

HEALTH & SAFETY POLICY 2017-2018

INTRODUCTION

The **Department for Education issued a document in Feb 2014 entitled:**

Health and safety: advice on legal duties and powers

For local authorities, school leaders, school staff and governing bodies

Extracts from this document are as follows:-

“The Government is determined to reduce the burdens on schools. We want to simplify health and safety requirements and explain them better..... This document summarises the existing health and safety law relevant to schools and explains how it affects local authorities, governing bodies, head teachers and other school staff. It covers activities that take place on or off school premises, including school trips..... This advice document replaces a number of guidance documents on health, safety and security in schools, including Health and Safety: Responsibilities and Powers (2001) and Health and Safety of Pupils on Educational Visits (HASPEV 1998).

Independent schools – Please note that the amended Independent School Standards Regulations 2010, which came into effect from 1 January 2013, no longer require proprietors to have regard to specific guidance. However, schools may find it useful to refer to this health and safety advice.

Key Points

General

Children should be able to experience a wide range of activities. Health and safety measures should help them to do this safely, not stop them.

It is important that children learn to understand and manage the risks that are a normal part of life.

Common sense should be used in assessing and managing the risks of any activity. Health and safety procedures should always be proportionate to the risks of an activity.

Staff should be given the training they need so they can keep themselves and children safe and manage risks effectively.

The Law

The main legislation covering this area is the Health and Safety at Work etc. Act 1974 and regulations made under the Act, in particular, the Management of Health and Safety at Work Regulations 1999.

The employer is responsible for health and safety, though tasks may be delegated to staff.

Employees also have a duty to look after their own and others' health and safety.

What does assessing and managing risks mean?

Health and safety law requires the employer to assess the risks to the health and safety of staff and others affected by their activities. The term risk assessment and risk management are used to describe the process of thinking about the risks of any activity and the steps taken to counter them. Sensible management of risk does not mean that a separate written risk assessment is required for every activity.

School employers should always take a common sense and proportionate approach remembering that in schools risk assessment and risk management are tools to enable children to undertake activities safely, and not prevent activities from taking place. Sensible risk management cannot remove risk altogether but it should avoid needless or unhelpful paperwork.

Duties as an employer

Under the Health and Safety at Work etc. Act 1974, the employer in a school must take reasonable steps to ensure that staff and pupils are not exposed to risks to their health and safety. This applies to activities on or off school premises.

Schools must set out health and safety arrangements in a written health and safety policy.

Duties as an employee

The law requires employees to:

take reasonable care of their own health and safety and that of others who may be affected by what they do at work;

co-operate with their employers on health and safety matters;

do their work in accordance with training and instructions; and

inform the employer of any work situation representing a serious and immediate danger, so that remedial action can be taken.

In addition, teachers and other staff in schools have a common law duty to act as any prudent parent would do when in charge of pupils.”