



A qualitative study on the effect of access to finance on the growth motivation of micro-and small enterprise owners in the Philippines

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Abstract

This study investigated Teachers' Awareness of Duty of Care and students' Safety in Public Senior Secondary Schools in Rivers State. The purpose of the study was to examine between teachers' awareness of duty of care and students' safety in public senior secondary schools in Rivers State. Two research questions and two hypotheses were raised for the study. The study adopted the correlational design. The population of the study was 6,962 teachers from 302 public senior secondary schools in the three senatorial districts in Rivers State. The sample size was 360 teachers. The sample size was determined using Taro Yamene formula. The data were collected using two research instruments titled, Teachers' Awareness of Duty of Care Questionnaire and Students' Safety Questionnaire. The instrument was validated by three experts. The reliability of the instrument was established using Cronbach Alpha method. The reliability coefficient was 0.78. The data collected were analyzed using Pearson's Product Moment Correlation Coefficient to answer the research question while t-test was used to test the hypotheses at 0.05 level of significance. The findings of the study reveal that, there is significant relationship between teachers' awareness of negligence as teachers' duty of care and school inspection and students' safety. Based on the findings of the study, it was recommended that school management should organize workshop or seminars for teachers, to create awareness on their duty of care to avoid negligence because of its implications on students' safety in public senior secondary schools and that school management should organize seminars for school teachers on the need for school inspection because it enhances students' safety in public senior secondary schools.

Keywords: awareness, duty of care, safety, students, teachers

Introduction

The meaning of awareness in education is knowledge from the environment without necessarily being taught. Awareness may also refer to public or common knowledge or understanding about a social, scientific, or political issue. For instance, multicultural awareness can mean that one has greater knowledge of a particular subject (Gafoor, 2012) ^[4].

In tort law, a duty of care is a legal obligation that is imposed on an individual, requiring adherence to a standard of reasonable care while performing acts that could foreseeably injure others. The concept of duty of care when it is owed and when liability will be attached for its breach was established in the case of when a man bought from a retailer a bottle of ginger beer brewed by the defendant respondent. His lady companion, who drank it, became ill. Unknown to the lady, the bottle contained the decomposed remains of a snail. The bottle was opaque so that the poisonous substance could not be seen and was not discovered until the lady was refilling her glass. The lady has no cause of action in the law of contract against neither the retailer nor the manufacturer because he had no privities of contract as it was not her but her friend who bought the beer. Therefore, her claims arose in the tort of negligence, based on the duty of care owed by the producer to her as a consumer, which duty had been breached.

The House of Lords held that the manufacturer of the beer was liable to the plaintiff.

This duty is where a person fails to be careful and his carelessness causes damage to another person. The careless person is negligent. Being negligent may lead to the payment of the cost of negligence. In law, it is common to find parties in court arguing over negligence duties of care, breach of duties of care, degree of negligence, damages caused by negligence, and compensation for negligence. The judgments of the Supreme Court of Nigeria and the Court of Appeal have developed a rich legal literature on and around "negligence" in recent times.

Negligence, according to the Oxford Advanced Dictionary, is the failure to give enough care and attention. It is a careless lack of proper conduct. In Ogun state, on January 29, 2016, Punch news reported an incident on November 19, 2015, of a year-old child who drank acid caustic soda carelessly kept around the classroom by a teacher in a private school. After many excruciating pains and surgeries, months after drinking the acid, he succumbed painfully to the cold hand of death. Negligence may be an act of commission or omission. Either when a person does something that a reasonable person would not do or when a person fails to take action that a reasonable person would to prevent injury, it is called negligence. A person is not liable for harm caused to another by an unavoidable accident (Peretomode, 2019) ^[6].

In law, negligence can range from inattention that is merely accidental to reckless disregard for the safety of others. All over the world, people may at one time or another, suffer damage from the careless acts of others, which may be done intentionally, unintentionally, or accidentally. Hence, in the English case of *Lochgelly Iroh & Coal Co v. Lora Wright* explained negligence that in strict legal analysis, negligence means more than heedless or careless conduct, whether in omission or commission, it properly connotes the complete negligence of duty, breach and damage thereby suffered by the person to whom the duty was committed (Okojie, n.d.). Negligence was defined as the omission to do something which a reasonable man guided by those considerations which ordinarily regulate the conduct of human affairs would do or to do something which a prudent and reasonable man would not do (Etheringtons solicitors, 2020) ^[2].

As a general rule, there is negligence whenever there is a duty of care, and when there is a breach of the duty of care, there is negligence. In other words, whenever the law prescribes a standard of conduct to which people should conform, failure to comply usually attracts liability for negligence. Ordinarily, negligence is the failure to exercise the reasonable care expected of an ordinary, prudent person in a given situation which results in damage to another person. The purpose of the tort of negligence is to identify a breach of the duty of care and offer a remedy to a person who has suffered harm. In other words, the purpose of the law of negligence is to offer a remedy to a person who has suffered harm because of a breach of the duty of care. Negligence is the most common and prominent tort because it covers the majority of tort claims; it also covers other torts such as nuisance (The Babcock Law Firm, LLC, 2021) ^[8].

School inspection is a general examination of an organizational unit, issues or practice to ascertain the extent it adheres to normal standards, good practices or other criteria and to make recommendations for improvement or corrective action. It is often performed when there is a perceived risk of non-compliance (United Nations Development Programme

as cited in United Nations Educational, Scientific and Cultural Organization n.d.).

The main task of teachers, in addition to teaching and learning, is the assurance of the safety and security of students placed in their care. Peretomode (2019) ^[6] opined that laws are instrumental in controlling the behavior of groups within a school. The educational institution deals with school laws and consists of a wide range of rules and regulations guiding the operation and administration as it relates to teachers, students, parents, and other stakeholders in the business of education. Parents, educational authorities, and civil society have expressed dismay over the negligent behavior of some teachers toward students. This has led to the injury or even murder of students by fellow students. Teachers are assumed to be parent-substitutes; this creates a high standard for the teachers' care. In supervising students, teachers serve in dual capacity. They are professionals, trained not simply to teach their subjects but to properly manage the educational environment (Gabrielle, 2022) ^[3]. Teachers are expected to take care to an extent to avert causing harm, regardless of whether the harm was caused by another student or as a result of the clumsiness of the students. Teachers are to ensure that their responsibilities towards their students are enhanced by their students' good health and increased attendance at school. However, this has not been the case, as teachers' inattention and negligence toward their students have been noted with dismay. This has led to the students falling victim to certain harm, some of it committed by fellow students, teachers, and members of the public or even the students themselves. Students have been on the receiving end due to an increase in teachers' lack of awareness of their 'duty of care' towards students. This has led to injuries and deaths in the school environment (Chudi, 2017) ^[1]. The following research questions guided this study:

1. What is the relationship between teachers' level of awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State?
2. What is the relationship between school inspection and students' safety in public senior secondary schools in Rivers State?

Hypotheses

The following hypotheses were formulated to guide this study at 0.05 level of significance:

1. There is no significant relationship between teachers' level of awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State.
2. This no significant relationship between school inspection and students' safety in public senior secondary schools in Rivers State.

Methodology

The study adopted the correlational design. The study area is Rivers State, which comprises three senatorial districts, namely Rivers East Senatorial District, Rivers West Senatorial District and Rivers South East Senatorial Districts which consist of 23 Local Government Areas. The population of the study was 6,962 teachers consisting of 3581 male and 3381 female teachers from 302 public senior secondary schools in the 23 local government areas of Rivers State (Planning, Research and Statistics Department, Rivers State Senior Secondary Schools Board, Port Harcourt, Rivers State

2022). Multiple sampling techniques were used to select the sampling size. The instruments for data collection in this study are self-designed questionnaire titled, Teachers' Awareness of Duty of Care Questionnaire (TADCQ) and Students' Safety Questionnaire (SSQ) constructed by the researcher. To ensure the face and content validity of the instruments (TADCQ) and (SSQ), were submitted to the researcher's supervisor and examined by one expert in measurement and evaluation and two experts in Department of educational management, Rivers State University. The reliability of the instrument was established using Cronbach Alpha method. The researcher in collaboration with two research assistance administered 360 copies of the questionnaires to the teachers. The data collected were

analyzed using Pearson's Product Moment Correlation to answer the research question while t-transfusion was used to test the hypotheses at 0.05 level of significance. The null hypotheses of significance statistical difference were not rejected if the calculated t-value was less than the critical t-value and was rejected if the calculated t-value was more than the critical t-value.

Results

Research Question 1: What is the relationship between teachers' awareness of negligence in law as teachers' duty of care and students' safety in public senior secondary schools in Rivers State?

Table 1: Pearson Product Moment Correlation Analysis on the relationship between teachers' awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State

Variable	N	Σx	Σy	Σx^2	Σy^2	Σxy	r-cal	Remark
Teachers' awareness of negligence (x)	360	16251	16437	582099	594469	586807	0.84	High Positive
Students Safety (y)	360							

Source: Field survey, 2022

The data analysis in Table 1 revealed that the Pearson Product Moment Correlation coefficient value (r) was 0.84. This showed that there is a positive high relationship between teachers' awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State. This means that an increase in teachers'

awareness of negligence as teachers' duty of care leads to students' safety in public senior secondary schools in Rivers State.

Research Question 2: What is the relationship between school inspection and students' safety in public senior secondary schools in Rivers State?

Table 2: Pearson Product Moment Correlation Analysis on the relationship between school inspection and students' safety in public senior secondary schools in Rivers State

Variable	N	Σx	Σy	Σx^2	Σy^2	Σxy	r-cal	Remark
School inspection(x)	360	15324	15438	518492	594469	553201	0.89	High Positive
Students' Safety (y)	360							

Source: Field survey, 2022

The data analysis in Table 2 revealed that the Pearson Product Moment Correlation coefficient value (r) was 0.89. This showed that there is a positive high relationship between school inspection and students' safety in public senior secondary schools in Rivers State. This means that an increase in school inspection leads to increase in students' safety in public senior secondary schools in Rivers State.

Test of Hypotheses

Hypothesis 1: There is no significant relationship between teachers' awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State.

Table 3: Pearson Product Moment Correlation Analysis on the significant relationship between teachers' awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State

Variable	N	Df	R	t-cal	t-crit	Sig. level	Decision
Teachers' awareness of negligence (x)	360	358	0.84	2.67	1.96	0.05	Rejected
Students safety (y)	360						

Source: Field survey, 2022

The analysis on Table 3 revealed that the t-cal of 2.67 is higher than the t-crit of 1.96. The calculated t-ratio is not statistically significant at a 0.05 level of significant since it is higher than the given critical value of t-ratio. Therefore, the hypothesis 1 is thus rejected and the conclusion is that there is a significant relationship between teachers' awareness of

negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State.

Hypothesis 2: There is no significant relationship between schools inspection and students' safety in public senior secondary schools in Rivers State.

Table 4: Pearson Product Moment Correlation Analysis on the significant relationship between school inspection and students' safety in public senior secondary schools in Rivers State

Variable	N	Df	R	t-cal	t-crit	Sig. level	Decision
School inspection (x)	360	358	0.89	2.67	1.96	0.05	Rejected
Students' Safety (y)	360						

Source: Field survey, 2022

The analysis on Table 4 revealed that the t-cal of 2.67 is higher than the t-crit of 1.96. The calculated t-ratio is not statistically significant at a 0.05 level of significant since it is higher than the given critical value of r-ratio. Therefore, the hypothesis 2 is thus rejected and the conclusion is that there is a significant relationship between school inspection and students' safety in public senior secondary schools in Rivers State.

Discussion of Findings

The findings in research question one: What is the relationship between teachers' level of awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State revealed that there is positive relationship between teachers' awareness of negligence as teachers' duty of care and students safety in public senior secondary schools in Rivers State. The corresponding hypothesis 1 was rejected and conclusion is that there is significant relationship between teachers' awareness of negligence as teachers' duty of care and students' safety in public senior secondary schools in Rivers State. This finding is in collaboration with Barrington, (2018), who observed that duty of care is a legal obligation which is imposed on an individual. The analysis still indicated that the respondents accepted the point that your neighbors are person who are closely and directly affected by your act. It was also observed in the study that the respondents accepted the fact that you must take care to avoid acts or omission which you can foresee that can likely hurt your neighbor. The analysis still showed that the respondents agreed on the view that a teacher has a duty of care to protect a student from harm that is reasonably foreseeable. The study also revealed that the respondents agreed on the view that a breach of duty of care will be established if a teacher failed to take positive steps after having known that a student is in harm's way. The analysis still indicated that the respondents accepted the point that where duty of care is not owed to the other persons, then none can be breached and that the standard of care required of a person is that which is expected of a reasonable man. It was also noticed in the study that the respondents accepted the fact that a reasonable person is expected to have noticed what a reasonable person in his circumstance should have notice. The analysis still showed that the respondents agreed on the view that the reasonable person in the context of law is a person with normal intelligence. The study also revealed that the respondents agreed on the view that the term reasonable man refers more to the qualities of attention and Judgment, which are to be found in a reasonable person.

The findings in Research Questions Two: What is the relationship between school inspections as teachers' duty of care and students' safety in public senior secondary schools in Rivers State indicated that there is significant relationship between school inspections and students' safety in public senior secondary schools in Rivers State. However, the corresponding hypothesis 2 was rejected and conclusion is that there is significant relationship between school inspection and students' safety in public senior secondary schools in Rivers State. This study is in the same view with the Bauman, as cited in Smith (2016), who noted that the respondents accepted that both bullying is common in schools and that bullying is the use of force, coercion, hurtful teasing, threat or abuse, to aggressively dominate or intimidate. It was still noticed in the study that the

respondents agreed on the fact that bullying can be physical, verbal or psychological, and it's usually deliberate or repeated. The analysis also revealed that the respondents accepted the view that bullying can be racist, sexual or relational in nature and those targeted often find it difficult to defend themselves against it. The analysis indicated that the respondents agreed on the fact that bullying can lead to depression, stress, fear, anxiety, powerlessness, loneliness, low achievement, ideas of suicide and so on.

Conclusion

Based on the findings of the study, the researcher concluded that, there is relationship between teachers' awareness of negligence, school inspection, and students' safety in public senior secondary schools in Rivers State.

Recommendations

Based on the findings of the study, the following recommendations were made to ensure that this study achieve its objectives.

1. The school management should organize workshop or seminars for teachers, to create awareness on their duty of care to avoid negligence because of its implications on students' safety in public senior secondary schools.
2. The school management should organize seminars for school teachers on the need for school inspection because it enhances students' safety in public senior secondary schools.

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