

Health, Safety and Wellbeing Policy for Schools

September 2008

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	Page
1. Foreword for Head Teachers and Chairs of Governors	4
2. Responsibilities of the Local Authority	5
3. Responsibilities for School Based Employees (including PRUs & ISS)	6
4. All employees	7
5. All managers and supervisors	8
6. Head Teacher	9
7. School Health and Safety Co-ordinator	10
8. Educational Visits Co-ordinator	11
9. Responsibilities of Governing Bodies	12
10. Competent Health and Safety Advice and Support to Schools	13
11. Schools Children and Families (SCF) Safety Co-ordinator for Schools	13
12. Health and Safety Advisory Service	14
13. Occupational Health Advice	14
14. Educational Visits Adviser	15
15. Early Years and School Improvement	15
16. Catering	15
17. Health Protection	16
18. Premises Management	16
19. General Arrangements for Health and Safety (Our Standards)	17
20. Local Arrangements within Schools	17
21. Health and Safety Competence and Capability	18
22. Communication	19
23. Health and Safety Consultation	19

24. Health and Safety Standards (Status)	20
25. Health and Safety Risk Assessments	20
26. Health and Safety Monitoring and Auditing	20
27. Health and Safety Performance Reporting and Review	21
28. Consequences of Non Compliance with the Council's Health and Safety Policies and Standards	22
29. Failure of Head Teachers to Comply with Statutory Requirements and to Implement the Council's Health and Safety Standards	22
30. Review and Revision	23
Appendices	
Appendix 1: Health and Safety Responsibilities: Your Questions Answered	24
Appendix 2: Health and Safety Arrangements Notice	27
Appendix 3: Getting Help on Health and Safety	29
Appendix 4: How to Raise a Health and Safety Concern	30

Health, Safety and Wellbeing Policy for Schools

1. Foreword for Head Teachers and Chairs of Governors

Essex County Council is committed to delivering the best quality of life to the people of Essex. Our schools play 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 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 look after their own safety.

Our Health and Safety priorities are as follows:

- Lead by example in contributing to a healthier Essex, by making Essex County Council (and its schools) a Healthier Workplace;
- Reduce sickness absence due to accidents and work-related ill health and promote 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 that all our schools and their governing bodies will support the above priorities and integrate them within their own school policies and plans. Safety 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 integrated 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 the County Council and/or individual employees. Failure to comply with the council's health and safety standards could also result in disciplinary action.

I am sure that you will continue to do all you can to promote the health, safety and wellbeing of all staff, pupils and visitors to your school.

Graham Tombs

Executive Director for Schools, Children and Families

Date: 1st July 2008

Policy review date: Annual

2. Responsibilities of the Local Authority

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

- Providing schools with health and safety standards and guidance (see section 18) 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 26 for details of our monitoring arrangements).

Appendix 1 summarises the Council's overall Health, Safety and Welfare Policy. Further details of the health and safety responsibilities of the Council's Chief Executive, Directors and Managers can be found in the following publications on the schools Infolink:

- Strategic Health, Safety and Welfare Policy
- Schools, Children and Families Health, Safety and Welfare Policy

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 (including PRUs & ISS)

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 **Head Teacher** has the responsibilities detailed in section 6
- Where the Head Teacher appoints a health and safety co-ordinator his/her responsibilities are give 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

The Council's standards on each of these areas are briefly summarised in section 19

Full details are available on the Schools Infolink.

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 Council and school, 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 by the County Council, their Head Teacher or Line Manager.

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 Council's and school'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 teaching 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 Welfare 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 the Health, Safety and Wellbeing Policy for Schools is implemented in their area of responsibility.
- Ensuring managers 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 21)

5. Planning and Implementation

- Ensuring relevant health and safety standards, including the Council's Health and Safety Standards and Codes of Practice, 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 25).
- Undertaking risk assessments relating to hazards to which directly managed staff are exposed (this will 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, Head Teacher or the Council's Health and Safety Advisory Service (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. Head Teacher

1. Control

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

2. 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 equal importance to service delivery.
- 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.

3. Communication

- Ensuring appropriate arrangements are in place for communication of health and safety to all employees, agency workers, contractors, visitors, volunteers and pupils.
- Ensuring that health and safety standards accessed via the schools Infolink are made available to relevant employees.

4. Competence and Capability

- Ensuring that all employees are competent and have the capability to carry out their role/function.

5. 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.

6. 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.
- Regularly (at least annually) reporting school health and safety performance to the Governing Body.

7. Premises management

- Management of premises related health and risks to employees and other premises users or visitors. 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 site manager or co-ordinator, or a competent property consultant.

7. School Health and Safety Co-ordinator

For larger schools it is recommended that Head Teachers appoint a senior member of staff to co-ordinate and monitor health and safety policy implementation. 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 school employees.

The Co-ordinator is responsible for:

1. Control

- Establishing arrangements for the effective co-ordination of health and safety throughout the School.
- Supporting the head teacher in co-ordinating the development, review and revision of the School's health and safety standards.

2. Co-operation

- Setting up arrangements for consulting with employees on health and safety (e.g. through health and safety committee meetings or team meetings).

3. Communication

- Setting up arrangements for the effective communication of health and safety 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 Head Teacher / school senior management team is kept informed of health and safety issues by including them on the agenda of management group meetings.

4. Competence

- Co-ordinate the identification of health and safety training and development needs, to meet the requirements of the Council's and school's Policies, Standards and Codes of Practice.
- Ensuring that records of health and safety training and development are maintained by the school

5. 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

6. Monitoring

- Co-ordinating arrangements for monitoring of health and safety standards within the school.

7. Premises Management

- Management of premises related health and risks to employees and other premises users or visitors. Complying with responsibilities allocated in the Council's Health and Safety standards covering premises management.

8. Responsibilities of School Educational Visits Co-ordinator

Schools that carry out educational visits must appoint a senior manager as an Educational Visits Co-ordinator (EVC). (Smaller schools must have access to an EVC).

The EVC is responsible for:

1. Control

- Support the head and governors with visits approval and other decisions.

2. Competence and Capability

- Assign competent people to lead or otherwise supervise a visit.
- Assess the competence of leaders and other adults proposed for a visit. This will commonly be done with reference to accreditations from an awarding body. It may include practical observation or verification of experience.
- Organise the training of leaders and other adults going on a visit. This will commonly involve training such as visit planning, risk management, safeguarding as well as identifying and organising specific training e.g. first aid.
- Organise thorough induction of leaders and other adults taking pupils on a specific visit. This includes holding a list of checked volunteers.
- Make sure that Criminal Records Bureau disclosures are in place as necessary.
- Maintain their own competence through attendance on EVC training and refresher training (every 3 years).
- Ensuring thorough understanding of the roles and responsibilities of the Council's Educational Visits Adviser, Governors, Head Teachers, EVCs, visit leaders, employees and volunteers in relation to educational visits and the school's educational visits policy.

3. Planning and Implementation

- Work with the group leader to obtain the consent or refusal of parents and to provide full details of the visit beforehand so that parents can consent or refuse consent on a fully informed basis;
- Check the organisation (e.g. preparation, roles, providers, activity, travel) as well as the risk management of each school visit
- Organise the emergency arrangements and ensure there is an emergency contact for each visit.

4. Monitoring and Review

- Monitor all aspects of the planning of visits to ensure they meet the Council's requirements*
- Submit electronically residential, overseas and adventurous visits to the County Educational Visits Adviser for approval before the project is financially committed
- Keep records of individual visits, including reports of health and safety incidents.
- Review systems and, on occasion, monitor practice.

*Further details about the Council's requirements for educational visits are available at <https://educationalvisits.essexcc.gov.uk>. tel 01245 430942 or email educational.visits@essex.gov.uk

9. Responsibilities of Governing Bodies

1. Control

Governors have legal health and safety responsibilities as controllers of the 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 welfare 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.

2. Competence and Capability

- Ensure that the policies and procedures for recruitment, induction, staff development, performance management and capability used by their school address the areas covered by the Council's health and safety standards for competence and capability and, as a minimum, achieve the same standards as the Council's HR Policies and Procedures.
- Ensure liaison with School Improvement Advisers and School Improvement Partners appointed to assist in the performance management of Head Teachers, to clarify the Council's standards relating to health, safety and wellbeing.
- Ensure that the Head Teacher has an appropriate workload, in support of a reasonable work/life balance, having regard to his/her health and welfare.
- Have regard to their own competence and capability before offering advice or undertaking work that may affect the health and safety of school activities

3. 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).

4. Monitoring

- Play an active part in monitoring health and safety standards in the school, by requiring Head Teachers 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)).

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 advisory service. Schools have been delegated resources to fund appointment of other specialist advisers

11. Schools Children and Families (SCF) Health and Safety Co-ordinator for Schools.

The SCF School Workforce Remodelling Adviser has been appointed as Health and Safety Co-ordinator for the 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:

1. Control

- Liaising with:
 - o Schools, Children and Families Safety Co-ordinator
 - o Health and Safety Advisory Service
 - o 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 and Safety Policies and standards.

2. 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

3. 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 Executive Director / SCF Directorate Leadership Team are kept informed of school related health and safety issues.

4. 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.

5. Planning and Implementation

- Drawing attention to the Directorate Health and Safety Co-ordinator, or appropriate senior manager to take into account health and safety issues when new working practices are planned and developed via the Workforce Planning & Development Strategy Group.
- Contributing to the development of the Directorate's Health, Safety and Wellbeing Action Plan.

6. Monitoring

- Contribute to the preparation of an annual report on the health and safety performance of the Directorate, measured against the Strategic Policy objectives and the Directorate's Health, Safety and Welfare Action plan.
- Advising the Executive Director of the measures needed to implement recommendations arising out of internal monitoring and health and safety audits of schools.

12. Health and Safety Advisory 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 and Safety Advisory Service:

- Supports head teachers 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 a health and safety site on the Schools Infolink and 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 performance on behalf of the Council, through a programme of audits, internal monitoring and reviewing health and safety incidents.

13. Occupational Health Advice

Head teachers 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. (This service is funded by the Schools, Children and Families Directorate).

Tel 01245 434225

E-mail counselling@essex.gov.uk

Wellbeing

- The Schools, Children and Families Directorate is working with Work-Life Support to assist them in discharging their responsibilities for the health and wellbeing of school based employees. The Work –Life Support Wellbeing programme supports schools meeting their statutory requirement to carry out stress risk assessments. To sign up to 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.

<https://educationalvisits.essexcc.gov.uk>

Tel 01245 430942

educationalvisits@essex.gov.uk

15. Early Years and School Improvement Service

Provide specialist advice and training on areas of the curriculum relating to health and safety. Contact the appropriate advisor for subject area via County Hall.

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 food hygiene certificates is available via the School Meals Help line on 01206 273863 or e-mail jason.walmsey@essex.gov.uk.

17. Health Protection

The Essex Health Protection Unit www.hpa.org.uk/essex gives advice on communicable diseases and infection control. In the first instance their guidance on Communicable Diseases in Schools or contact the school nurse at you local NHS clinic.
Tel: 0845 1550069 or e-mail EHPTInfo@essexhpa.nhs.uk

18. 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 strongly advised to use property consultants to provide professional advice in connection with all maintenance and building work.

Whilst the Council provides support to schools on general property issues and compliance with it's standards, this does not replace the role of a property consultant, who will also give specialist advice on the following:

- Management of day-to-day repairs.
- Statutory and best practice 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.

ECC Property Advice

The Council provides support to schools on general property issues and compliance with it's premises related standards (e.g. asbestos, legionella, fire). Further information and contact details can be found on the health and safety pages of the schools Infolink or the Property Handbook.

19. 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 *A to Z Managing Risks*, by selecting the appropriate letter. (NB health and safety standards are kept on a secure part of the intranet, so schools will need a password to access them).

A brief summary of arrangements for managing health and safety is given below:

20. 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 assessment for:
 - Stress
 - Use of computers (VDUs)
 - Violence
 - Lone working
 - Manual handling
 - educational visits
 - One off events and projects
- 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 vetting and monitoring) contractors
- Monitoring compliance with and reviewing effectiveness of health and safety standards

21. 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 Council's Standards for Health and Safety Competence and Capability (available on the Schools Infolink) It specifies the competence requirements for certain key job roles and covers requirements for:

- 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).

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

Reference should be made to Head teacher, 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, head teachers 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 Health and Safety Advisory Service organises the following health and safety courses:

- Managing Health and Safety (1 day)
- Stress Risk Assessment (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: healthandsafety.staffdevelopment@essexcc.gov.uk.

Alternatively contact the School Workforce Development Team: Telephone: 01245 436144, Email: HLTAAdmin01@essex.gov.uk

22. 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 Advisory Service (HSAS) 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). Head Teachers must ensure that the health and safety pages are regularly checked for updates. The quickest way to find information is to use the *A to Z Managing Risks*

Health and Safety Bulletins: Changes in legislation and best practice, and major changes to the intranet site are notified through *Health and Safety Bulletins* posted on the School's Info-link.

Standards and Codes of Practice: The Council's standards on health and safety are detailed in health and safety standards and codes of practice. They can be accessed via the *A to Z Managing Risks* pages of the Schools Infolink.

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 3).

Head teachers 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 2) 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. Head teachers and managers must ensure there are effective systems in place to communicate with the employees and pupils under their control. Guidance on good practice in health and safety communication can be found on the schools Infolink.

23. 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: Head Teachers 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 2). The Head Teacher will also need to comply with the *Safety Representatives Agreement*, which sets out the roles and rights of safety representatives. It is available on the Schools Infolink.

Schools Safety Committee and Central Safety Advisory Panel: 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 *Central Safety Advisory Panel*. Minutes of these meetings are posted on the Schools Infolink.

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

24. Health and Safety Standards (Status)

How we do things safely is detailed in health and safety standards (including codes of practice and bulletins) 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, or individuals within the school to the risk of prosecution.

Standards and codes of practice are available on the Schools Infolink.

25. Health and Safety Risk Assessments

Risk Assessment is a legal requirement. Our health and safety standards 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 Head teachers and managers to ensure assessments are modified and extended to take account of local circumstances, or produced for activities not covered by Standards or Codes of Practice.

Managers are responsible for:

- Ensuring controls detailed in codes of practice and generic risk assessments are implemented in their area of control;
- ensuring specific risk assessments are undertaken (e.g: VDU, Stress, Manual Handling) in their area of control;
- Undertaking risk assessments 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.

Further guidance on risk assessment can be found on the schools Infolink.

26. 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 and Safety Advisory Service 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 Head Teacher must implement. The action plan, detailing action that has been taken to address areas for improvement must be returned to the Health and Safety Advisory Service 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, wherever possible, to confirm compliance with the Council's health and safety standards. This will usually be on an annual basis. Schools will be notified through a news item on the schools Infolink. 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. The report will also be posted on the Health and Safety Performance Reporting page of the Schools Infolink.

Health and Safety Incident Investigation: The Health and Safety Advisory Service 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. An annual report highlighting trends in incident reporting will also be posted on the Health and Safety Performance Reporting page of the Schools Infolink.

School Based Monitoring: Head Teachers 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.

27. Health and Safety Performance Reporting and Review

Head Teachers and governing bodies must review the health and safety performance of the school regularly. To facilitate this Head Teachers must report on health and safety performance to their Governing body at least annually. Report 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)

28. 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 and codes of practice), 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.

The Council's health and safety competence and capability standards on the Schools Infolink includes a section on *Action When Failure to Perform on Health and Safety* which should be referred to for further guidance on managing poor health and safety performance.

29. Failure of Head Teachers 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 in 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 head teacher fails to co-operate, and this puts the Council at risk of prosecution, or employees and pupils at risk of harm, the issue will be passed in writing to the Schools, Children and Families (SCF) Health and Safety Co-ordinator. All documents, including details of telephone or verbal conversations with the Head Teacher will be provided as evidence that reasonable steps have been taken to secure compliance.
- The SCF Health and Safety Co-ordinator will then directly intervene, either verbally or in writing, to establish a timescale in which the Head Teacher will comply with the County Council's requirements.
- Where a Head Teacher continues to fail to co-operate with the Council, the SCF Health and Safety Co-ordinator will raise the issue with the Chair of Governors. The governing body will be expected to direct the Head Teacher 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 Co-ordinator will refer the matter to the SCF Senior Management 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.

30. 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 and Safety Advisory Service.

Appendix 1: Health and Safety Responsibilities: Your Questions Answered

(NB This is also available as a stand alone document on the schools Infolink).

This guidance briefly outlines who has responsibilities for health and safety at Essex County Council and what those responsibilities are. It is important that you take the time to read this, so that you know what your responsibilities are and where to get the information you need to help you meet them.

Who is Responsible for Health and Safety?

Everyone has responsibilities for health and safety. The extent of your health and safety responsibilities will depend on your role. By meeting your responsibilities and following safe working practices you will also be ensuring that you are meeting your legal responsibilities for health and safety and helping the Council to meet it's legal responsibilities.



Health and safety responsibilities are detailed in the Council's Health, Safety and Welfare Policies. Your Directorate's or school's Health, Safety and Welfare Policy will give full details of your responsibilities. The following is an outline of the responsibilities we all have.

As an **employee** you are responsible for:

- Looking after your own safety and the safety of others affected by your work;
- Following safe working practices and carrying out your health and safety responsibilities as detailed in the Council's Health and Safety Policies, Codes of Practice and Standards;
- Reporting hazards, safety concerns, accidents, work related ill health or any incident that could have lead to someone being harmed;
- Taking part in health and safety training and development when required;
- Identifying hazards and risks for any projects or activities you are responsible for organising and ensuring they are controlled.

If you are a **Manager or Supervisor** you are responsible for the health and safety of your employees and for work areas and activities within your area of control. You must ensure that safe working practices are followed and that any activity you have control of is carried out safely and by competent employees. You must also ensure that risk assessments are carried out, taking account of local circumstances and the needs of individual employees. Certain managers (e.g. premises managers) will have more detailed duties. These will be specified in your Directorate's Health, Safety and Welfare Policy and Health and Safety Standards and Codes of Practice.

There are a number of other people who have specific roles and responsibilities for health and safety. They include:

Health and Safety Co-ordinators: Each Directorate has a health and safety co-ordinator and some may have additional co-ordinators for certain Services or premises. Co-ordinators assist the Director or Premises Manager. They act as a communication link on health and safety and co-ordinate the activities of other managers to ensure that health and

safety codes of practice are developed and kept up to date, and that safety standards are being monitored.

The **Health and Safety Advisory Service** is a team of professional health and safety advisers who provide guidance and support to managers on health and safety, including ensuring they are kept up to date with new health and safety requirements. They also carry out regular audits and monitoring to check that the appropriate health and safety standards are being met.

The **Strategic Health and Safety Adviser** supports the Council's senior managers on strategic health and safety issues.

The **Occupational Health Unit** provides advice to managers and employees on all aspects of health in relation to work, with the aim of enabling employees to remain healthy at work.

Safety Representatives are appointed by trade unions to represent employees on health and safety. They can assist any employee who has a health and safety concern (you do not need to be a member of the union). Groups of employees who are not represented by safety representatives can elect an "employee representative" to represent them.

The Council has a *Strategic Health, Safety and Wellbeing Policy*, on the schools infolink which sets out the strategic responsibilities of the Council's leaders and the full responsibilities of those with a role in supporting or co-ordinating health and safety at Essex County Council.

What can I do to help make Essex County Council a safer place?

We all have a part to play in contributing to making Essex County Council a safe and healthy place to work. Through caring for the health and safety of colleagues and customers and meeting our individual responsibilities for health and safety, we can all demonstrate that we support the Council's values and are contributing to making Essex County Council a great organisation.

Make sure that you know and are meeting your responsibilities for health and safety. Ensure that you are following procedures for safe working in your area of work. If you don't understand what you need to do or feel you need further training and development, speak to your line manager.

If you are a manager make sure that you consider the health and safety implications of any new activities you are planning and involve employees when deciding on safety measures. Make sure you have provided your employees with the information, training and equipment they need to do their work safely.

If you identify a health and safety concern or hazard, take action to remedy it (if it is in your control) or tell your line manager.

How do I know what I need to do to work safely?

How we do things safely is detailed in health and safety Codes of Practice and Standards covering a range of activities. In addition there may also be local risk assessments and safe working procedures.

Below you will find details of where to find further health and safety information, including the Health and Safety Codes and Standards relevant to your work.

How do the Council's Health and Safety Policies relate to the Council's plans and priorities?

Our Health and Safety Policies help us to focus our plans and activities to where they are most needed. We also ensure our Policies meet the needs of the Council's Corporate Plan and strategic objectives. A key Council Priority is "A Healthier Essex." We want to lead by example, by making Essex County Council a Healthier Workplace. This links to the **Essex Works** vision of a better quality of life. We want to do what we can to ensure our employees are fit and healthy, so that they have a good quality of life, and we want to minimise the costs of accidents and ill health, so that resources can be directed to the delivery of Services to the people of Essex. Health and Safety Plans have been developed to help us achieve these aims. You can find out more about our health and safety plans on the health and safety pages of the intranet or Schools Info-link.

How do I get further information on health and safety?

Your line manager will show you how to access the safety policies and codes of practice relevant to your work. A *Health and Safety Arrangements* notice displayed in your workplace will give contact details of others who can provide further help, including your school safety coordinator and union appointed or employee health and safety representative

For further information, look at the health and safety pages of the Schools info-link service areas – *health and safety*.

The best way to search for information is to use the *A to Z Managing Risks*.

You can also contact the Health and Safety Advisory Service.

Appendix 2: Health and Safety Arrangements Notice

All schools must display their health and safety arrangements, identifying employees with specific health and safety responsibilities and the location of key health and safety documents (policies, standards, codes of practice).

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 produce versions.

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

HEALTH AND SAFETY ARRANGEMENTS

INSERT SCHOOL NAME & DEPARTMENT

Manager with overall responsibility for health and safety at the establishment (e.g. head teacher)	
School Health and Safety Coordinator	
Educational visits co-ordinator	
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 (Free & confidential)	Tel: 01245 4342225
Where to find:	Location:
Incident / Accident report forms	
Hazard book	
Health and Safety Standards and Information relevant to school / curriculum area	
Location of ECC health and safety information:	All standards and codes of practice can be found on the schools Infolink, under <i>service areas – health and safety</i>
Password for secure area of Infolink held by:	

Appendix 3: Getting help on health and safety

List of key external contacts that can provide the school with advice on a range of health and safety related issues.

This can be downloaded from the schools Infolink – [A - Z Managing Risks](#) - (P for policy)

(NB It is recommended that a copy of this is displayed in the schools main administrative area for ready access).

Appendix 4: How to raise a health & safety concern

