



Brescia House

SCHOOL

POLICY DOCUMENT

SCHOOL EXCURSIONS POLICY

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A. INTRODUCTION

School excursions form a very valuable part of the school programme. They serve to provide learners with a variety of educational experiences outside the formal classroom which enriches their learning and broadens their worldview.

When excursions are planned (one day or several days) the following must be considered:

- Educational value
- Logistical aspects
- Legal implications

B. GENERAL LEGAL CONSIDERATIONS

The most important legal consideration is the *duty of care* owed by teachers to learners. This duty of care is linked to the fact that the teacher is acting *in loco parentis* (in the place of the parent) and is therefore expected to act like a diligent and sensible parent. It is accepted that teachers undertaking responsibility for school excursions and educational visits are legally responsible for the learners in their care throughout the entire duration of the trip. Moreover, the responsibility of a teacher for the safety and welfare of the learners is not lessened by the fact that participation might be voluntary and after school hours. A teacher's duty of care extends after normal school hours in an official capacity.

In cases where a teacher voluntarily takes learners on an outing out of school hours in an *unofficial* capacity, (in other words, an activity not organised by the school), it should be made clear to the parents that it is an arrangement between the parents and the teacher concerned, and that the school can accept no responsibility for the learners' safety. In fact, teachers should avoid unofficial journeys, which could create unnecessary legal problems especially since many unofficial trips can be planned as official activities with the support of the school and educational authorities.

If an injury occurs to a student during an outing, before negligence can be determined, it is necessary to prove that there is a duty of care and that there was a *breach* in this duty by the teacher which did, in fact, cause the injury. A breach of duty of care amounts to a failure of one party to conform to the standard of care required toward another. A breach of duty can occur either from an act or an omission.

Two important principles that are central to establishing negligence are *reasonable foresight* and *reasonable preventability*. The first principle assumes the ability of the teacher to "reasonably foresee" those dangers and risks which may cause harm or injury, and the second principle assumes that the teacher will take "reasonable precautions" to prevent harm and injury. The courts, however, recognise the fact that teachers cannot anticipate every possible dangerous situation; hence the emphasis on what is reasonable under the given circumstances.

Teachers are expected to reasonably foresee dangers that may cause harm or injury to learners in their care and take reasonable precautions to prevent injury.

Although teachers are legally responsible for the safety of learners during school excursions and can be held liable for damages if a student is injured, a matter of concern is raised, however, in the event of accidents happening as a result of defective equipment or premises which are beyond control of the school and teachers in charge. For example, in the British case of *Brown v Nelson and other* (1971) a student took part in a course at an Outward Bound Centre. While using an aerial ropeway, the wire cable snapped and the boy fell to the ground. The cable was found to be rusty internally, but the defect could not be discovered without dismantling. The warden was ordered to pay damages while the owner and the school were dismissed from the suit. Mr Justice Niel stated that:

Where a school must take their learners to other premises, they discharge their duty of care if they know the premises are apparently safe, and if they know that the premises are staffed by competent and careful persons. They further discharge their duty if they permit their learners there to use equipment which is apparently safe, and is under the control of competent and careful persons who supervise the use of such equipment.

While the South African courts are not obliged to follow such a decision, it is likely that they will follow similar arguments in the event of similar cases occurring in South Africa.

C. SCHOOL TOUR INFORMATION SHEET

When tours/excursions are planned, the teacher in charge shall complete the Tour Information Sheet.

1. This sheet shall provide all the relevant information about the tour, duration, location and teacher-in-charge.
2. A copy of this form shall go into the tour file in the front office (together with all other letters concerning the tour).
3. Costs of the tour, class lists/team lists indicating the learners who are participating and copies of all letters about the tour or excursion shall be given to the Bursars.

D. LETTERS TO PARENTS

1. When planning trips, the school shall provide parents with:
 - a) All the information concerning the nature of the trip
 - b) The purpose of the trip
 - c) Possible risks involved
 - d) The names and the number of teacher(s) accompanying the learners.
 - e) An itinerary
 - f) Contact numbers

2. Irrespective of the duration of the trip it is essential to get a signed permission slip from the parent.

3. It is essential to obtain parental consent for any necessary medical attention.

4. Also, if medical details have changed since the Learner Medical Information Sheet was completed at the beginning of the year, medical information must be updated.

5. Parents shall be informed if their children require specific medication or vaccinations against certain diseases e.g. malaria.

6. Although the School shall ask parents to sign indemnity forms indemnifying the school against all claims in respect of accidents, injuries or illness related to the organisation or supervision of the tour/excursion, an indemnity letter will not stop a parent/student from instituting legal action if he or she believes the school or an individual teacher has been negligent.

7. All parents and learners shall sign a code of conduct related to the excursion or tour.

E. DEGREE OF SUPERVISION

1. All staff members accompanying the tour shall read and adhere to the following guidelines when planning an excursion:
 - Discuss the outing with the Headmistress
 - Complete the activity sheet in the staffroom file
 - Attach the list of relevant learners names to the sheet
 - Place one on the staffroom notice board
 - Hand one to the Headmistress for her file

2. The School has particular duty to provide adequate and appropriate supervision.
 - a) The degree of supervision/amount of supervision required depends on the following:
 - Age and maturity of student
 - Number of learners

- Nature of outing / activity
 - Nature of environment
3. Brescia House School adopts a 1:20 ratio for learners on a bus.
A minimum of 2 staff members per excursion, the allocation of further staff members to an excursion/tour depends on the:
 - nature of the excursion
 - location of the excursion
 - duration of the excursion
 4. The learners shall be informed timeously of dress code (see uniform requirements) and the time of departure and return.
 5. A strict roll call must be taken before departure and before the return journey. On the outward journey the bus will not wait for a learner who is late. Learners who fail to arrive for an excursion will be charged.
 6. On overnight journeys/outings learners will be given a curfew time and staff members will check at regular intervals, ensuring that the curfew is observed.
 7. In the event of an accident or injury, one teacher must accompany the injured student. The other teacher remains with the learners and may call for back-up if required.

F. DISCIPLINE

1. Teachers responsible for learners on outings are in loco parents and have the usual authority to discipline learners.
2. The school rules / code of conduct are still applicable 24 hours a day during a school outing.
3. In addition to the normal school rules, additional rules may be applied. These – specific to the excursion - must be stated and enforced.
4. It is due to the need to adhere to discipline and ensure safety that both learners and parents sign the Codes of Conduct.
5. The rules and actions taken against learners who violate these rules must be acknowledged ahead of time and understood.
6. Should a learner commit a serious misdemeanour, the teacher in charge must call the Headmistress immediately, so that a decision may be made as to the handling of the

situation. If the Headmistress is unavailable another member of the School Executive should be consulted

SAMPLE
CODE OF CONDUCT

1. All learners will participate fully in the trip, unless ill.
 2. Teachers are to be aware of any medication taken by a learner.
 3. No learner will have in her possession any of the following items:
 - Alcohol
 - Cigarettes
 - Drugs (other than those cleared with staff)
 - Cell Phones
 4. No learner may leave the camp-site at any time
 5. No learner may go to the beach, unless with the whole school group
 6. No learner may leave the group at any given time, unless accompanied by a staff member.
-

I, _____ parent of _____, have read the Code of Conduct and accept the conditions thereof. I accept that should my daughter break any of the abovementioned rules, I will be responsible for her transportation from _____ back to Johannesburg at any given time.

I, _____ daughter of _____, have read the Code of Conduct and accept the conditions thereof. I accept that if I break any of the abovementioned rules, my parents will be responsible for fetching me from _____ at any given time.

Parent's Signature: _____

Learner's Signature: _____

Date: _____

G. TRANSPORT

School Mini buses (i.e. belonging to Brescia House School)

1. All school vehicles must be kept in serviceable condition and comply with Education Authorities Specifications and the Road Traffic Act.
2. The Executive Headmistress's and Headmistress's responsibility is as follows:
 - to ensure all school vehicles are in excellent condition and have written proof of this.
 - that the school has adequate comprehensive insurance

- ensure that the teacher who is designated to drive:
 - is a responsible and experienced driver
 - is in possession of an appropriate driver's license
- 3. If an accident / injury occurs and the teacher is found not to have been negligent, the school is not liable for claims.

Hired Busses

1. If the school is using an outside bus company, the Executive Headmistress must annually obtain a certificate from the bus company that:
 - the vehicles are in good condition;
 - the driver holds a valid and appropriate license;
 - and the transport company holds sufficient public liability insurance.
2. The checklist for checking busses and mini-buses prior departure must be filled in by the supervising teacher or coach, who shall delay or prevent departure if he/she is not satisfied with the condition of the bus or of the driver.

Using Teacher's Private Cars

1. Teachers who transport learners in their own vehicles must do so in an official school outing capacity and should have this in writing from the headmistress granting permission.
2. In the case of an accident, the school carries the responsibility not the teacher
3. The teacher must ensure that they have looked at the clauses in their personal vehicle insurance (private use vs. official use and/or business use).
4. If the teacher transports learners for unofficial reasons – the school is not liable.
5. If the teacher transport learners unofficially and accepts payments, this may violate her insurance policy.
6. It is preferred that teachers do not transport learners for unofficial reasons.

H. MEDICAL ATTENTION AND FIRST AID

1. All teachers must take a first aid box with them. The first aid box should be sealed with a tag showing it has been checked and is complete. The School's First Aid Policy shall apply on all school outings and tours.
2. The teacher may not prescribe drugs but should contact the learner's parents and/or allow the learner to select what medication they usually take.
3. Learners should supply their own medication – but must inform the teacher in charge.
4. In the event of medical attention being needed, the teacher should seek private medical care.
5. All medical costs are borne by the parent.
6. The Medical Information sheet must go with the student to the medical facility.

(To be printed on a school letterhead for each excursion)

SCHOOL OUTINGS CHECKLIST

Date	_____
Time	_____
Outing	_____
Teacher/Coach in Charge	_____
Number of pupils	_____
Bus Company	_____
Bus Number/Registration Number	_____
Bus Driver's Name	_____
Bus Driver's apparent condition:	Lucid Alert Sober Co-operative
Safety checklist:	Tyre wear _____ Indicators _____ Break lights _____ Windscreen wipers _____ Seatbelts _____ General condition and cleanliness _____
Check pupils seated, belted and facing forward	_____
Permission to depart at (time)	_____
Staff member's/coach's signature	_____
Comments for Bus Company	_____ _____ _____
Signature of Bus Driver:	_____