



SACRED
HEART
COLLEGE

Duty of Care to Students Policy

CONTENTS

1.	PREAMBLE.....	4
2.	CONTEXT.....	4
3.	PRINCIPLES.....	4
4.	ELEMENTS OF DUTY OF CARE.....	5
4.1	NEGLIGENCE.....	5
4.2	VICARIOUS LIABILITY.....	5
4.3	NON-DELEGABLE DUTY.....	5
4.4	CONTRIBUTORY NEGLIGENCE.....	6
4.5	OCCUPIER'S LIABILITY.....	6
4.6	EDUCATIONAL NEGLIGENCE.....	6
4.7	STATUTORY REFORM.....	7
5.	SOME COMMON EXAMPLES.....	7
5.1	SUPERVISION.....	7
	5.1.1 Yard Duties.....	7
	5.1.2 Before and After School.....	7
	5.1.3 Classrooms and Specialist Rooms.....	7
	5.1.4 Excursions.....	8
	5.1.5 Excursions to venues controlled by outside..... organisations	8
	5.1.6 Interstate and Overseas Excursions.....	8

5.2 FIRST AID, HEALTH MANAGEMENT & OHS&W.....	9
A FIRST AID AND HEALTH MANAGEMENT	9
1 Parents and guardians	9
2 Students.....	9
3 School Principal	10
4. All School Staff	10
B SUN PROTECTION AND HOT WEATHER	11
C SAFETY IN SCHOOL WORKING AREAS	12
D RISK MANAGEMENT	12
E VIOLENT BEHAVIOUR FROM STUDENTS	13
F ACCIDENT REPORTS	13
G STUDENT MOTOR VEHICLES.....	14
H SAFETY AND WELFARE	15
1 Playground Safety	15
2 Food Safety	15
3 Sexual Harassment and Bullying	15
4 Child Protection / Mandatory Notification	16
5 Disclosures made in Confidence	17
6 Dangerous Risk Taking Behaviour observed out of the school environment	17
I SCHOOL RECORDS.....	17
1 Financial Business Records	18
2 Staff Records	18
3 Student Records	18
J INTERNET USE	19
K. USEFUL REFERENCES	20

1. PREAMBLE

- 1.1 Sacred Heart College aims to develop the whole person, to encourage young people to enter a life long search for truth and to teach the spirit of Gospel values.
- 1.2 . Sacred Heart College welcomes students to a Christian learning community by inviting them to grow in responsibility and freedom.
- 1.3. Sacred Heart College aims to prepare young people for life by giving Christian witness in the world today and also assist young people to develop an open and critical attitude to the world.
- 1.4. Sacred Heart College has developed this policy based upon a template provided by the Catholic Education Office and hyperlinks contained in this document are generically applied across the diocese.

2. CONTEXT

- 2.1. The Duty of Care Policy has been developed at Sacred Heart to embrace contemporary responsibilities and statutory requirements that relate to the care of young people in schools.
- 2.2. Duty of Care was chosen as the focus of this Policy due to the constant changing nature of Common and Statute Law. It would be beyond the scope of this Policy to cover all aspects of legal responsibilities.
- 2.3. The increasing legal responsibilities of school Principals has also prompted a need for review and a new policy statement.
- 2.4. There is a need for a policy that will provide legal guidance and principles in an accessible form for the Principal and staff.

3. PRINCIPLES

- 3.1. The Duty of Care Policy and Procedure is underpinned by the SACCS' Vision Statement, Charter for Teachers, Development of Personal Responsibility Policy, and, by existing legal principles.
- 3.2 Policies at Sacred Heart are developed and implemented in accordance with the principles of Statute Law and Common Law.
- 3.3 Duty of Care refers to the special relationship which exists between a teacher and a student. It also refers to the special relationship between a school authority and its students. A duty of care may also exist between non teaching staff and students, depending on the staff member's role.
- 3.4 Duty of Care relates to the law of negligence and, simply, it means that teachers and schools owe a duty to students to take reasonable care or exercise reasonable skill to protect them from injury (Civil Liability Act, Section 3). If an injury results from a teacher's or a school's failure to exercise the required standard of care, a negligence claim may result.
- 3.5 The Duty of Care Policy needs to be read in conjunction with all other SACCS Policies and Guidelines that relate to Legal Responsibilities of Schools, Teachers and/or Principals.

4. DUTY OF CARE

4.1 NEGLIGENCE

The concept of negligence and the remedies which flow from the breach of a duty of care rest on establishing four key elements:

- 4.1.1 That, at the time the injury occurred, the teacher or school owed the student a duty of care.
- 4.1.2 That the school failed to exercise the standard of care which is expected in those circumstances.
- 4.1.3 That the student suffered some actual harm or damage.
- 4.1.4 That it was the teacher or school's failure to exercise sufficient care which caused injury and the injury would probably not have occurred had the appropriate care been taken.

4.2 VICARIOUS LIABILITY

Vicarious liability refers to an employer's liability for the negligent acts of its employees.

The definition of vicarious Liability favoured in the Courts is known as the "Salmond Test". This test says that employers are vicariously liable for:

- employee acts authorised by the employer; or
- unauthorised acts so connected with authorised acts that they may be regarded as modes, albeit improper modes, of doing an authorised act.

It is especially important for staff to avoid any activities with students which are not formally approved by the school or the parent/guardian. This particularly includes activities outside of school hours. Teachers are covered by insurance for injuries to students which happen "in the course of the teacher's employment", which means for "school related activities". All activities are required to be in the course of employment in order to ensure proper protection and cover is maintained.

4.3 NON-DELEGABLE DUTY

Schools owe students a non-delegable duty to ensure that reasonable care is taken for ensuring their safety. This means that the school authority itself is under a direct personal obligation to ensure that reasonable care is taken, and as such cannot avoid liability by saying that it delegated that duty to someone else.

It is clear that schools have a non-delegable duty of care to its students. If a school is negligent in failing to do what a reasonable person would have done, it will be held liable.

4.4 CONTRIBUTORY NEGLIGENCE

Courts are reluctant to attribute contributory negligence to students. If they do so decide, the amount of damages payable by the school are reduced to the extent to which the student's own carelessness contributed to the injury. The court assesses this by asking itself whether a child of that particular age and experience could reasonably be expected to behave any more carefully.

4.5 OCCUPIER'S LIABILITY

As a general proposition, schools are responsible for ensuring that the premises are safe not only for staff and students but for all persons who come onto the premises. Factors that the Court considers in determining liability for an injury sustained on school premises by any type of 'visitor' include:

- the gravity and likelihood of probable injury;
- the circumstances of the entry on to the premises;
- the nature of the premises;
- any knowledge which the school has or ought to have of the likelihood of persons being on that part of the premises;
- the age of the visitor;
- the ability of the visitor to appreciate any danger; and
- the burden on the school to eliminate the danger or protect the visitor from the danger, as compared to the risk of danger to the visitor.

Schools should ensure that pathways are clear of obstacles, and ground surfaces are even in areas where visitors are reasonably likely to go.

4.6 EDUCATIONAL NEGLIGENCE

Educational negligence occurs when a student suffers harm as a result of negligent or incompetent teaching. Over time there has been an increasing focus on the legal environment in which teachers operate. The idea that teachers or school authorities should be liable for educational negligence is a burgeoning one.

Notwithstanding the current move to reform the law of negligence, the government and community continue to demand more accountability in all forms, and the teaching profession is not immune. The Courts have long regarded teachers as 'professionals'. As such, it is arguable that a student who suffered from incompetent teaching or advice, and sustained damage/harm as a result could successfully bring a civil action against that teacher or teacher's employer.

4.7. STATUTORY REFORM

South Australia's recent public liability reforms have seen the amendment of various pieces of legislation. The enshrining of the common law principles of duty of care, contributory negligence, non-delegable duty, vicarious liability and assumption of risk are an attempt to make more explicit the reasoning processes that Courts should apply in reaching conclusions about liability.

5. SOME COMMON EXAMPLES

5.1 SUPERVISION

5.1.1 Yard Duties

While Sacred Heart College is open, it has a duty to provide adequate supervision at all times. What is 'adequate' will depend on the circumstances, the size of the school, and the ability of the supervisors to access all areas where the children are playing.

Whenever staff are on yard duty, it is important that they are on time and actively and vigilantly patrol the required area. It is important that they do not leave the area if the next staff member fails to arrive.

5.1.2 Before and After School

Active supervision in the school yard is provided from 8.20am each morning and until 3.40pm each afternoon. Families are encouraged not to drop students at school before active supervision begins, nor to allow students to remain on the premises (without organised supervision) after 3.40pm. If students habitually enter the yard before school commences, then the school is obliged to provide adequate supervision. So too, if there are children who are staying after school and using the facilities, there needs to be adequate supervision.

Supervision of the school yard before and after school is published in the school newsletter and student diary.

5.1.3 Classrooms and Specialist Rooms

Teachers have a responsibility to ensure that students are actively supervised in classrooms and specialist facilities.

Supervision in the classroom varies with the age of the child and the type of lesson/subject being taught. Clearly the younger the child the greater the duty of care, and clearly the more dangerous the teaching situation the more care to be taken by the teacher.

Much closer supervision is demanded in science laboratories, home economics kitchens, technical workshops and art and craft rooms. Students, especially younger secondary students, should never be left alone in these classrooms if there is an intrinsic danger in the situation, e.g. an inexperienced class using a band-saw, mixing chemicals or using boiling fat in cooking. In general, it is not prudent to leave students unsupervised in potentially dangerous situations.

For further information on science laboratories please refer to "Science Laboratory Guidelines" located online at:

[Home](#) | [CESA Services](#) | [Policies, Procedures & Guidelines](#) | [Science Laboratory Guidelines](#)

at the following address:

<http://online.cesane.adl.catholic.edu.au/docushare/dsweb/Get/Document-1978/ScienceLab+Guidelines.pdf>

5.1.4 Excursions

It is incumbent on the school to ensure that adequate transport arrangements apply when students are involved in excursions and that the type of activity has been assessed for safety and the level of educational merit associated with the excursion.

The standard of care to be exercised on excursions is arguably higher than at any other time. Frequently students are involved in inherently more risky situations and often in unfamiliar environments. The risks therefore are greater and the foreseeability of injury more likely. This is highlighted in the case of *Horne v State of Queensland*. In all cases of all school related excursions, retreats and camps, parents will authorise student attendance and transport arrangements and the necessary consents will be completed.

5.1.5 Excursions to venues controlled by outside organisations

Schools have a non-delegable duty to ensure the safety of its students. As such, where schools organise activities for its students to take place on premises not owned or controlled by it, the school, in addition to the owner of the premises, may be liable for any accidents occurring on such premises. While the school may not have control over the premises themselves, it does have control over its students. The school must decide if it is safe for the students to visit the premises at all, and how many students can safely visit at one time.

Accordingly, prior to any external school excursion, schools should:

- ensure the premises are safe and suitable;
- obtain written confirmation of the qualifications and experience of those involved in organising and conducting the activity;
- enquire about the character and screening processes for recruitment of staff;
- ensure that the owner of the premises has suitable public liability insurance.

5.1.6 Interstate and Overseas Excursions

Duty of care obligations are elevated when students are involved in interstate or overseas excursions because in these circumstances schools are responsible for students 24 hours a day in far away locations. It is essential that parents complete the required consent to all excursions. Extended interstate or overseas excursions require very detailed itineraries and consents.

The Sacred Heart College Interstate and Overseas Tours Policy addresses the precise requirements of school related activities outside of South Australia.

5.2 FIRST AID, HEALTH MANAGEMENT AND OHS&W

A FIRST AID AND HEALTH MANAGEMENT

Teachers and various Education Support Officers have a special and primary duty to the students in their care. This duty of care requires them to refrain from doing things that might lead to a student being injured. It also requires the staff member to take positive steps towards maintaining health and safety. An employee could be found to be negligent if assistance was not provided to an ill or injured student. The duty of care owed by education personnel is that of a 'reasonable professional' and will be governed by factors that include:

- the age of the student;
- the student's individual capabilities, including intellectual and physical impairment;
- potential dangers;
- the degree to which injury, or malaise due to illness, is predictable.

1. Parents and guardians

Parents and guardians are primarily responsible for the health and well-being of their children. It is the responsibility of Parents and guardians to:

- provide relevant health care information;
- liaise with health professionals to provide care plans which create minimum disruption to learning programs;
- keep children home when ill;
- assist students for whom they are responsible to self-manage, as much as is safe and practical, their health and personal care needs.

2. Students

Wherever possible, students should be supported to learn responsibility for their own health and personal care needs in non-emergency situations. Children in the early years will need supervision of their medication and other aspects of health care management. Older children can take responsibility for their own health care, in line with their age and stage of development and capabilities. Self-management should follow agreement by the child or student and his or her family, the school and treating health professionals.

3. School Principal

The School principal should ensure that staff, students and their families understand and follow the school's health support procedures. It is the principal's responsibility to:

- alert families to the need for health care plans if students need individual support;
- develop, monitor and review worksite health support procedures;
- manage health support planning;
- manage confidentiality.

4. All School Staff

A staff member's first duty is to the students in his or her care. For students with health support needs, this means the staff member:

- helps families respond to health support planning procedures at the school and provides basic first aid, where necessary;
- facilitates individual health support plans; develops learning and care programs which accommodate health support plans;
- offers alternative programs where participation in the planned program could place students with health issues at risk;
- supports a range of curriculum access options (for example, distance or hospital based schooling with support from peers through the enrolling or local school);
- reports to parents and guardians any observations which could indicate health related concerns.

All staff must take reasonable care to protect their own health and safety and that of others on campus. In providing student health support they must, therefore:

- become familiar with policies and procedures that guide work performance;
- follow instructions related to health and safety;
- accept responsibility for safe working conditions within their control. This includes the responsibility to notify their employer should their own health, including their own infection status, should it pose any risk to others;
- safeguard the privacy of health information, using privacy principles;
- use equipment provided for health and safety purposes;
- apply standard precautions against transmission of infections;
- perform tasks in line with the training received.

Please refer to: [Home](#) | [CESA Services](#) | [Policies, Procedures & Guidelines](#) | [First Aid and Health Management](#)

at the following address:

<http://online.cesamet.adl.catholic.edu.au/docushare/dsweb/View/Collection-689>

Also, please refer to the Catholic Church Safety Manual - First Aid Policy and Procedure located online at:

[Home](#) | [School Communities](#) | [Catholic Education Office](#) | [Occupational Health](#) | [Safety and Welfare](#) | [Occupational Health, Safety and Welfare Policy](#) | [11 First Aid Policy and Procedure](#)

at the following address:

<http://online.cesamet.adl.catholic.edu.au/docushare/dsweb/Get/Document-1627/11.+First+Aid.pdf>

B SUN PROTECTION AND HOT WEATHER

All schools are required to formulate their own policy in regards to sun protection and hot weather.

Students are encouraged to use shaded areas to minimise exposure to the harmful effects of U-V damage. Protective clothing is also advocated, particularly during Term 1 and 4..

Students are also encouraged to drink water throughout the day to improve fluid intake, particularly on hot days.

Further information can be found at in the Catholic Church Safety Manual Document 12 - Version 1 "Skin Cancer Prevention Policy and Procedure", which can be located online at:

[Home](#) | [School Communities](#) | [Catholic Education Office](#) | [Occupational Health, Safety and Welfare](#) | [Occupational Health, Safety and Welfare Policy Listing 12 Skin Cancer Prevention Policy and Procedure](#)

<http://online.cesamet.adl.catholic.edu.au/docushare/dsweb/Get/Document-1628/12.+Skin+Cancer.pdf>

C SAFETY IN SCHOOL WORKING AREAS

Sacred Heart undertakes high level management to ensure that all classrooms, laboratories and preparation rooms are safe for all students, staff and visitors.

Sacred Heart College has formulated their own safety Policy for areas that contain hazardous substances and equipment. The policy covers:

- Storage of chemicals;
- Disposal of residue and waste chemicals;
- Student behaviour in risk areas;
- Protective clothing and body protection;
- Safety and first aid equipment;
- Emergency evacuation procedures;
- Risk management plan

D RISK MANAGEMENT

Risk evaluation should be part of the continuing assessment of management responsibilities.

As part of this, and in adherence to the Catholic Church Safety Manual, in the event of an injury, incident or near miss, the Principal is responsible for initiating the following actions:

- Consider the welfare of the injured person and any others affected;
- Investigate the incident, injury or near miss in consultation with the Health and Safety Coordinator;
- Complete relevant reports (and lodge any applicable claims for any employees involved) (see below 4.2.3 Accident Reports);

- Identify immediate, medium and long term preventative action and implement accordingly;

Review such actions and ensure they are relevant and effective.

Please refer to the Injury/ Incident/ Near Miss Action Guide, located online at:

[Home](#) | [School Communities](#) | [Catholic Education Office](#) | [Occupational Health, Safety and Welfare](#) | [Injury/ Incident /Near Miss Policy and Procedure](#)

at the following address:

<http://online.cesonet.adl.catholic.edu.au/docushareldsweb/Get/Document-1618/2.+1incident+Reporting.pdf>

E VIOLENT BEHAVIOUR FROM STUDENTS

Violence can be defined as the unjustified use or threat of use of force. It also includes verbal abuse, particularly in the immediate presence of the victim.

Violent behaviour is unacceptable and can be illegal or criminal. It is covered by a range of legislation including Occupational Health Safety and Welfare, anti-discrimination, equal opportunity, workers compensation and rehabilitation, domestic and apprehended violence orders, criminal law and the common law (including duty of care). Student standards and expectations are addressed in the Student Diary and in the Staff Handbook and all students are required to observe and follow these requirements. The Sacred Heart Bullying and Harassment policy and Student Responsibility Policy articulates expectations with regard to behaviour and the steps that are followed to deal with such.

F ACCIDENT REPORTS

Reports will be prepared for all but very minor accidents that occur on school premises or during a school organised activity. Reports will, as far as possible,

- be collated by a senior member of staff who was not involved in the accident. Reports will be kept for either 7 years, or until the injured person attains 25 years of age whichever is the longer. (see below **Student Records**)

Relevant documentation may include.

- Details of supervision arrangements in place at the time;
- Staff supervision rosters,
- Photographs of the scene,
- Sketch plans of the site marking the locations of the accident and position of relevant people;
- Details of any previous accidents of a similar nature.

ii Notifying Parents/Guardians

Parents/ Guardians must be informed of any accident involving their children as soon as possible after the accident occurs. The following information should be conveyed:

- Confirmation that their child was involved in an accident, together with a description of the nature of the accident; and
- Details of the injuries sustained; and
- Details of any follow up action - e.g. first aid, ambulance.

Copies of any correspondence will be kept on the student file. If they are initially contacted by phone, a memo of the conversation should be taken down.

Liability for the accident, damage or any opinion as to the legal responsibility for the accident should not be expressed.

Principals should be as helpful as is reasonably possible in providing information to students, parents and guardians. However, any request for a copy of the accident report and accompanying documentation should be refused until the Principal has received legal advice through their legal adviser. However, a person who has made a statement is entitled to have a copy of that statement upon request.

⁶ see Schools Alert, CCH newsletter, Issue 7, 21 November 2003, at <http://www.cch.com.au/>

G STUDENT MOTOR VEHICLES

Sacred Heart College takes steps to avoid reasonably foreseeable risks of injury to all persons on school premises.

Sacred Heart has well defined policies regarding students driving themselves and other students to and from school, excursions and the like.

Following is a list of essential criteria that all policies should address:

- Drivers are expected to obtain written permission by the Principal (via the Director of Student Welfare) and parents prior to driving to school;
- Students should be discouraged from using their own vehicle going to and from school organised activities during school hours. Schools should provide adequate transport for all parties concerned;
- Where private vehicles are used to transport students to school organised activities, specific written consent should be given by all relevant parents, including parents of student drivers and passengers;
- Student drivers' licences should be checked for authenticity and sighted by Principals or delegates;

- Students with Learner's Permits should not be allowed to transport other students under any circumstances;
- Registration number and make of vehicle being driven should be provided;
- Vehicles should be parked in designated parking areas only (note that the school is not under an obligation to provide for parking space on school grounds);
- Students should be prohibited from accessing vehicles during school hours, irrespective of where the vehicle is parked, unless specific prior approval has been given;
- Students should not use their cars as a place for recreation or leisure;
- Permission must be obtained before leaving school grounds in student vehicles;
 - Parents should be advised that the school takes no responsibility for damage to any vehicles left on school premises and drivers park on school premises at their own risk;

H SAFETY AND WELFARE

i Playground Safety

There are a number of Australian Standards which apply to school playgrounds. The Catholic Education Office's Planning Team has copies of them and all schools are able to contact the Planning Team for advice.

There is also a checklist for Playground Safety and other information available on line at:

[Home](#) | [CESA Services](#) | [Building and Planning](#) | [Maintenance of Schools](#)

At the following address:

<http://online.cesamet.adl.catholic.edu.au/docushare/dsweb/View/Collection-910>

ii Food Safety

Schools have a duty of care to produce safe food, and an obligation to comply with the Food Safety Standards. School canteens, before/after school care programs, vacation programs, boarding houses, fundraising events and fetes where food is provided are all affected by the Food Safety Standards.

The Food Safety Standards can be located online at the Department of Human Services, Public Health South Australia web site at the following address:

<http://www.dhs.sa.gov.au/pehs/food-index.htm>

iii Sexual Harassment and Bullying

Sexual harassment is a form of sex discrimination. A person who is being harassed may suffer psychological, mental or physical disorders. This is particularly the case with younger people.

Bullying has both long term and short-term effects on victims. The long term may range from mental and psychological damage to personal loss and loss of employment opportunities.

Sexual harassment and bullying, in addition to constituting possible offences under the criminal law can also possibly give rise to a civil claim for damages.

Sacred Heart has designated Harassment Officers in accord with OHS&W requirements together with a Marist provincial process and documentation in managing harassment issues, as detailed in the Bullying and Harassment policy.

For further, detailed discussion on these issues, please refer to the Marist Province publications.

iv Child Protection / Mandatory Notification

SACCS' Child Protection Policy directs schools to develop and implement relevant practices, procedures and programs for all students to ensure that their school is a place where children can be safe and feel safe.

Staff at Sacred Heart College (in accordance with the Child Protection Policy) have an obligation to:

- protect children
- provide a secure, safe environment where children can be safe and feel safe
- intervene on behalf of children
- actively work towards empowering children
- ensure the principles of care, protection and safety are implemented.
- School staff are to be educated in the area of child protection and mandatory notification.
- Schools are to provide protection and abuse prevention curriculum for students.

SACCS' Child Protection Policy is located online at:

[Home](#) | [CESA Services](#) | [Policies Procedures & Guidelines](#) | [Child Protection - SACCS Policy](#)

at the following address:

<http://online.cesanel.adl.catholic.edu.au/docushare/dsweb/Get/Document-1924/chiprot.pdf>

SACCS' procedural guidelines for dealing with child abuse are located online at:

[Home](#) | [CESA Services](#) | [Policies Procedures & Guidelines](#) | [Child Abuse Procedure SACCS](#)

at the following address:

<http://online.cesanel.adl.catholic.edu.au/docushare/dsweb/Get/Document-1969/CHILD+ABUSE.pdf>

v Disclosures made in Confidence

If a student discloses to a staff member something that puts their or someone else's safety or welfare at risk, for example that they are suicidal, or that they are planning to run away from home, then the staff member's overriding duty of care towards that student demands that they immediately inform the Principal or delegate who should then contact the relevant parents/ guardians about their concerns.

This should be done with the consent of the student, if at all possible, so that positive relationships can be maintained.

These situations often arise in a counselling session. Notwithstanding the counsellor's obligations about confidentiality, their duty of care towards the student may demand that the confidence be broken.

No staff member should attempt to provide counselling to the student unless they have the requisite level of counselling skills in that particular area.

The Code of Ethics can be found on CESA's website at the following address:

http://www.cesa.asn.au/word/code_of_ethics-2002.doc

vi Dangerous Risk Taking Behaviour observed out of the school environment

If a staff member observes a student partaking in dangerous risk taking behaviour out of the school environment then, in certain circumstances, there may be an obligation to respond in a way which is consistent with the provision of reasonable care. Each situation will be different and a judgment call will need to be made.

It is for this reason that staff should maintain their professional boundaries at all times when dealing with students - and accordingly schools strongly discourage staff from attending any student parties and the like. If a member of staff has contact with a student outside of the school environment, and can be reasonably seen to be acting in his/her capacity as a staff member by that student, then the duty of care towards that student may be activated.

I SCHOOL RECORDS

It is each school's responsibility to ensure that records relating to all aspects of school administration, students and staff are kept secure, accurate and up to date.

Their use must be protected from loss and unauthorised use. As such, there should be comprehensive confidentiality and security arrangements particularly for those files containing sensitive and personal information. For electronic files that contain personal information, access should be restricted by password and other appropriate measures. Back ups of all electronic records is done regularly. Some documentation will need to be kept as a hard copy, such as documentation that requires a signature.

a) Financial Business Records

- Must be kept for a minimum of 7 years;
- If space permits, it is advisable to keep for a longer period;
- Historically significant documents should be archived;
- Any sensitive or contentious documentation which could possibly be subject to Legal proceedings should be kept indefinitely.

b) Staff Records

- Must be kept for at least 7 years after staff member leaves school;
- When transferring employment history details to other Catholic schools, only copies are sent, and all originals are retained;

Any documentation which could possibly be subject to legal proceedings should be kept –

- indefinitely in a confidential file;
- staff should have access to their file;
- in accordance with Privacy Guidelines;
- with someone else present at all time;
- no material is to be removed from file;
- reasonable photocopying is allowed;
- some documentation should not be stored in the personnel files such as correspondence between the Principal and 3rd parties.

c) Student Records

- Documentation to be kept until the student is 25 years old; (see F i)
- The following records should be retained:
 - Application for Enrolment Form and Acceptance Form;
 - Admission Register;
 - Roll Books;
 - Student Records including marks, grades and comments. For 'continuous assessment' subjects, enough examples will be needed to demonstrate achievement and progress (with corresponding documentation);
 - Accident or Injury Reports;
 - Records of suspensions and other serious disciplinary records;
 - Any guidance test results, Consultant or Psychologist reports;
 - Any correspondence relating to the above.

Further information relating to the **retention of school records** can be located online at:

[Home](#) | [CESA Services](#) | [Industrial and Personnel, Information](#) | [Record Keeping](#)

at the following address:

<http://online.cesonet.adl.catholic.edu.au/docushare/dsweb/View/Collection-515>

SACCS' policy on Privacy should be read in conjunction with this section. It is located online at:

[Home](#) | [CESA Services](#) | [Industrial and Personnel Information](#) | [Privacy](#)

at the following address:

<http://online.cesonet.adl.catholic.edu.au/docushare/dsweb/View/Collection-517>

J INTERNET USE

Individuals and/or the School may be liable for what is written or said in an email message. Email is neither private nor secret. It may be easily copied, forwarded, saved, intercepted, archived and may be subject to discovery in litigation. The audience of an inappropriate comment in an email may be unexpected and extremely widespread.

The Internet, email or messaging should never be used for the following purposes:

- to abuse, vilify, defame, harass, degrade or discriminate (on the grounds of, for example, sex, race, or disability et cetera);
- to send, assent to receive or store obscene, offensive or pornographic material;
- to discuss or comment on the physical appearance of other persons (whether they receive the message or not);
- to harass any person whether through language, frequency or size of messages;
- to injure the reputation of the School and or the Church in a manner that may cause embarrassment to the employer or the Church;
- to offend the ethos and values of Catholic teachings;
- to spam, spoof or mass mail or to send chain mail;
- to infringe the copyright or other intellectual property rights of another person;
- to perform any other unlawful or inappropriate act.

See Sacred Heart College Computer Use policy.

K USEFUL REFERENCES

All hyperlinks are in blue font and underlined. Shift + click the accompanying address to follow link.

2 ON-LINE INFORMATION

2.1 CESA Online (recommended) at the following address:

<http://online.cesanel.adl.catholic.edu.au/docushare/dsweb//HomePage>

Date approved: / /2008

Review date: / /2011