

FSAC Ltd

Board Policy 3 of 15

Duty of Care Policy

2019

Document Approval and Version Control	
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Contact Officers: Position: Manager Human Resources and Compliance	Next Review: 1 October 2019

1. POLICY STATEMENT

The FSAC Board recognises that the FSAC Colleges and Staff bear a responsibility for the safety and welfare of students in “loco parentis”. This Duty of Care acknowledges that as the students are children and young people they are particularly vulnerable and dependent upon those charged with their care to protect them from reasonably foreseeable risks of harm and injury.

SPECIAL NOTE: This Policy should be read in concert with Policy No. 2 Student Protection in Anglican Schools Policy and Procedures which deals with matters of harm, sexual abuse or inappropriate behaviour. The Student Protection Policy and Procedures must be kept at the forefront when considering and implementing the contents of this policy and associated procedures. In the event that reasonable suspicions exist that harm, and/or sexual abuse has occurred or is likely to occur, the Student Protection Policy and Procedures must be followed.

1.1. Scope

This Policy and its affiliated procedures apply to the Board, all students, employees (paid or unpaid, full time, part time, casual and volunteers) and other persons such as parents/carers, clergy, contractors and consultants associated with the Colleges and their associated entities.

1.2. Principles

- FSAC Ltd, the Board, Colleges, staff and volunteers, each have a duty of care to take reasonable steps to prevent students from being exposed to foreseeable risks of harm and/or injury.
- The vulnerability and special dependence of children and young people upon their carers imposes an expectation of a high standard of care on FSAC Ltd, the Board, Colleges, staff and volunteers.
- While College staff members generally dispense practical care to students; this does not eliminate, negate or diminish the duty of care owed by FSAC Ltd to College students.
- Adequate student supervision, grounds and facilities maintenance and policy and procedural reviews will assist in the prevention of foreseeable harm and injury to create safe school communities.

1.3. Legal and Other Reference Material

Refer to Appendix 1 for a list of relevant Acts and Regulations associated with this policy.

1.4. Affiliated Authorities

The following policies and procedures support this policy:

- Critical Incident Management Procedure (College Specific)
- Critical Incident Plan (College Specific)
- Policy No. 1 Accreditation Management
- Policy No. 2 Student Protection in Anglican Schools Policy and Procedures
- Policy No. 4 Risk Management
- Policy No. 5 Student Welfare Management
- Policy No. 6 Compliance Management
- Policy No. 7 Educational Management
- Policy No. 8 Student Management
- Policy No. 9 Staff Management
- Policy No. 10 Financial Management
- Policy No. 11 Facilities Management

- Policy No. 12 Work Health and Safety Management
- Policy No. 13 Student Enrolment
- Policy No. 14 Volunteer Management
- Policy No. 15 International College – Homestay Management

2. ACCOUNTABILITIES

General Accountabilities:

The Board is the governing body of FSAC Ltd, and is therefore ultimately responsible for ensuring the proper and effective management and operation of the FSAC organisation. The Board is responsible for the overall governance of FSAC Ltd. This includes defining and monitoring the strategic direction, developing and monitoring policies, monitoring the effectiveness of the Board's and the Company's performance, and establishing control and accountability systems.

The College Councils are responsible for the administration and implementation of the Strategic Direction, Policies and Procedures and Control and Accountability systems developed by the Board. The College Councils act within the scope of powers delegated to them by the Board and remain accountable to and report regularly to the Board.

Principal

The Principal of St John's Anglican College and the Principal of the Springfield Anglican College are held accountable for the effective management of their College including the maintenance of all accreditation compliance requirements. The Principals are responsible to the Board for leading the Colleges to deliver high quality curriculum and educational outcomes, excellence in teaching and learning, strong College communities and driving the agenda for building the Colleges' market growth. The Principals work closely with the College Councils in the management of the College. The Principals report to the Board through the College Council.

The Manager Human Resources and Compliance is responsible for ensuring the FSAC Ltd organisation achieves its strategic objectives through the development and application of best practice human resource management principles and practice which comply with employment law, industrial relations and work health and safety requirements and which minimise corporate risk exposure to human resource related issues by ensuring that a comprehensive Board and operational policy framework is in place and compliant to all statutory requirements.

Staff Members employed by the FSAC Colleges, including staff who are employed subject to the Enterprise Bargaining Agreement or other industrial instrument are expected to abide by all organisational policies and procedures.

3. POLICY ADMINISTRATION

In accordance with policy development and review protocol this policy will be recorded as an authorised policy approved on the date shown on the front of this policy document.

The policy will be reviewed twelve months from the date of the approval shown herein. Notwithstanding the scheduled review, should any circumstance change materially before the 12-month review period, the policy will be immediately reviewed in order to maintain appropriate accuracy, relevance and authority.

APPENDIX ONE

Legal and Other Reference Material

- *Civil Liability Act 2003* (Qld);
- *Criminal Code Act 1899* (Qld);
- *Child Protection Act 1999* (Qld);
- *Child Protection Regulation 2011*(Qld);
- *Education (Accreditation of Non-State Schools) Act 2017* (Qld);
- *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld);
- *Education (General Provisions) Act 2006* (Qld);
- *Education (General Provisions) Regulation 2017* (Qld);
- *Education (Queensland College of Teachers) Act 2005*;
- *Education (Queensland College of Teachers) Regulation 2016*;
- *Education and Other Legislation (Student Protection) Amendment Act 2003* (Qld);
- *The Education and Training Legislation Amendment Act 2011* (Qld);
- *Faithfulness in Service in Schools: A Code of Conduct Developed for School Principals*
- *Working with Children (Risk Management and Screening) Act 2000* (Qld);
- *Working with Children (Risk Management and Screening) Regulation 2011* (Qld);
- Student Protection in Anglican Schools Policy and Procedure
- Complaints Management in Anglican Schools Policy and Procedure
- Staff Code of Conduct
- The College Vision, Mission and Values Statement