

Supervision Policy – Duty of Care to Learners

1. PURPOSE

To ensure that:

- a) everyone that works at Holmesglen understands their Duty of Care and takes appropriate measures to minimise risks to the safety and welfare of learners in their care
- b) underage learners and their families are informed about everyone's obligations to act safely and appropriately towards children and Holmesglen's commitment to an inclusive and supportive learning environment.

2. SCOPE

Applies to Holmesglen directors, employees, contractors and volunteers, and learners under 18 and their families. The duty of care applies in all physical, virtual and online environments.

3. POLICY STATEMENT

Holmesglen provides an inclusive and welcoming environment that supports the safety, participation, empowerment and wellbeing of learners. Children and young people are an important part of the Holmesglen community. Holmesglen is committed to protecting children and young people from foreseeable risks and recognises the additional supervisory responsibilities necessary to create a child safe environment where children and young people have agency and can take ownership of their learning and thrive.

4. PRINCIPLES

4.1 Duty of care

Every one that works at Holmesglen has a duty of care to protect the safety and welfare of learners. Children and underage learners have additional considerations and require closer supervision. Learners with disability may also have additional considerations and supervision requirements. A safe learning environment is a shared responsibility amongst Holmesglen directors, employees, contractors and volunteers. Holmesglen takes measures to protect children and young people from reasonably foreseeable risks of physical and psychological injury by making campuses and online environments safe.

4.2 Holmesglen provides a supportive adult learning environment

Holmesglen provides learners an adult environment and treats them as mature, independent individuals. All learners (including underage learners) are expected to behave in accordance with the Code of Conduct and are responsible for their own learning and managing their studies. Teacher assistance is provided as it is needed. Underage learners are contacted within their first three (3) weeks at Holmesglen to check-in on their experience and provide information about Wellbeing Services and study support. Holmesglen publishes information to parents/legal guardians and learners under 18 years of age explaining the key elements of an adult learning environment and the requirements and expectations that follow.

Every Holmesglen worker, but particularly teachers are required to treat their learners with courtesy and dignity, respecting a learner's privacy on sensitive matters, such as health, family issues and only reveal confidential matters to authorised persons when appropriate.

4.3 Appropriate supervision

In discharging their duty of care responsibilities, employees must exercise their professional judgement to achieve a balance between ensuring that learners do not face an unreasonable risk of harm and encouraging learner's independence and maximising their vocational learning opportunities. When deciding the extent and nature of supervision required, consideration will be given to factors that affect student safety including age, level of maturity, ability, number, nature, characteristics of students and the nature of activities undertaken by learners.

Holmesglen provides adequate supervision of children in the context of an adult learning environment. This includes:

- Class. The classroom teacher is responsible for a safe learning environment and the supervision of all learners in their class. If a teacher needs to leave the classroom at any time during a lesson, they must first arrange alternative supervision in consultation with the Education Manager or Department Head. The teacher waits until replaced.
- Between classes. The following areas are monitored by Security and Holmesglen employees during break times:
 - Campus libraries
 - Campus cafeterias
 - Student lounges
 - The courtyard outside each main campus cafeteria
 - Outdoor recreation spaces at Waverley and Moorabbin Campuses
 - The outdoor seating areas at the front of Building 4 and 5 at Chadstone
- Senior Secondary students are required to remain on campus between classes and to remain in one of these areas during break times.
- Information is provided about how Holmesglen's wellbeing and study support services can support learners to achieve study goals and stay healthy.
- Online learning supervision, ensuring safe use of digital platforms and addressing cyberbullying risks.
- Emergency and Critical Incident. Holmesglen manages emergency situations in line with the Critical Incident Plan Management Plan and Emergency Services and Management Procedure.
- Excursions. Excursions involving children and young adults must be adequately supervised. A child safety risk assessment must be undertaken for every excursion to identify and mitigate risks and approved by the Faculty Dean. As a rule, two employees are required to supervise the excursion with a final determination made by the Dean based on the type of excursion activity and the level of risk associated with the activity and cohort.
- Attendance. Schooling is compulsory for children and young people aged from 6 to 17. Holmesglen teachers must keep Attendance Registers for underage learners if the learner is still in school (for example part of VDSS) and for Holmesglen senior secondary courses (for example Victorian Pathways Certificate, VCE Vocational Major) to track attendance in class sessions, labs, workshops, and other scheduled activities. Except for Mature Minors, parents/guardians are required to provide a signed permission note authorising the learner to leave class before the scheduled end of class or to leave campus during breaks.

4.4 Empowering children and participation

Holmesglen values the empowerment of children and young learners and encourages their active participation in decisions that affect them. The Child Safety Officer provides information sessions about rights and responsibilities, how to deal with and report concerns and the range of learning and wellbeing services available through Holmesglen and in the community. Learners can give feedback anytime as well as using the annual student survey.

Learning activities involving children and young learners must be age appropriate, positive and enjoyable, culturally respectful and inclusive of a diverse range of children and young people, including their social and cultural backgrounds and mixed abilities. Reasonable adjustments or accommodations must be made for children or young people with disability. Teachers will provide opportunities for children and young people to provide feedback and express their views and concerns. Feedback is valued and used to improve courses wherever possible.

4.5 Holmesglen is a child safe organisation

Holmesglen has a zero-tolerance position on child abuse (including grooming) and takes all allegations of child abuse and safety concerns seriously. The Institute is committed to the

implementation of the Victorian Child Safe Standards. To support this, Holmesglen has established key policies and processes, including the:

- a) Code of Conduct, Child Safety and Wellbeing policy and Child Safety and Wellbeing procedure.
- b) Risk Management Framework
- c) recruitment and employment practices that protect children and promote their safety and wellbeing through appropriate screening processes and employee training. All employees must complete online child safety training.
- d) Child Safety Officer role and streamlined reporting process.

4.6 Commitment to engagement and collaboration with young learners, families and schools

Holmesglen will build and sustain collaborative partnerships to support the learning and development of children and young learners.

- a) The Institute recognises that learners under 18 may need additional support and require the appropriate involvement of their parent/carer. For VDSS learners, adequate supervision also requires timely communication with the learner's secondary school, the main educational provider, on a range of matters including conduct, attendance, wellbeing needs and progress.
- b) and wellbeing whilst at the TAFE.
- c) In certain circumstances children and young learners at Holmesglen may wish to apply for a Mature Minor Status. This process includes an interview with the Head of Department to assess the applicant's emotional and psychological maturity. This involves discussion of the reasons for the application and an assessment of any significant stressors or challenges being experienced at the time of the application. Proof of a fixed home address and financial independence are also required at the time of application.
- d) Holmesglen's Child Safety and Wellbeing Working Group provides advice and supports the implementation of initiatives that demonstrate the Institute's compliance with the Victorian Child Safe Standards. The group meets at least quarterly and is made up of Holmesglen employees with responsibility for programs delivered to learners under 18, with specific responsibility for oversight of child safety and wellbeing policies, procedures, guidelines and practices in Senior Secondary and VDSS programs. The group consults with secondary schools, families and Senior Secondary learners on child safety and wellbeing matters.

5. ACCOUNTABILITIES

Action	Accountability
<ul style="list-style-type: none"> ▪ Oversee and maintain a culture of child safety ensuring that all directors, employees, contractors and volunteers are aware of their Duty of Care to children and relevant laws and that appropriate support is provided for directors, employees, contractors and volunteers in undertaking their child safety and wellbeing responsibilities. 	Chief Executive Officer
<ul style="list-style-type: none"> ▪ Establish and maintain organisational policies and procedures that promote a safe and supportive learning environment for all learners, including additional measures for learners under 18. ▪ Oversee the effectiveness of the implementation of this policy, ensuring that supportive, child safe practices are reflected in the delivery of programs. 	Executive Director – Student Engagement and Support

Action	Accountability
<ul style="list-style-type: none"> ▪ Ensure resourcing for additional measures and platforms that support the wellbeing and safety of underage learners and enhance communication. ▪ Establish internal processes that support the empowerment and participation of underage learners. ▪ Ensure that children, their families and carers are supported to provide feedback, raise concerns and make complaints. ▪ (For VDSS) establish and continually review processes and systems that support Holmesglen's approach for engaging and collaborating with young learners, their families and schools. 	
<p>Notify the following of the Medical Emergency:</p> <ul style="list-style-type: none"> ▪ School (if the learner is still at school). ▪ Nominated parent/carer and either: <ul style="list-style-type: none"> – Arrange to handover care to a parent/carer – Obtain consent to handover care to another appropriate adult (e.g. other family member or close family friend). ▪ Employer (if the learner is an apprentice or trainee). ▪ Make and retain a record of the contact with the school, employer and parent/carer including any actions agreed and consent given. 	<p>Dean/Associate Director/Associate Dean Head of Department/ Education Manager</p> <p>If the Dean/Associate Director, Head of Department or Education Manager are unavailable, Student Wellbeing may contact the school and/or parent/carer.</p>
<ul style="list-style-type: none"> ▪ Ensure the safety and wellbeing of learners. ▪ Ensure that courses with underage learners undertake child safety risk assessments to manage foreseeable risks and determine appropriate action to mitigate risk as necessary. ▪ Conduct discussions with schools and families involving complex wellbeing, progression and behavioural issues involving VDSS learners. ▪ Approve staffing ratios for excursions involving underage students. ▪ Determines the Mature Minor status of applicants. ▪ Ensure accurate information is provided to parents/legal guardians and learners under 18 years of age and organise check-ins with learners within the first three (3) weeks of commencement. 	<p>Head of Department</p>
<ul style="list-style-type: none"> ▪ Contact the underage learner's parent or carer in the event a learner needs to be collected, and in any other relevant circumstances. ▪ Ensure that only VDSS learners who have a permission note signed by a parent and/or carer are permitted to leave the campus (e.g. for lunch); ▪ Provide class supervision where the teacher needs to temporarily leave the classroom. 	<p>Head of Department/ Education Manager</p>
<ul style="list-style-type: none"> ▪ Investigate and respond to reports of child abuse. ▪ Provide support services to directors, employees, contractors and volunteers. 	<p>Child Safety Officer</p>

Action	Accountability
<ul style="list-style-type: none"> ▪ Report to external bodies as required and brief the Chief Executive. ▪ Develop resources for learners and employees and headlines Holmesglen’s child safe initiatives. ▪ Provide information sessions about rights and responsibilities, how to deal with and report concerns and the range of learning and wellbeing services available through Holmesglen and in the community. 	
<ul style="list-style-type: none"> ▪ Supervise learning environments and take such measures as are reasonable in the circumstances to protect a learner under the teacher’s charge from risks of injury. ▪ Treat learners with courtesy and respect and provide positive and constructive feedback. ▪ For VDSS learners: <ul style="list-style-type: none"> a) monitor and record class attendance and promptly notify parents/guardians and school of non-attendance b) ensure that only learners with a signed note from their parent/guardian can leave class early. ▪ Prioritise the assessment and mitigation of risks to child safety in their day-to-day roles and in the planning and delivery of special events and activities. ▪ Maintain accurate records in line with Holmesglen’s Records Management policy. 	Teachers
<ul style="list-style-type: none"> ▪ Participate in activities that will ensure the safety and wellbeing of children and young people. ▪ Participate in child safety and wellbeing induction and ongoing training provided by Holmesglen. ▪ Ensure students’ views are taken seriously and their voices are heard when making decisions that affect them. 	Holmesglen directors, employees, contractors and volunteers

6. DEFINITIONS

Term	Meaning
Adult Learning Environment	Holmesglen’s adult learning environment is characterised by a flexible, respectful, supportive and hands-on approach which is designed to match a learner’s study needs. It provides transition from a school environment to further study and work and treats learners as adults to manage their own time and be punctual, self-pace to meet study goals and proactively ask questions.
Child	A person under 18 years of age.
Disability	Holmesglen takes a broad approach to the definition of disability as established by the <i>Disability Discrimination Act 1992</i> (Cth). The term includes: <ul style="list-style-type: none"> ▪ total or partial loss of a person’s bodily or mental functions ▪ total or partial loss of a part of the body ▪ the presence in the body of organisms causing disease or illness

Term	Meaning
	<ul style="list-style-type: none"> ▪ the presence in the body of organisms capable of causing disease or illness ▪ the malfunction, malformation or disfigurement of a part of the person's body ▪ a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction ▪ a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour <p>and includes a disability that:</p> <ul style="list-style-type: none"> ▪ presently exists ▪ previously existed but no longer exists ▪ may exist in the future (including because of a genetic predisposition to that disability) ▪ is imputed to a person. <p>To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.</p>
Duty of care	<p>This is a duty imposed by law to take care to minimise the risk of harm to another. Holmesglen workers have a duty of care to take reasonable measures to protect learners from risk of injury which can reasonably have been foreseen. The duty can vary depending on a range of factors, such as:</p> <ul style="list-style-type: none"> • a learner's age • experience and capabilities (younger students require closer supervision) • disability and impairments (additional precautions may be needed) • medical conditions (e.g., students with asthma or epilepsy require risk management plans) • behavioural needs (students with a history of risk-taking require additional monitoring).
Employee	<p>A worker directly engaged by Holmesglen. For the purposes of the Reportable Conduct Scheme this includes volunteers, labour hire workers, secondees, contractors and business owners and directors working for Holmesglen.</p>
Excursions	<p>These are applied learning experiences and include field trips to industry locations including hands-on practical activities, community, industry and government events and presentations, music and performance events and camps.</p>
Mature minor	<p>A learner under the age of 18 who is deemed to be capable of making their own decision instead of their parent or carer. To be considered a mature minor, the Head of Department must be satisfied that they have sufficient maturity, understanding and intelligence to understand the nature and effect of their particular decision.</p>
Reasonable Adjustment	<p>Under the Commonwealth Disability Discrimination Act (1992) and the Disability Standards for Education, 2005 (website), RTOs are required to customise their services, including making reasonable adjustment to learning and assessment strategies to facilitate the successful participation of people with disability in education, training, and employment. The goal is to ensure that all learners have the best opportunity to learn and to demonstrate that they have achieved subject/unit requirements.</p>

Term	Meaning
	<p>Reasonable Adjustments follow negotiation between the faculty or department and learner, with support from Student Engagement and Equity and Student Wellbeing employees. These include measures or actions taken to help a learner with disability, health condition or carer responsibilities to participate in a course on the same basis as other learners that do not fundamentally change inherent requirements.</p> <p>Reasonable adjustments can include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ course planning and design ▪ business processes and decision making, including admission and enrolment ▪ timetables and schedules ▪ information access ▪ learning and assessment ▪ goods, including learning and assessment materials and resources ▪ practical placement and work-integrated learning opportunities ▪ facilities, equipment, and infrastructure ▪ services ▪ extra-curricular events and activities designed to promote inclusion and engagement in student life. <p>Reasonable Adjustments will be made where they balance the interests of all parties affected.</p>
Supervision	<p>This refers to the supervisory role of employees aimed at enhancing a learner’s educational opportunities, building self-esteem, and ensuring learners are safe and supported. When in a supervisory role, each employee has an obligation to fulfil duty of care requirements. Appropriate supervision is an important strategy to monitor the learner’s behaviour and enables the employee to identify and respond to possible risks as they arise.</p>
Vocational Education & Training (VET) Delivered to School Students (VDSS)	<p>VDSS provides senior secondary students with workplace skills and knowledge through nationally recognised qualifications from industry-developed training packages or accredited courses while still at school.</p>

7. CONTEXT AND/OR REFERENCED DOCUMENTS

8. REVIEW

- 8.1 This policy must be reviewed no later than three years from the date of approval.
- 8.2 The policy will remain in force until such time as it has been reviewed and re-approved or rescinded. The policy may be withdrawn or amended as part of continuous improvement prior to the scheduled review date.

9. VERSION HISTORY

Version Number	Date	Summary of changes
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Version 1	January2026	A new policy that documents Holmesglen’s Duty of Care obligations to learners and additional supervisory responsibilities that apply to children and young people to create a child safe environment.
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