

Purpose

This policy outlines *Mildura Senior College and Mildura English Language Centre's (College)* requirements when engaging with External providers for specific purposes, such as camps, excursions, secondary courses and vocational training; both of which can add value to the curriculum programs at the College.

Definitions

External Provider - School, agency, or organisation, which is not the home school providing a program for students.

Memorandum of Understand (MOU) - An agreement between the External Provider and the College.

Adventure Activities - Activities that involve a greater than normal risk. Further information and examples of adventure activities are available on the Department's website under Adventure Activities, at the following link:

<https://www.education.vic.gov.au/school/principals/spag/safety/pages/adventure.aspx>

Scope

Clear and open communication that occurs well in advance of the planned program is the key to an effective and well-informed relationship between the College and an external provider. Schools must be aware that even when they are using external providers, College staff still have duty of care for the students.

Camps & Excursions

External providers may be engaged to deliver specific activities (such as adventure activities) or a whole program. They may provide expertise in a certain activity and can form a valuable addition to a program.

Secondary Courses & Vocational Training

The College has a primary responsibility for the delivery of senior secondary curriculum to their enrolled students. To offer Vocational Education and Training (VET) programs, the College must enter into contractual arrangements with Registered Training Organisations (RTOs) as the College is not a registered RTO and is not registered to provide the particular program it is seeking to offer. All government schools entering into arrangements with RTOs must have a valid, signed contract or agreement with the RTO for the delivery of VET programs.

Guidelines

Before an external provider is selected to assist with the delivery of a program, a thorough check should be completed by the school to ensure that they are appropriate for the program and have experience working with groups of children and young people.

Prior to commencement of a program the school should ensure that the external provider has:

- A current public liability insurance certificate (minimum \$10 million) provided by an Australian Prudential Regulation Authority (APRA) approved insurer.
- Demonstrated that staff have the correct qualifications and/or experience for their specific role/s. For information on required qualifications please see the specific Adventure Activity guidelines.
- Ensured that students are supervised by either a registered teacher or an approved staff member with a current Working with Children Check.
- Agreed with the school who has responsibilities for first aid, emergency communications and other specialist equipment.
- Agreed with the school who will be responsible for emergency procedures, and that these are well understood prior to the excursion taking place.
- Read the relevant sections of the Department's Adventure Activity Guidelines (if relevant) and understood their obligations under these guidelines.

To offer VET programs, the College will enter into an arrangements with an external providers to deliver part, or all, of the Victorian Certificate of Education (VCE), or the Victorian Certificate of Applied Learning (VCAL) course. External providers may include:

- TAFE providers
- Private providers (RTOs)

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- Registered schools, including both government and non-government that are also RTOs, and
- Learn Local providers that are also RTOs.

Prior to commencement of a program the RTO must:

- Ensure it understands and complies with its obligations under the Contracts and Agreements and College's Code of Conduct.
- Ensure all trainers providing training services to the school have undertaken a satisfactory police records check and a satisfactory Working with Children Check under the Working With Children Act 2005 (Vic).
- Ensure all trainers comply with the requirements under the standards for RTOs registered with VRQA or ASQA.
- Report any student absences to the school in the first hour of training delivery or as agreed between the parties.

Program Responsibilities

The College acknowledges that even when they are using an external provider, the College's staff still have duty of care for the students. Refer to the College's *Duty of Care Policy*. The College cannot sign 'Waivers of liability' on behalf of students. Regardless of the role of the external provider, the College retains an overall responsibility for the program and any activities involving students.

Where not directly responsible for the instruction of the activity or assisting the instructor, the responsible staff member present must understand the activity and the environment in which it will be conducted. This responsible staff members must confer with the designated instructor about the supervisory role and establish areas of responsibility, and act on the advice of the designated instructor on technical safety issues.

With respect to arrangements between the College and third parties, the Principal (or nominee) will:

- Carefully negotiate terms and conditions with third parties (e.g. camp providers, specialist instructors, expedition providers) prior to accepting arrangements.
- Ensure school staff know who to report any concerns to.
- Provide relevant information about students to the external providers that they need to know in order to look after the students and reduce risk.

External provider checks

The College requires all external providers working directly with our students to have a current Working with Children Check card. For more information about when a WWCC is required refer to the College's *Volunteers Policy*.

Duty of Care

Staff at our school acknowledge that, as our duty of care is non-delegable, we are also required to take reasonable steps to reduce the risk of reasonably foreseeable harm when external providers have been engaged to plan for or conduct an activity involving our students. Our *Visitors Policy* and *Camps and Excursions Policy* include information on the safety and care of our students when engaged with external providers.

The College also takes steps to ensure student safety when they are engaging in off-site workplace learning programs with external providers, such as when students are participating in work experience, school-based apprenticeships and traineeships, structured workplace learning and any other workplace learning program involving external providers. The College will follow all applicable Department of Education and Training policy and guidelines in relation to off-site learning and will ensure that the safety and welfare of the students engaging in these activities is paramount. The Department's guidelines in relation to Workplace Learning are available at the following link:

<https://www2.education.vic.gov.au/pal/structured-workplace-learning/policy>

External providers have a duty of care to inform a member of the Principal Class Team of anything they know of or suspect could pose a safety risk, cause harm or injury to students. This includes information given to them by students, e.g. information about the use of an illicit drug by a member of a student's family. Under 'duty of care' staff members are precluded from being able to

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promise unconditional confidentiality to students. Refer to the College's *Duty of Care Policy and Child Safety Reporting Obligations Policy and Procedures* for further information.

Resources

This policy should be read in conjunction with the following Department policies and guidelines:

- Purchasing Secondary Courses and Vocational Training from External Providers
- Excursions including camps and adventure activities

The following College policies are also relevant to this policy:

- 1.03 Camps & Excursions Policy
- 1.04 Child Safety Reporting Obligations Policy and Procedures
- 1.12 Duty of Care Policy
- 1.22 Volunteers Policy

Review and Evaluation

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