arrange staff to administer medication to students under 18 if required and if consent is provided by a carer. Written consent shall be filed by the relevant campus administration officer in the student's file.

Prace's duty of care is to administer the correct dose of medication according to written instructions received by the carer. These instructions must contain directions for storage and administration. Prace may need to seek clarification from the student's medical practitioner and will seek permission to do so if the need arises.

Prace will ensure that medication is stored securely in the administration office in a locked drawer or cabinet at each campus, along with a copy of the written consent from the carer. Prace will ensure the medication is accessible by the staff member responsible for the administration of it.

Medication must be in its original bottle or packaging and must be clearly labelled with the name of the student, time and dosage to be administered. The expiry date of the medication must be visible.

Prace will ensure that privacy of the student is maintained in relation to medications and illnesses.

Prace does not administer non-prescribed medicines such as paracetamol or analgesics to students and does not keep them on the premises.

For students with asthma, anaphylaxis or allergies, Prace staff will follow the relevant Anaphylaxis, Asthma or Medical Conditions Management policies and procedures. For other illnesses or medical emergencies, Prace follows the First Aid policy and procedure.

In the event of medication needing to be administered to a student under the age of 18, a Medication Administration Log is to be completed and filed in the student's file which is kept in the administration office at each campus.

Teachers of students requiring medication must be informed by the Assistant Principal or their delegate and the student must be released from class to obtain the medication from the administration office.

The Principal, Assistant Principals, CEO and Senior Managers have access to the students' files that contain all relevant information regarding the student.

If a student under 18 needs to be provided with medication on an ongoing basis, an updated Student Medical Information form is to be completed, along with an individual health condition management plan. Both documents shall be filed in the student's file. See the *Medical Conditions Management Policy and Procedure*.

### **Prevention of Bullying and Harassment**

Refer to the *Bullying and Harassment Policy and Procedure*, which provides guidelines to all staff, students and volunteers of Prace.

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## **Privacy and Information Sharing**

Sharing information appropriately and lawfully for the purpose of supporting a student's safety and wellbeing, and to reduce risk, is an important element of a school's duty of care. Under the *Prace Privacy Policy & Procedure*, Prace may share information for a number of purposes including:

- To support students' social and emotional wellbeing, and health
- When necessary to lessen or prevent a serious threat to a person's life, health, safety or welfare
- With parent, carer or mature minor student consent
- When required or authorised by law.

Under the Child Information Sharing Scheme and Family Violence Information Sharing Scheme, Prace is authorised to share information with other authorised organisations to promote the wellbeing or safety of children or to assess or manage family violence risk. The schemes complement and expand upon other information sharing laws, child wellbeing and safety laws, and family violence protection laws. Organisations authorised to share information under the schemes include Victorian government and non-government schools, DET Health Wellbeing and Inclusion Workforces, The Orange Door, Child Protection, Youth Justice and a range of other prescribed workforces.

For policy and guidance on sharing information refer to the *Prace Information Sharing Schemes Procedure*.

## **Staff**

All Prace College staff are provided with ongoing professional development (PD) to enhance their knowledge and skills in supporting the safety and welfare of students. PD is addressed in the yearly staff appraisal and also during supervision. Refer to *Staff Professional Learning and Development Policy and Procedure* and *Staff Supervision Policy and Procedure* for more information.

All staff at Prace are required to have a current Working with Children Clearance / VIT registration at all times, and a National Criminal History check upon commencement of employment with Prace. Refer to the *Worker Screening Checks Policy and Procedure* for specific guidelines.

## **Structured Workplace Learning and Work Experience**

Prace considers the welfare and duty of care of students in relation to their participation in Structured Workplace Learning and Work Experience. Refer to the *Prace Placement with Employers Policy and Procedure*.

## **Student Code of Conduct**

The Prace Student Code of Conduct is given to all students at the time of Enrolment. The Code of Conduct provides students with information about their rights and duties in relation to providing a safe, welcoming learning environment for all students and staff.

## **Student Supervision**

Legal duty of care requires Prace College staff to take all reasonable measures to ensure the safety of the students at all times in class, lunch times and during breaks.

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Students are also supervised during excursions, including during travel to and from the excursion.

Students are supervised by teachers, youth workers and education support workers. Refer to the *Student Supervision (Prace College) Procedure* for more detail.

### **Support Services**

Prace has support structures in place that address the identified needs of the students enrolled in Prace courses, including the Prace College program. Prace employs youth workers and education support workers dedicated to supporting the Prace College program.

Students are offered and referred to outside services where required to support their wellbeing or safety. This includes but is not limited to: housing, drug and alcohol, family counselling. Prace works closely with these agencies and is often required to attend 'Care Team Meetings'. For students under the age of 18, discussions are held with carers (where appropriate) before moving forward.

When a student presents with an issue or support need, they can choose to speak with one of the teachers, youth workers, education support workers, Assistant Principal or the Principal.

If the student speaks with someone other than the Assistant Principal or Principal, it will then be referred up to them and a plan of action will be devised and appropriate people be notified.

When a student has presented with an issue or support need, relevant staff will be notified of the action plan. This plan and any further notes will be placed in the student's file.

Students will be provided with lunch each day and have access to breakfast if they want it. This is at no cost to the student. Students have access to fresh fruit and vegetables once a week to take home.

Students have access to personal care packages, which include shampoo, conditioner, toothbrush, toothpaste, comb, deodorant and body wash if they are experiencing homelessness or hardship.

This is outlined in the Prace College Student and Parent Handbook, which is given to the student upon enrolment and is discussed with the student.

The Assistant Principal / Principal will, at the enrolment interview, assess the student's learning support needs in consultation with the student and will endeavour to meet the needs of that student by:

- Accessing external disability services
- Recommending reasonable adjustments to delivery and assessment to teaching staff
- Providing adequate access and facilities
- Referring students to appropriate services when required

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**Review** This Policy and Procedure will be reviewed every two years, and after any significant child safety incident or complaint, or in response to significant emerging risks or further government mandates/requirements. The Prace College Principal is responsible for reviewing this Policy and Procedure for approval by the Prace Board.

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**Glossary** OH&S –Occupational Health and Safety

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**Relevant Legislation/ Standards** Australian Human Rights Commission Act 1986 (Cth)  
Charter of Human Rights and Responsibilities Act 2006 (Vic)  
Child Wellbeing and Safety Act 2005 (Vic)  
Child Wellbeing and Safety (Information Sharing) Regulations 2018 (Vic)  
Disability Act 2006 (Vic)  
Disability Discrimination Act 1992 (Cth)  
Disability Standards for Education 2005 (Cth)  
Education and Training Reform Act 2006 (Vic)  
Education and Training Reform Regulations 2017 (Vic)  
Equal Opportunity Act 2010 (Vic)  
Family Violence Protection Act 2008 (Vic)  
Family Violence Protection (Information Sharing and Risk Management) Regulations 2018 (Vic)  
Health Records Act 2001 (Vic)  
Occupational Health and Safety Act 2004 (Vic)  
Privacy and Data Protection Act 2014 (Vic)  
Racial Hatred Act 1995 (Cth)  
Racial and Religious Tolerance Act 2001 (Vic)  
Racial Discrimination Act 1975 (Cth)  
Minimum Standards and Requirements for School Registration Ministerial Order 1359 (Child Safe Standards)  
Sex Discrimination Act 1984 (Cth)  
Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (Cth)  
Victorian Reportable Conduct Scheme  
Worker Screening Act 2020 (Vic)

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**Related Policies and Procedures** Aboriginal and Torres Strait Islander Cultural Safety Policy  
Acceptable Use of Digital Technologies Policy and Procedure  
Access and Equity Policy and Procedure  
First Aid Policy and Procedure  
Anaphylaxis Management Policy and Procedure  
Asthma Management Policy and Procedure  
Bullying and Harassment Policy and Procedure  
Child Safety and Wellbeing Policy  
Child Safety Reporting Procedure  
Complaints and Appeals Policy and Procedure  
Critical Incidents Policy and Procedure  
Equal Opportunity and Non-discrimination Policy and Procedure  
Emergency Management Plans  
Excursions Policy and Procedure  
First Aid Policy and Procedure  
Gender Identity Policy and Procedure

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Information Sharing Schemes Procedure  
Medical Conditions Management Policy and Procedure  
OH&S Policy and Procedure  
Placement with Employers Policy and Procedure  
Privacy Policy and Procedure  
Student Supervision (Prace College) Procedure  
Sun Smart Procedure  
Worker Screening Checks Policy and Procedure

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**Related Documents**      Emergency Management Plans  
Information Sharing Schemes Staff Toolkit  
Medication Administration Log

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**Consultation**      Prace College Principal and Assistant Principals  
Education & Business Operations Manager  
Compliance Manager

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