

"In a Nutshell" – **Duty of Care and 'In Loco Parentis' (SW11)**

Legal terms and legislation are defined in the full policy.

The teachers of the Edinburgh Steiner School **undertake**:

1. To honour and discharge their responsibilities under the principles of "Duty of Care"; being "in loco parentis" following "delegation" of responsibility for education and welfare by parents for the duration of the school activities.

(Teachers are generally acknowledged to have a 'duty of care' towards the pupils in their care. This duty has been upheld in the English courts as derived from common use and case law. A teacher's duty of care will depend upon what is reasonable and what can be expected of a competent professional acting within the constraints of the circumstance. "In loco parentis" is therefore the status of a teacher with the Duty of Care for a pupil.)

2. to apply their professional judgement, training and experience to situations in a reasonable manner, seeking to promote the best interests of the pupils in their care
3. To take reasonable care of their own and their pupil's health and safety at school and during all school activities. To support the school's duty under the Health and Safety at Work etc Act (1974).

(Under the Health and Safety at Work etc Act (1974) the school, as employer, is responsible for the health and safety of employees and others on their premises - including the pupils, but also visitors and parents). All school staff must act in a 'reasonably careful' way to ensure their own and their pupil's health and safety at school and during all school activities. Schools are not expected to protect children from every conceivable danger at every minute of the day. However, 'reasonable care' must be evident.)

4. To raise concerns with Management where they feel they are being asked to participate or organise activities, journeys or visits which they believe are not being adequately prepared and organised.