



Health & Safety Policy

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1. Foreword for Headteachers and Chairs of Governors

Essex County Council is committed to delivering the best quality of life to the people of Essex. Our schools pay a pivotal role in this, not just through influencing the development and wellbeing of young people, but also through working closely with their community. We want healthy schools, where pupils and staff will stay safe and can be healthy. To achieve the best for our pupils we recognise that we must invest in the wellbeing of our employees and support them, both by:

- protecting their health and safety
- helping them to provide exciting teaching opportunities, in a safe environment, that will enable pupils to learn about risk and how to look after their own safety.

Our Health and Safety priorities are as follows:

- To support schools with the management of Health and Safety, with a particular focus on high risk areas such as the management of legionella and asbestos;
- Reduce sickness absence due to work-related ill health and promote the wider wellbeing of employees;
- Simplify the way we do things, to support managers in meeting their health and safety responsibilities and in delivering safety education.
- To provide educational opportunities that will equip pupils with the skills they need to deal safely with a wide range of situations.

We expect all our Schools and their Governing Bodies to support the above priorities and integrate them within their own school policies and plans. Safety of both pupils and staff should underpin the whole culture and ethos of the school.

This document sets out the key responsibilities of governors, managers and employees in community and voluntary controlled schools, pupil referral units and children's support services for health and safety within their areas of control. It also signposts schools to our health and safety standards and sources of competent advice. All employees have responsibilities under the Health and Safety at Work Act, and any breach of these could lead to prosecution of both the County Council and individual employees. Failure to comply with the health and safety standards could also result in disciplinary action.

2. Responsibilities of the local authority

As employer, Essex County Council has overall accountability for health, safety and wellbeing in Community and Voluntary Controlled Schools. It discharges its responsibilities through:

- Providing schools with health and safety standards and guidance (see section 21) to enable them to meet statutory requirements and provide a safe environment,
- Providing training and information so that employees understand their health and safety responsibilities and so that those delegated health and safety tasks (such as risk assessment) are competent to carry them out.
- Providing access to competent health and safety advice and specialists (see section 10)
- Monitoring health and safety standards and taking appropriate action to ensure compliance (see section 27 for details of our monitoring arrangements).
- This Policy sets out the responsibilities of school based employees, governors and those who provide competent health and safety advice and support to schools.

3. Responsibilities of school based employees

It is important that all school based employees understand their responsibilities and what they have to do to meet them.

- **All school based employees** have the responsibilities laid down in Section 4.
- Those with **management and supervisory** responsibilities (e.g. Heads of Department) have further responsibilities, detailed in Section 5
- In addition, the **Headteacher** has the responsibilities detailed in Section 6
- Where the Headteacher appoints a health and safety co-ordinator his/her responsibilities are given in Section 7
- **Governors** have the responsibilities given in Section 9

All responsibilities are given under the following headings

1. Control
2. Co-operation
3. Communication and Consultation
4. Competence and Capability
5. Planning and Implementation
6. Monitoring and Review

4. All employees

All employees are responsible for:

- 1) Control**
 - Looking after their own safety and the safety of others affected by their work.
- 2) Co-operation**
 - Co-operating with the School and the Council by following safe working practices and carrying out their health and safety responsibilities as detailed in the Council's and school's policies and health and safety standards.
- 3) Communication**
 - Reporting to their line manager any hazards they identify and any inadequacies in health and safety procedures.
- 4) Competence**

- Taking part in any health and safety training and development identified as necessary their Headteacher, Line Manager, or by the County Council

5) Planning and Implementation

- Using work equipment provided correctly, in accordance with instructions or training.
- Ensuring that if they organise projects or activities involving pupils or other non employees, risks are assessed as part of the planning stage and control measures implemented.

6) Monitoring

- Reporting health and safety incidents, in accordance with the School's and Council's health and safety Incident Reporting Procedure.

7) Safety Education

- All employees are responsible for contributing to the safety education of pupils through the formal and informal curriculum.
- All teachers and support staff are responsible for the effective supervision and safety of pupils under their care. This includes ensuring that pupils follow health and safety instructions.

5. All managers and supervisors

All employees with management and supervisory responsibilities are responsible for the implementation of the Health, Safety and Wellbeing Policy in their area of control. As a general rule the direct responsibility of managers for health and safety is determined by the extent to which they have authority to take action. That is if they have the authority to make a general decision about some aspects of the work, they are responsible for the health and safety implications of that decision.

Their responsibilities include:

1) Control

- Ensuring this Health, Safety and Wellbeing Policy for Schools is implemented in their area of responsibility.
- Ensuring all staff under their control carry out their health and safety responsibilities

2) Co-operation

- Identifying opportunities to improve the health, safety and wellbeing within the School, and promoting risk awareness and the development of safe behaviours.

3) Communication and Consultation

- Ensuring all relevant health and safety information is communicated effectively to the correct employees and take account of their views.

4) Competence and Capability

- Ensuring the health and safety competence and capability of employees under their control (See arrangements section 22)

5) Planning and Implementation

- Ensuring relevant health and safety standards, including the Council's Health and Safety Standards, are implemented in their area of control. (See arrangements section 19)
- Ensuring, in their area of control, risk assessments are carried out, recorded and the control measures implemented (See arrangements section 26).

- Undertaking risk assessments relating to hazards to which directly managed staff are exposed
this will also include stress risk assessments.

6) Monitoring and Review

- Ensuring health and safety monitoring is undertaken in their area of control, in accordance with the Council's and School's requirements. (See arrangements section 26)
- Reviewing the effectiveness of health and safety standards at controlling risks and feeding back areas of concern to their line manager, Headteacher or Governing Body (see section 27)
- Ensuring health and safety issues identified via risk assessments or monitoring activities that cannot be addressed are raised with their line manager.

6. Headteacher

i. Control

- Ensuring there are appropriate and robust arrangements in the school for implementing the Health and Safety Policy for Schools, and ensuring that the Policy and arrangements are effectively communicated and implemented.

ii. Co-operation

- Ensuring systems are in place for consultation with all employees and that Trade Union appointed safety representatives can carry out their functions.
- Demonstrating health and safety leadership by ensuring health and safety is given no less importance than educational outcomes.
- Ensuring there are appropriate arrangements in place for co-operation and co-ordination with other users of the school site and that, where necessary joint health and safety arrangements are recorded and agreed.

iii. Communication

- Ensuring appropriate arrangements are in place for communication of health and safety to all employees, agency workers, contractors, visitors, volunteers and pupils, including ensuring the availability of the asbestos register to all visiting contractors
- Ensuring that health and safety standards available on the schools infolink are regularly checked and where necessary made available to relevant employees.

iv. Competence and capability

- Ensuring that all employees are competent and have the capability to carry out their role/function.
- Ensuring that records of health and safety training and development are maintained by the school, as required by law.

v. Planning and implementation

- Ensuring the Council's health and safety standards for schools (available via the schools Infolink) are implemented
- Ensuring there are arrangements in place for managing risks arising from the school's activities or premises, which are not covered by the Council's health and safety standards.

vi. Monitoring and review

- Ensuring systems are in place for monitoring and review of health and safety in the school.
- Co-operating with health and safety investigations, internal monitoring and auditing carried out by the Council and ensuring actions arising from them are implemented.

- Ensuring that the annual online Health & Safety monitoring is submitted.
 - Regularly (at least annually) reporting school health and safety performance to the Governing Body.
- vii. **Premises management**
- Complying with responsibilities allocated to them in the Council's Health and Safety standards covering premises management. Day to day premises management tasks can be delegated to a suitably competent member of staff or property consultant, however the Headteacher has ultimate responsibility for the management of the premises.

7. School health and safety co-ordinator

The below is the responsibility of the Headteacher, which may be delegated to another member of staff, whilst the Headteacher retains the overall responsibility.

The Co-ordinator is responsible for:

- i. **Control**
 - Establishing arrangements for the effective co-ordination of health and safety throughout the School.
 - Supporting the Headteacher in co-ordinating the development, review and revision of the School's health and safety standards.
- ii. **Co-operation**
 - Setting up arrangements for consulting with employees on health and safety (e.g. through health, safety and wellbeing committee meetings or team meetings).
- iii. **Communication**
 - Setting up arrangements for the effective communication of health, safety and wellbeing information relevant to the school.
 - Ensuring health and safety concerns raised by employees are brought to the attention of the appropriate senior manager.
 - Ensuring that the Headteacher / school senior management team is kept informed of health and safety issues by including them on the agenda of management group meetings.
- iv. **Competence**
 - Co-ordinate the identification of health and safety training and development needs to meet the requirements of the School's and Council's Policies and Standards.
- v. **Planning and implementation**
 - Supporting the establishment of adequate arrangements for:
 - First aid
 - Fire and emergency evacuation
 - Reporting of health and safety incidents, hazards and concerns
- vi. **Monitoring**
 - Co-ordinating arrangements for monitoring of health and safety standards within the school.
 - Headteachers, could if appropriate, appoint a senior member of staff to co-ordinate and monitor the implementation of the health and safety policy. The safety co-ordinator must be given sufficient time and resources to carry out their role. Their identity and role should be clearly communicated to all school employees.

8. Responsibilities for school visits

i. Control

- Ensuring that you have an understanding of how Learning Outside the Classroom (LOtC), off-site activities and visits can support a wide range of outcomes for children and young people, and raise achievement.
- Ensuring that LOtC, off-site activities and visits meet guidance requirements.
- Ensuring that you have an establishment visit policy. As a minimum, the policy will need to make a link between the establishment's procedures and this guidance.
- Ensuring that CRB/ISA checks are in place as required.
- Ensuring that establishment policy provides sufficient guidance to Visit Leaders about information for parents and parental consent;

ii. Co-operation

- Supporting the head/manager with approval and other decisions.

iii. Communication and Consultation

- Checking that there is a 24/7 emergency contact(s) with the base for each and every visit and that emergency arrangements are in place.
- Ensuring that you keep up to date via EVC update processes and EVC Revalidation courses as recommended or required.
- Ensuring that there is an establishment procedure for recording “near accidents/near misses”, including any resulting learning points and action.

iv. Competence and Capability

- Ensuring that you have attended EVC Training as recommended or required by your employer.
- Ensuring that establishment managers, visit leaders, assisting staff and voluntary helpers understand that all staff involved in LOtC, off-site activities and visits require access to training at an appropriate level to ensure that the employer's guidance and establishment procedures are properly understood.
- Organising the training of Visit and Assistant Leaders (including voluntary helpers).
- Ensuring that Assistant Leaders are competent to carry out the tasks they are assigned.
- Ensuring that activities and visits are led by competent and confident leaders. The Visit Leader needs to be both accountable and competent. Being accountable implies being an employee and thus part of a chain of specified roles and responsibilities. Being competent requires that the leader can demonstrate the ability to operate to current standards of recognised good practice.

v. Planning and Implementation

- Ensuring that where the accompanying staff includes someone with a close relationship to a group member, there are adequate safeguards to ensure that this will not compromise group management.
- Ensuring that medical and first aid issues are addressed.
- Ensuring that emergency arrangements include emergency contact access to all relevant records, including medical and next of kin information for all members of the party, including staff;

vi. Monitoring and Review

- Monitoring of Visit Leader planning and sample monitoring of visits.
- Ensuring that individual activities and visits are reviewed and evaluated and that this process includes reporting of accidents and incidents, complying with employer requirements and Reporting Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).
- Ensuring that policies and procedures are reviewed on a regular basis. A review should follow any serious incident or systems failure. Risk management documentation must be updated if necessary.

9. Responsibilities of governing bodies

i. Control

Governors have legal health and safety responsibilities for all activities that take place on the school premises. They must:

- Take reasonable steps, to make sure that the school buildings, grounds, equipment and materials are safe and do not put the health, safety and wellbeing of persons at risk whilst they are on the premises;
- Comply with the Health, Safety and Wellbeing Policy for Schools and Essex County Council's standards for health and safety;
- Ensure that appropriate arrangements are made by the school to comply with statutory requirements, the Health, Safety and Wellbeing Policy for Schools and the Council's health and safety standards;
- Ensure that statutory requirements and the Council's health and safety standards are taken into account in determining the allocation of resources.

ii. Competence and capability

- Ensure that the policies and procedures for recruitment, induction, staff development, performance management and capability used by their school consider health and safety and, as a minimum, achieve the same standards as the Council's HR Policies and Procedures.
- Ensure that the Headteacher has an appropriate workload, in support of a reasonable work/life balance, having regard to his/her health and wellbeing.
- Have regard to their own competence and capability before offering advice or undertaking work that may affect the health and safety of school activities

iii. Planning and implementation

- Ensure that anyone appointed to undertake construction and maintenance work on the school premises is competent to do so and that any construction work is carried out in accordance with the Construction, Design and Management (CDM) Regulations.
- Ensure that a property consultant is used to assist with the appointment of a competent CDM co-ordinator before any notifiable construction or demolition work to be undertaken on the site. (NB: This is to ensure construction work is carried out in accordance with the requirements of the Construction, Design and Management (CDM) Regulations. Notifiable projects are those likely to last more than 30 days or involve more than 500 person days of construction work).

iv. Monitoring

- Play an active part in monitoring health and safety standards in the school, by requiring Headteachers to provide regular (at least annual) reports on health and safety performance to

the Governing Body. Such reports should provide information on action taken in response to outcomes of:

- School health and safety inspections, monitoring checks and incident investigations;
- Health and safety audits, internal monitoring and investigations carried out by the Council and action taken by the school to address areas for improvement.
- Health and safety investigations and inspections carried out by enforcing bodies (e.g. HSE, Fire and Rescue Service, Environmental Health).
- Any surveys carried out by the school, which provides data that relates to employee health, safety and wellbeing (e.g. Outcomes from the Work-Life Support Wellbeing Programme (see section 13)).
- It is best practice to appoint a Governor who understands the educational visits system as well as agrees the higher risk visits (e.g. overseas, adventurous or residential)

10. Competent health and safety advice and support to schools

Schools need access to competent health and safety advice to assist them with discharging their responsibilities. In order to meet its health and safety responsibilities to schools, the Council provides a health and safety service. Schools have been delegated resources to fund appointment of other specialist advisers.

11. Schools children and families (SCF) health and safety champion for schools

The SCF Head of Schools' Learning and Development Team has been appointed as Health and Safety Champion for Schools, and has overall responsibility, on behalf of the Director for Schools, Children and Families, for co-ordinating health and safety in schools. The Co-ordinator is responsible for:

i. Control

- Liaising with:
- Schools, Children and Families Safety Champion
- Health & Safety
- Other specialists that provide health and safety advice and support to schools
- to ensure the effective co-ordination of health and safety and the provision of competent advice.
- Co-ordinating the development, review and revision of School Health, Safety & Wellbeing Policies and standards.

ii. Co-operation

- Setting up and chairing a health and safety committee for school based employees and representing schools management on the Schools, Children and Families safety committee

iii. Communication

- Ensuring there are effective arrangements for the distribution and effective communication of health and safety information to schools.
- Ensuring health and safety concerns raised by school employees are brought to the attention of the appropriate senior manager.
- Ensuring that the SCF Directorate Leadership Team are kept informed of school related health and safety issues.

iv. Competence

- Co-ordinate the identification of school based staff health and safety training and development needs to meet the requirements of the Council's and Directorate's Health and Safety Policies and Standards.

v. Planning and Implementation

- Contributing to the development of the Schools Health, Safety and Wellbeing Action Plan.

vi. Monitoring

- Contribute to the preparation of an annual report on the health and safety performance of the Directorate.
- Advising the Assistant Director of the measures needed to implement recommendations arising out of internal monitoring and health and safety audits of schools.

12. Health and safety service

The Council has established (in accordance with the Management of Health and Safety at Work Regulations) competent health and safety advice and assistance for its schools. The Health & Safety Team:

- Supports Headteachers in discharging their health and safety responsibilities by providing advice, guidance, information and training.
- Supports the development of health and safety standards for the Council and schools.
- Maintains the health and safety pages on the Schools Infolink and provides a health and safety support desk.
- Examines new legislation and best practice guidance and advises on practical application to school activities
- Monitors school health and safety compliance on behalf of the Council, through a programme of audits, internal monitoring and reviewing health and safety incidents.
- Provides information on compliance and non compliance to the SCF Schools Health & Safety Champion.

13. Occupational health advice

Headteachers should ensure that they have access to competent occupational health advice via a contract with an Occupational Health provider. Occupational health providers can:

- Provide pre-employment health screening and advise on reasonable adjustments to enable employment of applicants with disabilities and health conditions;
- Support the prevention of work related absence through advising on health related risk assessment;
- Carrying out statutory health surveillance (for exposure to noise, vibration and hazardous dusts and substances);
- Provide advice at the early stages of occupational ill health, thereby reducing the risk of an absence becoming long term or recurring;
- Where employees are sick, examine them and advise on whether return to work is appropriate and, if so, what adjustments may be needed;
- Give employees advice and possibly recommend further specialist advice/treatment;
- Provide a second opinion on a GP report and liaise with the GP on any differences of opinion;

- Assess the employee's eligibility for ill health retirement or disability benefits.

It is for the school to determine the level of service required.

The Council's Occupational Health Service is recommended, as they have experience on advising educational environments. Further details can be found on the health and safety pages of the Schools Infolink or by telephoning 01245 430222.

Counselling

- The Occupational Health Service provides a counselling services to school based employees.

Tel: 01245 434225

E-mail: counselling@essex.gov.uk

Wellbeing

- The Work-Life Support Wellbeing programme supports schools in meeting their statutory requirement to carry out stress risk assessments. For further details of the Wellbeing programme contact Keren Prior Tel. 01245 434031

14. Educational Visits Adviser

The Council's Educational Visits Adviser is responsible for providing professional advice on, and setting and monitoring health and safety standards for, educational, adventurous and overseas visits, particularly those involving children and young people.

From September 2012, Essex County Council will adopt OEAP National Guidance for the Management of Outdoor Learning, Off-site visits and Learning Outside the Classroom.

Please see Head / Manager Guidance on the OEAP National Guidance Website:

www.oeapng.info/2012/04/head-manager/ (documents 3.4g Headteacher and 3.3b Check List)

This replaces the dated HASPEV / COP28 guidance, however, Essex County Council will as an employer, have a few specific guidance documents on the Educational Visits Website which may well over-ride the OEAPNG Guidance. Where this is the case, the Essex Guidance must be followed.

For full details on the Council's standards and guidance on education visits go to the educational visits website available through the Schools Infolink or contact 01245 430942.

15. Education learning services

Provide specialist advice and training on areas of the curriculum relating to health and safety. Contact the Education Consultancy Service on 01245 436707 who will be able to give details of the appropriate advisor.

16. Catering

Schools that carry out their own catering must have access to competent food safety advice. (The delegated catering budget included a proportion for purchasing food safety advice).

Support and guidance relating to school meals operations and training for food hygiene certificates (level 1 and 2) is available via the School Meals Help line on 01245 356218 or e-mail jason.walmsley@essex.gov.uk.

17. Health protection

The Essex Health Protection Agency www.hpa.org.uk/essex gives advice on communicable diseases and infection control. In the first instance refer to their guidance on Communicable Diseases in Schools or contact the school nurse at your local NHS clinic.

HPA Contact Details: Tel: 0845 1550069 or e-mail EHPTInfo@essexhpa.nhs.uk

18. Management of radioactive sources

The majority of science departments within Community and Voluntary Controlled Secondary Schools hold radioactive sources and therefore Essex County Council (ECC) is deemed to be a 'radiation employer'.

As a 'radiation employer' it is necessary to consult with and appoint where necessary a Radiation Protection Adviser (RPA). The Criteria of Competence for RPA's is set by the Health & Safety Executive.

ECC has appointed Suffolk Radiation Technical Services Ltd, through CLEAPSS, (Consortium for Local Education Authorities Provision of School Science) as the authority's RPA. ECC subscribes to CLEAPSS on behalf of all Essex Community and Voluntary Controlled Schools to provide support and guidance on science and technology.

ECC is required by CLEAPSS to appoint a Radiation Protection Officer to act as a link between the schools and the RPA / CLEAPSS on radiation matters. ECC Health and Safety Service have been appointed as the Authority's RPO. The Health & Safety Team as the Authority's RPO will:

- Keep central records of the sources held by each school;
- Keep records of who the Schools RPSs is;
- Ensure RPSs are informed of any information or guidance on managing radioactive sources;
- Undertake visits of schools from time to time to monitor practice and procedures (check records are accurate, sources appropriately stored, source use log kept, leak checks carried out and general source management).

ECC expects all Community and Voluntary Controlled Secondary Schools to adhere to the latest CLEAPSS Guide L93 – Managing Ionising Radiations and Radioactive Substances in Schools, etc. This includes the requirement that each school appoint a Radiation Protection Supervisor (Schools) (RPSs). CLEAPSS Guide L93 contains guidance on the qualifications / competence the RPSs must have to undertake the role.

The full duties of the establishments Radiation Protection Supervisor (Schools) are contained in CLEAPSS Guide L93. All RPS(s) schools should familiarise themselves with their duties and ensure they are meeting them.

RPS(s) schools specific duties include:

- Informing the Authority's RPO when any new sources are acquired;
- Informing the Authority's RPO when any sources are disposed of or transferred to another establishment;
- Informing the Authority's RPO if the establishment appoints a new RPS(s);
- Providing information on sources held when requested to do so by the Authority's RPO;
- Informing the Authority's RPO of any incidents involving the establishment's sources, e.g. spill, leak or loss.

The contact details for the Authority's RPO are:

Health & Safety Service, Johnston Room, E4, County Hall, Chelmsford, CM1 1QH. Telephone: 01245 436896 E-mail: RMCS@essex.gov.uk

19. Premises management

Property Consultants

Where major building or maintenance/improvement works are being carried out, schools **must** appoint a property consultant. Major work is work defined as notifiable under the Construction Design and Management Regulations. Notifiable projects are those likely to last more than 30 days or involve more than 500 person days of construction work.

Schools are also recommended to use property consultants to provide professional advice in connection with all maintenance and building work.

Your property consultant, who will also give specialist advice on the following:

- Management of day-to-day repairs.
- Statutory and best practice for testing and inspection of services. Prioritisation of projects.
- Health and safety issues relating to buildings and construction work
- Regulations, standards and statutory approvals

Funding for consultancy fees is included in schools' delegated budgets for such projects. Refer to the *Premises Management Handbook* or construction health and safety pages of the schools Infolink for guidance on appointing a property consultant.

20. General arrangements for health and safety (our standards)

The detailed arrangements for implementing this Policy are contained within health and safety standards on the health and safety pages of the Schools Infolink (under Service Areas). These can be accessed via the *Health and Safety A to Z Managing Risks*, by selecting the appropriate letter. (NB health and safety standards are kept on a secure part of the infolink, so schools will need a password to access them).

21. Local arrangements within schools

Head Teachers are responsible for developing and communicating local arrangements for implementing the Councils Policy and standards in their school. This should include arrangements for:

- Ensuring employee health and safety competence and capability
- Addressing failures to comply with health and safety requirements through performance management and disciplinary processes
- Fire and emergency evacuation (including fire risk assessment)
- First aid
- Communication and consultation of health and safety
- Reporting of health and safety incidents, hazards and concerns
- Risk assessments for:
 - Stress
 - Use of computers including VDUs
 - Violence
 - Lone working
 - Manual handling
 - Educational visits
 - One off events and projects
 - Curriculum areas where necessary e.g. Drama, Science, Swimming etc.
- Managing the risks to Young People on Work Experience Placements
- Controlling risks arising from work activities not covered by the Council's health and safety standards
- Control of asbestos (including asbestos management plan) and legionella
- Working at height
- Statutory inspection and maintenance of work equipment, plant and service
- Control of (health and safety competence and monitoring) contractors
- Monitoring compliance with and reviewing effectiveness of health and safety standards

22. Health and safety competence and capability

Competence is the ability to do the job required to the necessary standard. It is not just training, but also experience of applying the skills and knowledge, which needs to be gained under adequate supervision.

The School must have in place arrangements to manage Health & Safety competence and capability in relation to the following:

- Recruitment and Selection
- Employees changing role
- Induction
- Temporary employees, agency workers and volunteers
- Performance management
- Taking action when employees fail to perform on health and safety (see also section 27 of this Policy).
- ECC Standards & Regulations on competence are included in generic risk assessments. It must be ensured that these competence requirements are met.

Performance management: Schools follow a nationally set performance management review system that is focused on improving teacher practice and pupil achievement. Health and safety should be considered as part of the PMR process and it would be appropriate to include a health and safety objective where there are specific areas that need development.

For the Headteacher, account should be taken of the results of health and safety internal monitoring and audit reports, Ofsted reports and self-evaluation. Where these show areas that need development, health and safety should be included as a specific objective under Leadership

Reference should be made to Headteacher, manager and employee responsibilities in this policy document.

Training (legal requirement): There is a legal requirement to take account of an employees health and safety capabilities when giving them tasks. More specifically there is a requirement to provide employees with adequate health and safety training on recruitment and on being exposed to new risks (for instance due to a change of job role).

Where the Council provides training in order to meet a specific legal requirement, Headteachers must comply with the Council's requirements, by ensuring attendance by a suitable member of school staff.

Training and development can be delivered in a variety of ways. In some cases formal training will be needed. In other cases it can be achieved through coaching by another member of staff or reading relevant health and safety standards.

The Risk Health & Safety Team, organises the following health and safety courses:

- Managing Health and Safety (1/2 day)
- Managing Asbestos (1/2day)
- Managing Legionella (1/2day)

A range of health and safety related courses are also available through the Council's Learning and Development Service: Telephone: 01245 430506, Email: LearnandDev@essex.gov.uk.

Alternatively contact the School Workforce Development Team: Telephone: 01245 436252, Email: teaching@essex.gov.uk

Schools **must** keep a record of any Health & Safety training undertaken by employees.

23. Communication

The Council communicates its health and safety standards and requirements in the following ways:

Schools Infolink: The Infolink is the most important source of health and safety information. The Health and Safety Service regularly updates the site and notifies schools of changes through a news item on the health and safety home page of the Schools Infolink (under Service Areas) and through the SCF – **Education Essex** – weekly news round up. However it is essential to regularly check the Health and Safety pages on Infolink. Headteachers must ensure that the health and safety pages are regularly

checked for updates. The quickest way to find information is to use the Health and Safety *A to Z Managing Risks*

Standards: The Council's standards on health and safety are detailed on the health and safety pages of the Schools Infolink. They can be accessed via the *A to Z Managing Risks* pages, as detailed above.

Getting Help on Health and Safety: The Council has a range of professionals available to provide competent advice to schools. (See section 10 and Appendix 2).

Headteachers must ensure employees have ready access to information on key people with health and safety responsibilities within the school. This will normally be through displaying a suitable notice (e.g. *The Health and Safety Arrangements Notice* in appendix 1) in a prominent position.

Communication Within Schools: Good health and safety communication systems are essential to ensure everyone knows about the risks associated with their work, what they need to do to protect themselves and others from harm and how they can contribute to a safe school, by raising health and safety concerns. Headteachers and managers must ensure there are effective systems in place to communicate with the employees and pupils under their control.

24. Health and safety consultation

Employees need to be involved in health and safety decisions that affect them and the risk assessment process. Consultation involves not only giving information to employees, but also listening to them and taking account of what employees say before making any health and safety decisions. The law requires that employees must be consulted before implementing changes that may affect their health and safety and with regard to risk assessments that cover their work activities.

Local consultation: Headteachers are responsible for ensuring there are adequate arrangements in place for consulting with employees and/or their representatives. In the main consultation can be achieved through including health and safety on the agenda of team meetings. Team meetings can also be used by employees to discuss any concerns they have about health and safety issues affecting them or the team. Larger schools could also consider setting up their own health and safety or wellbeing groups or committees.

Employees should raise health and safety concerns directly with their manager. They also have the right to raise them with a union appointed safety representative, who can take the matter up on their behalf.

Safety Representatives are employees, appointed by the trade union they belong to, to represent employees on health and safety. They can assist any employee who has a health and safety concern (not just those belonging to their Union). If the school has a union appointed safety representative, their details should be brought to the attention of employees by their inclusion in the Health and Safety arrangements notice (See appendix 1). The Headteacher will also need to comply with the *Safety Representatives Agreement*, which sets out the roles and rights of safety representatives. Information is available on the Health and Safety pages of the Schools Infolink under 'Consultation'.

Schools Safety Committee and Cabinet Risk Management Group: The Council has arrangements in place for consulting with employees on strategic issues. For schools this is through the *Health & Safety Committee for School-based Staff* and the Council's *Cabinet Risk Management Group*.

Full details of the council's consultation arrangements can be found on the Schools Infolink.

25. Health and safety standards

How we do things safely is detailed in health and safety standards on the Health and Safety pages of the Schools Infolink covering a range of activities. It is important that managers and employees follow these standards, as they are the way the Council ensures it is meeting its legal obligations for health and safety. Your contract of employment (Conditions of Service) requires that you co-operate with the Council by complying with its standards for health and safety. Failure to do so can result in disciplinary action. It may also expose the Council and individuals within the school to the risk of prosecution.

Standards are available on the Schools Infolink under Health and Safety A – Z Managing risk.

26. Health and safety risk assessments

Risk Assessment is a legal requirement. Our health and safety standards and generic assessments were prepared following an assessment of the likely risks in the area to which they relate and in general form the basis of most routine risk assessments. However, as generic assessments they have limitations and it is the responsibility of Headteachers and managers to ensure assessments are modified and extended to take account of local circumstances, or produced for activities not covered by Standards.

Managers are responsible for:

- Ensuring controls detailed in standards and generic risk assessments are implemented in their area of control;
- Ensuring that where there are generic risk assessments the 'local assessment' section is completed.
- Ensuring that where there are no standards or generic risk assessments on the School's Infolink, an assessment is undertaken where there are significant risks.
- Ensuring risk assessments have been undertaken relating to hazards to which directly managed staff are exposed (this will include stress risk assessments).
- Ensuring risk assessments are carried out as part of the planning of new projects or initiatives that may have health and safety implications.

27. Health and safety monitoring and auditing

The Council has established the following systems to discharge its responsibility for health and safety monitoring in schools. Data collected through these monitoring systems are also used to inform development and review of health and safety standards.

Audits: The Health & Safety Team is responsible for an auditing programme which will include community and voluntary controlled schools. Following completion of an audit, the school will receive an action plan which the Headteacher must implement. The action plan, detailing action that has been taken to address areas for improvement must be returned to the Health & Safety Team within four months of the audit. Section 29 of this Policy details the action that will be taken if schools fail to

respond appropriately. Data will be collected from audits and used as a basis for a statistical report to the Schools Children and Families Directorate Leadership Team.

Internal Monitoring: Schools are required to complete electronic internal monitoring checklists, to confirm compliance with the Council's health and safety standards. This will usually be on an annual basis. Schools will be notified through the Health & Safety pages on the School's Infolink and the Education Essex Newsletter. The system will provide schools with an action plan, which they will need to implement. Data collected will also be used as a basis for a statistical report to the Schools Children and Families Directorate Leadership Team.

Health and Safety Incident Investigation: The Health & Safety Team monitors incident report forms submitted by schools. Where necessary they may seek further information from the school or carry out an investigation. Statistical data on trends is regularly reported to the Schools Children and Families Directorate Leadership Team.

School Based Monitoring: Headteachers are also required to ensure they have systems in place for monitoring health and safety. This will include:

- Termly inspections of the premises
- Monitoring of contractor operations under their control
- Routine checks on equipment and electrical, gas, mechanical and other services;
- Reporting and investigation of health and safety incidents;
- Systems for reporting hazards and safety concerns.

Further details and checklists to assist with monitoring are available on the Schools Infolink.

28. Health and safety performance reporting and review

Headteachers and governing bodies must review the health and safety performance of the school regularly. To facilitate this Headteachers must report on health and safety performance to their Governing body at least annually. The report should provide information on action taken in response to outcomes of:

- School health and safety inspections, including asbestos and legionella, monitoring checks and incident investigations;
- Health and safety audits, internal monitoring and investigations carried out by the Council and action taken by the school to address areas for improvement.
- Health and safety investigations and inspections carried out by enforcing bodies (e.g. HSE, Fire and Rescue Service, Environmental Health).
- Any surveys carried out by the school, which provides data that relates to employee health, safety and wellbeing (e.g. Outcomes from the Work-Life Support Wellbeing Programme (see section 13)

29. Consequences of non-compliance with the council's health and safety policies and standards

It is a requirement for all employees to fulfil their responsibilities as outlined in this policy. Where there is a failure to comply with the Policy (including the Council's standards), whether observed in routine activities, active or reactive monitoring or auditing, an appropriate response is required to hold managers and employees to account and remedy the failure. A number of options are available depending on the severity of the circumstances:

- As part of the normal line management process
- Through performance reviews
- For serious breaches, through disciplinary action. If sufficiently serious, this could include dismissal for gross misconduct.

30. Failure of Headteachers to comply with statutory requirements and to implement the council's health and safety standards

It is necessary for the Council to have procedures in place, to ensure that all employees and managers in schools fulfil their legal responsibilities, so that the Council is able to meet its legal health and safety obligations as the employer. A failure to manage health and safety could lead to enforcement action by the Health and Safety Executive.

Specialists within the SC&F Directorate and the Council's competent health and safety advisers are expected to make reasonable efforts to secure information, co-operation or compliance with health and safety legislation, so as to prevent enforcement action against Council.

- Where a Headteacher fails to co-operate, and this puts employees and pupils at risk of harm or the Council at risk of prosecution, the issue will be passed in writing to the Schools, Children and Families (SCF) Health and Safety Champion. All documents, including details of telephone or verbal conversations with the Headteacher will be provided as evidence that reasonable steps have been taken to secure compliance.
- The SCF Health and Safety Champion will then directly intervene, either verbally or in writing, to establish a timescale in which the Headteacher will comply with the County Council's requirements.
- Where a Headteacher continues to fail to co-operate with the Council, the SCF Health and Safety Champion will raise the issue with the Chair of Governors. The governing body will be expected to direct the Headteacher to take appropriate action and, if non-compliance continues, disciplinary procedures will ensue. For serious breaches this could result in dismissal for misconduct or gross misconduct.
- In the event of further non-compliance, the SC&F Health and Safety Champion will refer the matter to the SCF Directorate Leadership Team for consideration of further action.
- In the event of further non-compliance, the matter may be referred to the Chief Executive.
- The Council, as employer under the *Schools Standards and Framework Act 1998* has the authority to recoup costs from school budgets where it is forced to undertake additional work in schools in order to meet legal requirements. This will be done only when the Council has made all reasonable efforts to achieve compliance.

- Ultimately, compliance would be enforceable through the courts. Substantial or persistent non-compliance with the policy requirements is grounds for suspending delegation, subject to the governing body's right of appeal.

31. Review and revision

This Health, Safety and Wellbeing Policy will be reviewed annually and revised as necessary in the light of changes in circumstances and/or legislative requirements.

If you have any queries or comments on the policy, please contact The Health & Safety Team.
Telephone: 03330 139818, Email: HS@essex.gov.uk

32. Equality statement

The governors and staff are committed to providing the full range of opportunities for all pupils regardless of gender, disability, and ethnicity, social, cultural or religious background. All pupils have access to the curriculum and the right to a learning environment which dispels ignorance, prejudice or stereotyping.

Appendix 1: Health and Safety Arrangements Notice

All schools must display their health and safety arrangements in an area easily accessible by all staff. The notice identifies employees with specific health and safety responsibilities and the location of key health and safety documents (policies and standards).

The following template is provided as an example; however it can be adapted to suit the school's needs. For larger schools (e.g. secondary schools or those based in several buildings, it may be necessary to have a number of notices around the school site.)

Fire and first aid arrangements can be displayed on separate safety notices.

Further information on H & S responsibilities can be found on the schools H & S infolink.

HEALTH AND SAFETY ARRANGEMENTS

School Name	
Headteacher who has overall responsibility for health and safety at the establishment.	
School Health and Safety Coordinator	
Educational visits co-ordinator	
Trade Union Health and Safety Representative	
Manager with responsibility for health and safety in the department (e.g. Head of Department)	
Report health and safety incidents to:	
Report hazards to:	
Person(s) responsible for undertaking H&S inspections:	
Person responsible for co-ordinating fire evacuation arrangements:	
Fire marshals:	
Fire assembly point(s):	
Day and time of weekly fire alarm tests	
First aiders / appointed persons:	
Designated VDU Assessor(s):	
ECC Counselling Service (Confidential)	Tel: 01245 434225
Where to find:	Location:
Incident / Accident report forms	Schools Info link – Report online
Hazard book	
Health and Safety Standards and Information relevant to school / curriculum area	
Location of ECC health and safety information:	All standards can be found on the schools Infolink, under <i>service areas – health and safety</i>
Password for secure area of Infolink held by:	

Appendix 2: How employees raise a health & safety concern

