

## **DANDENONG EISTEDDFOD OF DANCE, INC.**

### **"Casey Comps"**

P.O. Box 1131 Vesper Drive  
NARRE WARREN, 3805.



# DUTY OF CARE POLICY

### **Rationale:**

In addition to our social obligations, the Eisteddfod Committee, Teachers and Parents have a legal duty to take reasonable steps to protect participants in their care from risks of injury that are reasonably foreseeable.

### **Statement of Commitment to Child Safety:**

As part of our commitment to the safety and wellbeing of young people we recognise the importance of, and a responsibility for, ensuring our event is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of young people, and enables them to thrive in their pursuit of dance and performance.

The Eisteddfod Committee is committed to protecting participants from abuse or harm in the conduct of our competition, in accordance with our legal obligations, including child safe standards. The event's Child Safety Code of Conduct is available on the "Casey Comps" website – [www.caseycomps.com.au](http://www.caseycomps.com.au) .

### **Aim:**

- To ensure that all involved in the conduct of the Eisteddfod have an understanding of their duty of care to participants, and behave in a manner that does not compromise these social, moral and legal obligations.

### **Implementation:**

- In addition to these obligations, the President, Secretary and Committee have a legal duty to take reasonable steps to protect participants in their charge from risks of injury that are reasonably foreseeable.
- Although the general duty is to take reasonable steps to protect participants from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involve providing adequate supervision in the theatre as well as providing a safe and suitable performance space.
- A Committee member's duty of care is confined to the interior and immediate confines of the theatre and the activities being conducted within. The duty also applies to situations both before and after the event or sessions where a Committee member/volunteer can be deemed to have 'assumed' a supervisory relationship.

- The Committee member's duty of care is greater than that of the ordinary citizen in that a Committee member is obliged to protect a participant from reasonably foreseeable harm or to assist an injured participant, while the ordinary citizen does not have a legal obligation to respond.
- Whilst each case regarding a Committee member's legal duty of care will be judged on the circumstances that occurred at the time, the following common examples may be times when a Committee member has failed to meet their legal duty of care responsibilities to the participants:-
  - arriving late to a rostered duty
  - failing to act appropriately to protect a student who claims to be bullied or having had their privacy compromised
  - believing that a child is being abused but failing to report the matter appropriately
  - ignoring dangerous behaviour
- Committee members are also cautioned against giving advice on matters that they are not professionally competent to give (e.g. negligent advice). Advice is to be limited to areas within a role specified for them as a member of the Committee.
- Committee members (inclusive of the Executive) should not give advice in areas outside those related to their role where they may lack expertise.

### **Policy evaluation and review:**

To ensure ongoing relevance and continuous improvement, this policy will be reviewed in the context of the Eisteddfod's operations each year. The review will include input from participants, parents/carers, teachers and the community.

This policy was last ratified by the Eisteddfod Committee

**July,  
2017**

**CREATIVE  
VICTORIA**

