Education Outside The Classroom (EOTC) Policy

Board of Trustees Minute Reference : Nov 2016 Part 1 Item 5

Date first created/This version no. : December 2013/4

Next review date (1 year cycle) : December 2017

Owner : DCE Ako; Runanga Managers

Responsibility for this policy : Runanga Managers

1. Background

The Board acknowledges its responsibility under National Administration Guideline (NAG) 5 for the health and safety of all participants in EOTC and under NAG 1 for ensuring that learning outcomes are met. This policy is designed to assist Te Kura employees to provide quality educational experiences outside the classroom that maximise learning and safety and that meet the relevant statutory requirements and best practice guidelines.

**Duty of care**

School boards of trustees and teachers owe a duty of care to students to safeguard them

from harm in situations where a reasonable person would have foreseen the likelihood of

harm arising. This responsibility continues even when school activities are located away

from the school and involve outside helpers, parents or instructors, and when students

participate in course packages offered by commercial operators.

Accident compensation legislation has meant that people cannot sue the board for any

breach of this duty resulting in personal injury. But boards could still be sued for exemplary

damages, for compensation, for property damage, or for damages for mental injury.

**Standard of care**

Boards are required to meet particular standards in order to fulfil their legal obligations. For

example:

* under the Health and Safety At Work Act 2015 collectively, the board of trustees as a legal entity holds the primary duty of care to ensure the health and safety of everybody involved with the school (staff, students, parents, members of the public) ‘so far as is reasonably practicable’;
* the Crimes Act refers to a standard of care that would be expected of a reasonable person;
* and there are the reasonable standards of care owed to students in cases where negligence is alleged.

The duty and standard of care apply equally to ‘accommodation’ as they do to activities.

Any/all accommodation must be assessed with the same rigour.

1. Scope

This policy covers Te Kura employees and those who support them in the provision of EOTC activities (students in leadership roles, volunteers and contractors).

1. Definitions

Terms used in this policy have the following meaning:

Education Outside The Classroom (EOTC) is any curriculum-based activity that takes place outside recognised Te Kura premises and places designated for regular Te Kura teaching and learning activities such as the premises of an institution or body in a learning partnership with Te Kura. EOTC activities could therefore include, for example, a visit to a marae, sports facility, outdoor education camp or skifield.

RAMS (Risk Analysis Management System) – a risk management planning tool

SAP (Safety Action Plan) – a risk management planning tool

1. Policy statement

Te Kura will ensure that its EOTC learning experiences are of high quality, are safe for all participants and are consistent with its statutory and best-practice responsibilities.

1. Procedures

* At all times comply with Ministry of Education EOTC guidelines. See <http://eotc.tki.org.nz/EOTC-home>
* The duty and standard of care (see *Background* above) apply equally to ‘accommodation’ as they do to activities. Any/all accommodation must be assessed with the same rigour.
* An appropriate planning and approval process is carried out for each EOTC event.
* Records of decision-making processes are maintained to show how Te Kura fulfils its legal and professional obligations and follows current best practice in all aspects of EOTC.
* Parents/caregivers are given sufficient information to enable them to make an informed decision about whether their child participates in EOTC experiences.
* Parental consent, including risk disclosure and medical consent, and health information is provided by all adult and student participants in an EOTC event.
* Only competent activity leaders, with relevant and current skills and qualifications and relevant logged and recent experience, are approved to lead EOTC activities.
* Te Kura staff have professional learning opportunities to develop the competence required to run the activities under their responsibility.
* Where Te Kura capability is insufficient for planned EOTC adventure activities, ensure that only authorised external providers are contracted.
* In line with Te Kura Health and Safety policies and procedures, health and safety hazards and risks are identified and all reasonably practicable steps are taken to eliminate or minimise them through application of appropriate safety management procedures.
* All circumstances and activities where safety equipment and/or clothing are necessary are identified and that such equipment and/or clothing is used when required.
* Staff and students who may be responsible for goods, materials, substances and equipment are fully instructed about their safe use and storage in accordance with any specific regulations, standards or codes of practice (eg fuel and stoves).
* Communication devices are available and a communications plan is in place for EOTC activities.
* All staff, volunteers and students consider utilising sustainable practices in the planning and implementation of EOTC.
* An annual self-review is conducted of the following aspects of EOTC management and reported to the Chief Executive and the Board:
  + learning outcomes
  + approval
  + staff, students, contractors, and volunteers
  + safety and risk management
  + emergency response
  + programme development and review.

**Schedule for management of Te Kura EOTC activity types**

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| --- | --- | --- | --- | --- |
| **Activity type** | **Description** | **Approval** | **Parental consent** | **Risk management planning** |
| **Short visits to local venues** | **(i) Lower risk environments**  For example: museum, art gallery, library, botanic gardens, sports and recreation events.  **(ii) Higher risk environments**  For example aquatic environments (river, beach but not swimming), cross country run training. | Team Leader and applicable Runanga manager  Team Leader and applicable Runanga manager | Separate consent  Separate consent | Current health information  Generic SAP or RAMS  Current health information  Generic SAP or RAMS |
| **Day trips which may include extended hours**  **(additional risk management required)** | **(i) Lower risk environments – lower technical skills required**  For example: farm visit; day hike/orienteering in a local park or local bush; city visit; train, bus or ferry trip; swimming in pools.  **(ii) Higher risk environments – higher technical skills required**  For example: skiing, sailing, waka ama, rock climbing, swimming in natural environments (beach, river), factory visit, forestry or agricultural field trip involving chemicals or heavy machinery. | Team Leader and applicable Runanga manager  Applicable  Runanga manager and CE | Separate consent  Separate consent and risk disclosure | Current health information  Generic SAP or RAMS  Current health information  Specific SAP or RAMS or equivalent  Other appropriate forms in appendix |
| **Residential overnight/s** | **(i) Lower risk environments – lower technical skills required**  For example: trip to another region; sports tournaments; field trips to urban environments, historical sites and ‘front country’ (having well-formed tracks).  **(ii) Higher risk environments – more knowledge and/or technical skills required**  For example: overseas trips, field trips (for example, social studies, biology, geography), into natural water, bush or alpine environments, or other hazardous environments (for example, where chemicals, heavy machinery, or other hazards are present); outdoor education camps, multi-day outdoor pursuits journeys in the ‘back country’ (for example, biking, tramping, kayaking). | Applicable  Runanga manager and CE  CE and/or Board | Separate consent  Separate consent  and risk disclosure | Current health information  Specific SAP or RAMS  Other appropriate forms in appendix  Current health information  Specific SAP or RAMS or equivalent  Other appropriate forms in appendix |

1. Supporting documentation

NAG 5

NAG 1

Crimes Act 1961

Crown Organisations (Criminal Liability) Act 2002

Education Act 1989 and amendments

Health and Safety at Work Act 2015

*EOTC Guidelines: Bringing the Curriculum Alive 2016* <http://eotc.tki.org.nz/EOTC-home/EOTC-Guidelines>

*Safety and EOTC: A good practice guide for New Zealand schools*

<http://www.tki.org.nz/r/eotc/resources/pdf/safety_and_eotc.pdf> (however, note that this

publication predates the passing of the Health and Safety At Work Act 2015)

[Sample Form 24](http://eotc.tki.org.nz/content/download/2671/10860/file/Sample%20form%2024_EOTC%20Management%20self%20audit%20checklist.doc) *EOTC Management Self-audit Checklist* (from *EOTC Guidelines: Bringing the Curriculum Alive,* MoE 2016)

Child Protection Policy

Education Outside The Classroom (EOTC) Staff Procedures

Events, Camps and Authentic Learning Policy

Financial and HR Delegations Policy

Health and Safety Policy: Employees, Contractors, Visitors

Health and Safety Policy: Students

Kiwisport Policy

Procurement Policy

Property Management Policy

Risk Management Policy

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Approved as a governance policy Date

Karen Sewell

Chair

Board of Trustees