Health and Safety for Governors
A presentation by
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CHILDREN’S & ADULTS’ SERVICES
Aims and discussion

• Why manage Health and Safety?
• The Law
• Risk – It could only happen in America!
• What is sensible H&S?
• The role of the school leaders
• Where to start
• Available resources – EGfL!
Why Manage H&S?

- Moral
- Financial
- Legal
Definition of Health and Safety

- Health and Safety is a condition free from risk of injury or threat to our health and well being.
- It is an objective to be achieved, not a natural state of affairs.

Section 2(1) of the Act makes it the duty of every employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all his employees.
Health and Safety at Work etc. Act 1974

- Duties of an employer
  - Provide & Maintain Safe Systems, Plant & Equipment
  - Safe Arrangements for the Use, Handling, Storage & Transport of Articles & Substances
  - Information, instruction training and supervision
  - Maintain the workplace in a safe condition
  - Ensure a safe & healthy environment with adequate welfare facilities
What does health and safety legislation cover?

- Health and safety law applies to work activities carried out by the school, including off-site activities such as school trips. The law applies to risks to staff, pupils and visitors created by those work activities. The law also applies to the work of contractors in the school.

- Health and safety risks in schools typically include on site transport movements, falls from height, slips and trips, stress management, work related violence, asbestos management, legionella, construction and maintenance activities and manual handling.
What is not covered by health and safety legislation?

Schools have to manage many other child protection, public safety and public health issues that are not regulated by occupational health and safety law. This can lead to confusion about ‘health and safety’ requirements.
What is not covered by health and safety legislation?

• Some examples of where other authorities have responsibility include:
  • Promoting the welfare and wellbeing of pupils
  • Communicable diseases
  • Behaviour and discipline of pupils
  • Criminal record checks
  • Food hygiene
  • Driving/ licensing of school minibus drivers
  • Use of seat belts on buses
  • Waste and pollution control
Health and Safety at Work etc. Act 1974

- Management of Health & Safety at Work Regulations 1999
- Health & Safety (First Aid) Regulations 1981
- Provision and use of Work Equipment Regulations 1998
- The Workplace (Health, Safety and Welfare) Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- Control of Substances Hazardous to Health Regulations 2002
- Electricity at Work Regulations 1989
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

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Health and Safety at Work etc. Act 1974

Lifting Operation and Lifting Equipment Regulations 1998

Manual Handling Operations Regulations 1992

Control of Asbestos Regulations 2012

Display Screen Equipment) Regulations 1992

Regulatory Reform (Fire Safety) Order 2005

Working at Height Regulations 2005

Construction (Design and Management) Regulations 2007

Control of Vibration at Work Regulations 2005

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Is it really health and safety?

Health and safety is sometimes used as an excuse to justify not allowing some school activities to go ahead when in fact health and safety legislation does not apply.
Health and safety arrangements in schools need to be proportionate and appropriate to the risks involved:

• Primary schools and ‘traditional’ classrooms in secondary and sixth form colleges are typically lower risk environments, and you will probably already be doing enough. The classroom checklist, which is not mandatory, provides a useful prompt for these types of classroom.

• Risks may increase in Design and Technology workshops, science laboratories, art studios, textiles, drama, and PE.

• Some of the higher risks to manage include vehicle and pedestrian movements on site, refurbishment and construction work, and adventure activities.
Sensible Health & Safety

- Health and safety is often used as an excuse to stop activities or disguise unpopular decisions - giving rise to myths and misunderstandings. Some simply use it as a catch-all phrase when they actually mean something quite different.

- Health and safety at work legislation is about reducing death, serious injury and ill health in workplaces. It is about taking the necessary action to reduce significant risks arising from work - it is not about banning activities.
Myth: Children are banned from throwing snowballs
The reality:

If we spend time on the trivial risks there's a chance we'll miss the most important ones. We need to focus on finding ways for things to happen, not reasons to stop them - a sensible approach to managing risk focuses on practical action to tackle risks that cause real harm and suffering.
The reality:

Health and safety law is often used as an excuse to stop children taking part in exciting activities, but well-managed risk is good for them. It engages their imagination, helps them learn and even teaches them to manage risks for themselves in the future. They won't understand about risk if they're wrapped in cotton wool.
Risk itself won't damage children, but ill-managed and overprotective actions could!
The role of school leaders

Key roles for:

• The employer
• The governing body
• The head teacher
• Other school leaders
• Member of staff
The role of school leaders

What you need to do

Take reasonable steps to make sure that the school is following the employer's policy and procedures e.g. through regular discussion at governance meetings.

Ensure staff receive adequate training to enable them to carry out their responsibilities.

Promote a sensible approach to health and safety, making use of competent health and safety advice when required.

Work in close partnership with the head teacher and senior management team to support sensible health and safety management and to challenge as appropriate.
The role of school leaders

Key message

The governing body have a key part to play in tackling risk aversion, helping to provide a wider sense of perspective and helping the school to get the balance right on managing risk.
Sensible management test

When we have sensible health and safety management:

• the school leadership team understand the safety policy and apply it practically to the real risks in the school
• key staff have clearly established roles and responsibilities
• paperwork is kept to a minimum with the significant hazards identified, their risks adequately controlled and precautions clearly documented where needed
• school leaders consult with staff including employee / trade union safety representatives – looking for practical solutions to health and safety issues
• learning is enabled by making proportionate decisions
"foreseeable hazards" rather than "fantastic possibilities"
Risk

The **risk** is the chance, high or low, that somebody could be harmed by these and other hazards, together with an indication of how serious the harm could be.
Risk Assessment

Don’t overcomplicate the process.
Remember...

- Some workers have particular requirements.
- Extra thought will be needed for some hazards.
- Members of the public.
- If you share your workplace
Health and Safety Culture!

- mutual trust
- shared perceptions
- patterns of behaviour
- health & safety management style
H&S Responsibilities

**Governor**

- Appoint H&S Governor
- Familiar with LA and School H&S policy
- Ensure policy arrangements are in place and enforced
- Monitor and review (policy, risk assessments and controls)
Where to look

- LA H&S Policy
- School H&S Policy
- Risk Assessments
- Safe systems of work
- Accident forms
- Condition survey
- Audit assistance surveys
- Civil claims history
- Training records
- Inspection / audit records (HSE or OfSTED)
Premises Management

- Asbestos register
- Legionella risk assessment
- Fire risk assessment
- Alarms and emergency lighting
- Educational visits
- Training
- Accident forms
Resources Available to Your School

• Steve
• H&S Training courses through CPD Online
• Corporate Health and Safety Courses
• Codes of Practice, Risk Assessment forms and guidance
• DFE guidance e.g Educational Visits, Special Needs
• HSE Documents (hard copy and website)
• EGfL
• EC Harris LLP
For further information contact

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Thank you