

# Student Duty of Care

## Procedure

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| Code and version control:       | LIS026/13-02-2025   |
| Date approved by CEO:           | 13 February 2025  |
| Scheduled review date:          | 13 February 2028  |
| Related policies and documents: | <p>WAI Student Code of Conduct</p> <p>WAI Employee Code of Conduct</p> <p>Student Duty of Care Policy</p> <p>Child Safe Policy</p> <p>Child Safe (Responding to and Reporting Child Abuse) Procedure</p> <p>Welfare and Accommodation Arrangements for International Students Under the Age of 18 Procedure</p> <p>Welfare for International Students Appendices 1 – 6</p> <p>International Student Support Services</p> <p>Diversity, Access and Equity for Students Policy</p> <p>First Aid Policy and First Aid Management Procedure</p> <p>Student Critical Incident Policy and Procedure</p> <p>VET Practical Placement Policy and Procedure</p> <p>Student Excursion Procedure and Appendix 1 - 6</p> <p>Support for Students with Diagnosed Access Needs Policy and Procedure</p> <p>Student Guide (latest issued)</p> <p>Student Complaints, Grievances and Appeals Policy and Procedure</p> <p>Personal Emergency Evacuation Plan (PEEP) Procedure and Form</p> <p>Medication Management for Students Under the Age of 18 Policy</p> |

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## Purpose

To ensure that William Angliss Institute (WAI) employees take appropriate measures to minimise risks to the safety and welfare of students in their care.

## Procedure

Student resources, such as the Student Code of Conduct, Student Guide, and student induction and orientation activities, serve as key forums for outlining WAI's occupational health, safety and welfare requirements. These resources emphasise WAI's duty of care to ensure that students are supported in a safe learning environment, with potential risks carefully assessed and mitigated. Additionally, appropriate briefings should be conducted before students participate in specific activities, such as work placements or tasks requiring specialised equipment. Employees are encouraged to consult with department managers, People and Capability, or student services for further guidance.

When developing briefings, employees must consider the specific student cohort (e.g., VETiS [Vocational Education and Training in Schools], apprentices, international students, etc.) and the reporting relationships within that cohort. For instance, apprentices and trainees also report to their employers,

while VETiS students have reporting obligations through Angliss Youth Learning. Any communication should adopt a collaborative approach that accounts for the expectations of these additional stakeholders.

In cases of an alleged breach or failure to exercise duty of care, the focus will be on what could reasonably have been foreseen in the given context and the measures that should have been implemented to mitigate the risk.

## Guidelines

The following guidelines are provided to assist employees in respect of these matters particularly as they relate to students under 18 years of age.

|   |                       | <b>Student Group</b>   |   |
|---|-----------------------|--|---|
|   | <b>Situation</b>      | <b>Under 18</b>  | <b>Over 18</b>  |
| 1 | Assessment activities | Excursions will require parent or guardian permission.<br><br>Activities involving alcohol cannot be undertaken.<br><br>Classes will not be scheduled at night.  |   |
| 2 | Attendance            | Should be recorded, monitored and reported.<br><br>If absence or academic progress is a serious issue, contact parents, employers, schools or International Office as applicable.  | Recorded and monitored where necessary.   |
| 3 | Bullying              | Positively promote desired behaviours, including zero tolerance to bullying behaviours.<br><br>Be extra vigilant and take appropriate action.<br><br>For a physical bullying situation, Security should be notified.<br><br>For online bullying (e.g. Zoom):<br>During a class – a classroom management issue, managed by the teacher, follow the *Student Code of Conduct when necessary.<br>Communication between WAI students resulted in bullying: evidence provided, follow Student Code of Conduct depending on the severity.<br>WAI student with external persons.<br>External resources: Brodie's Law; Victoria Legal Aid.<br><br>*Student Code of Conduct, Section 4 and 5. | Positively promote desired behaviours, including zero tolerance to bullying behaviours.<br><br>Be alert and take appropriate action. Students will be referred to the Wellbeing and Counselling Service (WACS) for support following a bullying incidence.<br><br>For a physical bullying situation, Security should be notified.<br><br>For online bullying (e.g. Zoom):<br>During a class – a classroom management issue, managed by the teacher, follow the *Student Code of Conduct when necessary.<br>Communication between WAI students resulted in bullying: evidence provided, follow Student Code of Conduct depending on the severity.<br>WAI student with external persons.<br>External resources: Brodie's Law; Victoria Legal Aid. |

## Student Group

| Situation |   | Under 18  | Over 18   |
|-----------|---|---|---|
|           |   |   | *Student Code of Conduct, Section 4 and 5.  |
| 4         | Communication with parents and/or guardians | <p>Reasonable expectation that action would be taken to communicate significant issues and/or respond to requests for information.</p> <p>Care should be exercised to ascertain the status of the student, as some students under the age of 18 can be considered legally independent and have the same privacy rights as an adult.</p> <p>For apprentices and VETiS students, contact would not be with parents/guardians, but through employer/school respectively.</p> <p>For international students under 18 years of age, refer to the International Office, Welfare and Accommodation Arrangements for International Students under the Age of 18 Procedure and other related policies and procedures for guidance.</p> | Not allowed under the Privacy Act 1988 (Clth) unless permission is given by the student, or the student is at risk of imminent harm, or of harming others.  |
| 5         | Excursions and Off-campus Activities        | <p>Duty of care to identify, plan and minimise risk to students.</p> <p>The age and maturity level of the student's needs are to be considered with reasonable adjustments for students with a disability, medical or mental health condition to be considered and planned for.</p> <p>Parent or guardian approval in writing may be required.</p> <p>Refer to the Student Excursion Procedure and Appendices 1 - 6</p>   | <p>Duty of care to identify, plan and minimise risk to students.</p> <p>Reasonable adjustments for students with a disability, medical or mental health condition to be considered and planned for.</p> <p>Refer to the Student Excursion Procedure and Appendices 1 – 6.</p>   |
| 6         | Illness, injury                             | <p>If injury or illness is evident - First Aid Officer (office hours only), or Security (ext. 3704), should be called to assist.</p> <p>Contact Security on weekends (ext. 3704)</p> <p>Parents, guardians, employers, schools, or the International Office, as applicable, should be contacted in situations other than minor ones.</p> <p>Consult the Individual Action Plan for an emergency plan for individual students, if applicable.</p>  | <p>If injury or illness is evident - First Aid Officer (office hours), or Security (ext. 3704) should be called to assist.</p> <p>Contact Security on weekends (ext. 3704).</p> <p>Students who are deemed unsafe to attend the WAI Medical Centre alone should be referred and accompanied by another adult.</p> <p>Making contact with the emergency contact person identified on the student's enrolment form is encouraged.</p> <p>Consult the Individual Action Plan for an emergency plan for individual students, if applicable.</p> |

## Student Group

| Situation   | Under 18  | Over 18  |
|---|---|--|
| 7. Emergency Evacuation                           | <p>Employees are responsible for ensuring the safe evacuation of all students during an emergency.</p> <p>Where applicable, Personal Emergency Evacuation Plans (PEEPs) must be established and followed for individual students with disabilities.</p> <p>Disability Support Services must inform and provide copies to the Program Leaders and the WAI Chief Warden of Personal Emergency Evacuation Plans (PEEP).</p>  | <p>Employees are responsible for ensuring the safe evacuation of all students during an emergency.</p> <p>Where applicable, Personal Emergency Evacuation Plans (PEEPs) must be established and followed for individual students with disabilities.</p> <p>Disability Support Services must inform and provided copies to the Program Leaders and the WAI Chief Warden of Personal Emergency Evacuation Plans (PEEP).</p>  |
| 8. Disclosure of thoughts of suicide or self-harm | <p>If students are in high risk of suicidality, a risk assessment will be conducted by a qualified mental health practitioner to determine severity.</p> <p>Lifeline (13 11 14) and SuicideLine Victoria (1300 651 251) services should be offered immediately, and a call should be made while the employee is present. This responsibility is shared among all employees and is not limited to Mental Health First Aiders or WACS. While WACS can provide support to the employee on-site if available, it is crucial that the student is not left alone or asked to wait for WACS personnel. WAI Mental Health First Aiders are also available as an additional resource to assist.</p> <p>If a student's risk is low (and the student does not have a plan or timeframe), WACS employees would be the most appropriate to provide initial support and develop an Individual Action plan. An external referral can be made if the risk increases or if the situation occurs outside of working hours, with the support of WACS employees. CAST (Crisis Aid &amp; Support Team) members or WAI Mental Health First Aiders, if trained and willing, can initiate the conversation with the student and later refer them to WACS for ongoing support.</p> <p>If risk is imminent, the WACS team and other services may need to be contacted, such as police, Mental Health services, student's emergency contact, GP, their psychologist, counsellor or psychiatrist.</p> | <p>If students are at high risk of suicidality, Lifeline (13 11 14) and SuicideLine Victoria (1300 651 251) should be offered immediately, and a call should be made while the employee is present. This responsibility is shared among all staff members and is not limited to CAST (Crisis Aid &amp; Support Team) or WACS. While WACS can support the employee on-site if available, it is critical that the student is not left alone or asked to wait for WACS personnel. WAI Mental Health First Aiders are also available as an additional resource to provide assistance.</p> <p>If a student's risk is low (and the student does not have a plan or timeframe), WACS employees would be the most appropriate to provide initial support and develop an Individual Action plan. An external referral can be made if the risk increases or if the situation occurs outside of working hours, with the support of WACS employees. CAST members or WAI Mental Health First Aiders, if trained and willing, can initiate the conversation with the student and later refer them to WACS for ongoing support.</p> <p>If risk is imminent, the WAC team and other services may</p> |

**Student Group**

| <b>Situation</b> |  | <b>Under 18</b>  | <b>Over 18</b>  |
|------------------|--|--|---|
|                  |  | Unless an Individual Access Plan has already been established outlining the need to contact a student's parents/ guardians, it is recommended that employees consult with the counsellor or health professional conducting the risk assessment regarding the need to contact the student's parents or guardians. | need to be contacted, such as police, Mental Health services, student's emergency contact, GP, their psychologist, counsellor or psychiatrist<br><br>Unless an Individual Access Plan has already been established outlining the need to contact a student's parents/ guardians, it is recommended that employees consult with the counsellor or health professional conducting the risk assessment regarding the need to contact the student's parents or guardians. |
| 9.               | Interview protocol: police interviewing student                            | Parents, guardians, employers, International Office notified, or employees are in attendance. Refer to related policies and procedures for the relevant student cohort. e.g. under 18 students, apprentices, international students.   | No issue.   |
| 10               | Lateness   | There is a reasonable expectation that significant issues be communicated to parents, guardians, employers, schools, or the International Office, as applicable, and that requests for information be responded to accordingly.  | No issue.   |
| 11               | Leaving campus during day  | There is a reasonable expectation that action be taken to communicate significant issues to parents, guardians, employers, schools, or the International Office, as applicable, and to respond to requests for information.  | Where an apprentice does not attend class, WAI will inform the employer in writing.   |
| 12               | Provision of information to juvenile justice system or Protective Services | Check the student file to ensure appropriate documentation is on file and refer to the Program Leader of the relevant teaching area before releasing information.<br><br>Refer to related policies and procedures for the relevant student cohort. e.g. under 18 students, apprentices, international students.  | Not relevant.   |
| 13               | Supervision in a learning environment                                      | Students should never be left unsupervised, particularly in the presence of hazards or when the teacher is aware of a pattern of poor behaviour that requires active management.   | Students should never be left unsupervised, particularly in the presence of hazards or when the teacher is aware of a pattern of poor behaviour that requires active management.  |