

Version Control

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The aim of this Policy and Guidance

This document sets out the responsibilities of school-based employees in community and controlled schools, pupil referral units and children's support services for health and safety within their areas of control.

It applies to governors, headteachers, managers and employees.

It does not apply to Academy, Free, Foundation or Voluntary Aided Schools, Centre's, or Referral Units.

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1. Quick reference guide for employees

In a hurry? Here is what you need to know.

- Look after your own safety and the safety of others affected by your work.
- Follow safe working practices and carry out your health and safety responsibilities as detailed in the council's health and safety policies.
- Report to your line manager any hazards you identify and any inadequacies in health and safety procedures.
- Take part in any health and safety training and development identified as necessary by the County Council or your line manager.
- Use work equipment provided correctly, in accordance with instructions, training and Essex County Council health and safety policies.
- Ensure that if organising projects or activities, risks are assessed as part of the planning stage and suitable control measures are implemented.
- Report health and safety incidents including near misses, in accordance with the council's health and safety incident reporting procedure.

2. Quick reference guide for Managers/ Head Teachers/ Governors

In a hurry? Here is what you need to know.

- Ensure there are appropriate and robust arrangements in the school for implementing the Health, Safety and Wellbeing Policy for Schools, and ensure that the Policy and arrangements are effectively communicated and implemented.
- Ensure that systems are in place for consultation with all employees and that Trade Union appointed safety representatives can carry out their functions.
- Ensure they demonstrate health and safety leadership by ensuring health and safety is given no less importance than educational outcomes.
- Ensure that there are appropriate arrangements in place for co-operation and coordination with other users of the school site and that, where necessary joint health and safety arrangements are recorded and agreed.
- Ensure that 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.
- Ensure that health and safety policies available on the schools Infolink are regularly checked and where necessary made available to relevant employees / volunteers / contractors (e.g., sports coaches, PTA members, Governors).
- Ensure that all employees are competent and have the capability to carry out their role/function.
- Ensure that records of health and safety training and development are maintained by the school, as required by law.
- Ensure that the Council's health and safety policies for schools (available via the schools Infolink) are implemented.
- Ensure that 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 policies.
- Ensure that systems are in place for monitoring and reviewing health and safety in the school.
- Ensure that all accidents / incidents are reported and investigated in line with the ECC Incident Reporting Procedure for Schools.
- Ensure they co-operate with any health and safety investigations or monitoring carried out by the Council and that actions arising from them are implemented.
- Ensure that the annual online Health & Safety Internal Monitoring reports (HSIMs) are submitted by the agreed deadlines.
- Ensure that health and safety performance is reported to the Governing Body regularly (at least annually).
- Ensure that responsibilities allocated to them in the Council's Health and Safety policies covering premises management are complied with.
- Ensure that day-to-day premises management tasks are delegated to a member of staff and / or property consultant who is suitably competent. (The Headteacher retains the ultimate responsibility for the management of the premises).
- Ensure that they are the School's named Educational Visits Co-ordinator or they appoint a member of the Schools Senior Management team as the School's EVC (and ensure they are given training and time to undertake the role).

3. Objective

As the employer, Essex County Council has overall accountability for health, safety and wellbeing in Community, Voluntary Controlled Schools, Community Support Service (CSS) Centre's and PRU's. It discharges its responsibilities through:

- Providing schools with health and safety policies and guidance 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 8).
- Monitoring health and safety policies and taking appropriate action to ensure compliance (see section 11 for details of our monitoring arrangements).

The objective of this Policy is to set out the responsibilities of school-based employees, governors and those who provide competent health and safety advice and support to schools.

4. Definitions

4.1. Schools Controlled by the Local Authority

Community School – are schools, controlled by the local authority, which employs the staff, owns the school land and buildings (unless a PFI), and has primary responsibility for admissions.

Voluntary Controlled (V/C) Schools - are almost always church schools, with the land and buildings often owned by a charitable foundation. However, the local authority employs the schools' staff and has primary responsibility for admissions.

4.2. Schools not controlled by the Local Authority

Voluntary Aided (V/A) Schools - linked to a variety of organisations. They can be faith schools (often the Church of England or the Roman Catholic Church), or non-denominational. The charitable foundation contributes towards the capital costs of the school. The governing body employs the staff and has primary responsibility for admissions.

Foundation schools – state-funded school in which the governing body employs the staff and has primary responsibility for admissions.

- All the above (Community, V/C, V/A, Foundation) are:

Maintained Schools – schools funded by central government via the local authority. They do not charge fees to students and all capital and running costs are met by the government.

- In addition to maintained schools there are:

Academies – are schools, run by a governing body / trust board, state funded but

independent of the local council. They can follow a different curriculum.

Free Schools - are newly established schools in England set up by parents, teachers, charities, or businesses, where there is a perceived local need for more schools. They are state funded, are academically non-selective and free to attend.

4.3. Other definitions

PFI Schools – school where the buildings are procured by a Private Finance Initiative where the premises are occupied by but may not be owned or managed by the school.

CSS or PRU's – can be maintained, academy or free school status.

CLT– is the ECC Corporate Leadership Team which consists of the Chief Executive and the Executive Directors.

5. Overview

A health and safety policy sets out your general approach to health and safety. It explains how you, as an employer, will manage health and safety in your school. It should clearly say who does what, when and how. You must share the policy, and any changes to it, with your employees. Your policy should cover the three areas shown below, an example is shown at Appendix A.

- Statement of Intent
- Responsibilities for health & safety
- Arrangements for health & safety

1. Statement of intent

You should state your general policy on health and safety at work, including your commitment to managing health and safety and your aims. As the employer or most senior person in the school, you should sign it and review it regularly. Acknowledge your specific legal compliance duties under the Health and Safety at Work Act 1974. State your commitment to consulting with employees on matters affecting their health and safety. Employer/school will provide adequate financial and physical resources to meet its safety obligations

2. Responsibilities for health and safety

This should list the names, positions and roles of the people in your school who have specific responsibility for health and safety. It should include the responsibilities of the Governing body, the headteacher, the health & safety coordinator, the educational visits coordinator, line managers/ supervisors, employees and contractors. Section 7 provides the information you will need to devise this section of the policy.

3. Arrangements for health and safety

You should provide details of the practical arrangements you have in place, showing how you will achieve your health and safety policy aims. This could include, for example, doing a risk assessment, training employees and using safety signs or equipment, how you will

communicate and consult on health and safety matters and how you will access sources of health and safety advice. More details are provided in sections 9 to 12 of this policy.

6. Responsibilities of ECC Management

This section defines responsibilities within the ECC management structure which are not school based.

6.1. Council Leader and Cabinet Members

The Cabinet is responsible for policy decisions. Other Committees support and / or monitor the work and decisions of the cabinet.

- Decisions taken by the cabinet and individual portfolio holders must comply with health and safety legislation and the County Council's Health and Safety Policies.
- Individual Cabinet Members must take appropriate health and safety advice, where necessary, before making a decision.
- Members and the Corporate Leadership Team (CLT) are responsible for ensuring adequate resources are allocated to enable services to be delivered safely and in accordance with the Council's health and safety policies.
- Assign Health and Safety responsibilities to a member of the Cabinet.

Cabinet Members will receive advice on the health and safety impact of policy decisions from members of the Corporate Leadership Team (CLT) and other senior competent officers.

6.2. Chief Executive

The Chief Executive is the most senior employee responsible for the implementation of the County Council's Health and Safety Policy and has overall accountability for all health, safety, and welfare matters.

The Chief Executive has a responsibility to publish a health & safety policy statement and bring it to the notice of employees. This statement is available on the School's Infolink

(HSP 1.0- ECC Health and Safety Policy Statement).

6.3. Monitoring Officer (Director, Legal and Assurance)

The Monitoring Officer is responsible for:

- Advising the Council of any proposal, decision or omission by the Council, its committees and subcommittees or officers of which the Monitoring Officer is aware would contravene health and safety legislation.
- Ensuring through the line management of the Head of Assurance and Corporate Health and Safety Team, that the Chief Executive / CLT, Corporate Governance Steering Board and Audit Board receive regular information on the Council's performance with respect to health and safety management.

6.4. Corporate Leadership Team (CLT)

Will ensure:

- Health and safety is an integral part of CLT business performance.
- Visible commitment to active health and safety leadership.
- Essex County Council's Health and Safety policy is acknowledged, implemented, and enforced at all levels.
- Adequate financial and human resources are provided for training, work equipment and managing the work environment.
- A CLT member is appointed as Health and Safety Board Champion to ensure health and safety issues are dealt with at Board level.
- The provision of competent advice and assistance in meeting legal health and safety requirements.
- Appropriate communication and consultation with employees on health and safety issues.
- Health and safety objectives and targets are established, implemented, monitored, and reviewed.
- Health and safety management systems, procedures and arrangements are developed, implemented, maintained, and adequately resourced.

To assist CLT with the monitoring of Health and Safety performance it will receive:

- The Annual Health and Safety Report.
- The quarterly Assurance Report.
- Reports on issues escalated from Corporate Health and Safety Board (CHSB), via the Operations Board as and when required.

6.5. Corporate Health and Safety Board

The Essex County Council Corporate Health and Safety Board (CHSB) and Corporate Leadership Team (CLT) accepts its health and safety responsibilities, and in doing so will ensure the effective and proactive management, support, and control of its operations in line with the health and safety policy and legal requirements. The ECC Corporate Health and Safety Board plays a key role in ensuring employees, third parties and contractors are adequately consulted and communicated on matters relating to their health and safety at work.

The CHSB will be chaired by a member of the CLT or Operations Board. The objectives of the Corporate Health and Safety Board shall be:

- To keep under review the measures necessary to ensure the health and safety at work of employees, contractors, visitors, and members of the public and to make recommendations to CLT or Executive Directors for such action as is necessary.
- To ensure that all reasonable steps are taken to promote sound policy and practice to ensure the health, safety and welfare of employees, contractors, visitors, members of the public and other stakeholders.

- To maintain a watching brief on health and safety legislation, key risks, occupational and environmental health arrangements and monitor the implementation of the health and safety policy.
- To receive management information, reports on accidents, incidents, and notifiable diseases - and to consider and propose risk reduction strategies as appropriate.
- To take ownership of the ECC Health and Safety Activity Plan - and support the implementation of key actions, initiatives, and promotions.
- To ensure the necessary management structure, resources, finances, and skills are in place to implement the Health and Safety Policy and the Health and Safety Activity Plan.
- To receive periodic reports from Health and Safety Advisors / Function Champions / Coordinators.
- To promote co-operation and communication between ECC and its employees / contractors in matters relating to health and safety at work and to assist in the development of appropriate guidance, safe working practices and a positive health and safety culture.
- To monitor the adequacy of health and safety communications, publicity, training, and development in support of the ECC Health and Safety Policy.
- To liaise with commissioned services / partners and other stakeholders to ensure their health and safety management, arrangements and commitment are aligned with those of ECC.
- To review membership and operation of the Corporate Health and Safety Board periodically.
- To ensure that any breaches of policy or health and safety legislation raised in the Assurance Report or Annual Report are addressed.

The chair will escalate urgent issues to the Operations Board, and CLT, where necessary and appropriate.

Further responsibilities can be found in the Corporate Health and Safety Board Terms of Reference (HSP 7.0 Information, Communication and Consultation).

6.6. Executive Directors

Will ensure:

- All CLT decisions reflect the intentions and objectives of the Essex County Council's Health and Safety Policy.
- Strong health and safety leadership is demonstrated by ensuring health and safety is given equal importance to service delivery.
- The Council's strategic plans take account of the health and safety impact of new initiatives, and that Members are informed about any health and safety issues that affect the service delivery of the strategic plans and advise them appropriately.
- The Monitoring Officer is informed where any decisions made by Members, acting corporately or individually, may contravene health and safety legislation or the intentions of the Council's Health and Safety Policy.
- Competent health and safety advice is sought during the planning stages of new initiatives/projects that may impact on the health, safety and welfare of employees and customers.

- The Council's Health and Safety Policy is implemented in their Function.
- That their Health and Safety Champion chairs their Function quarterly health and safety meeting where possible and appoint a senior management deputy for when they cannot chair the meeting.
- A member of the Function, Senior Leadership Team (Layer 2) is appointed to champion health and safety arrangements within the Function and to represent the Function on strategic issues at the Corporate Health and Safety Board.
- A Service Health and Safety Action Plan is produced, which details how the objectives of the Function and the Corporate Health and Safety Policy including any specific health and safety issues will be met and is kept under review.
- The implementation of aspects of the Corporate Health and Safety Action Plan that apply to their Function are monitored, reporting back to the board on the health and safety performance of their Function, including any significant health and safety issues that cannot be resolved at that level.

6.7. Directors and Heads of Service

Will ensure:

- All decisions made by their Service reflect the intentions and objectives of Essex County Council's Health and Safety Policy.
- Strong health and safety leadership is demonstrated by ensuring health and safety is given equal importance to service delivery.
- That Service plans take account of the health and safety impact of new initiatives, and that Members are informed about any health and safety issues that affect the service delivery of the strategic plans and advise them appropriately.
- The Monitoring Officer and the Corporate Health and Safety Team (CHST) are informed where they consider that any decisions made or proposed by Members or officers may contravene health and safety legislation or the intentions of the Council's Health and Safety Policy.
- That their Service is represented at the quarterly Function Health and Safety Group meetings.
- Competent health and safety advice is sought during the planning stages of new initiatives / projects that may impact on the health, safety and welfare of employees and customers.
- The Council's Health and Safety Policy is implemented in their Service.
- A Service Health and Safety Activity Plan is produced, which details how the objectives of the Corporate Health and Safety Policy including any specific health and safety issues will be met and kept under review within the Service.
- The implementation of aspects of the Corporate Health and Safety Action plan that apply to their Service are monitored, reporting back to the Function on the health and safety performance of their Service, including any significant health and safety issues that cannot be resolved at service level.
- Other managers under their control carry out their health and safety responsibilities.
- Where reasonably practicable, any opportunities to improve the health, safety and welfare within their Service area are taken and ensure that safe working practices and risk awareness is developed and promoted.

- All relevant health and safety information is communicated effectively to the correct employees and account is taken of their views.
- The health and safety competence and capabilities of employees under their control, including identifying and addressing any training or supervision needs to enable them to carry out their duties effectively and safely.
- Relevant Essex County Council health and safety policies are implemented in their Service.
- Risk assessments relating to hazards to which directly managed employees are exposed are carried out, recorded and control measures implemented (this will include stress risk assessments).
- That safe systems of work are developed, implemented, and maintained within all areas of their Service.
- Health and safety auditing and monitoring is undertaken in their Service in accordance with ECC's requirements.

6.8. Health and Safety Champion for Schools

The Head of Education Operations has been appointed as Health and Safety Champion for Schools and has overall responsibility for coordinating health and safety in schools.

The Champion is responsible for:

- Liaising with:
  - Corporate Health & Safety.
  - Other specialists that provide health and safety advice and support to schools to ensure the effective coordination of health and safety and the provision of competent advice.
- Co-ordinating the development, review and revision of School Health, Safety & Wellbeing Policies.
- Setting up and chairing a health, safety and wellbeing committee for school-based employees and representing school's management on the Schools Health, Safety and Wellbeing committee.
- 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.
- Ensure that the Executive Director, Children and Families and Education (DCS) is kept informed of school-related health and safety issues.
- Co-ordinating 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.
- Contributing to the development of the School's Health, Safety and Wellbeing Activity Plan.
- Contributing to the preparation of an annual report on the health and safety performance of the Directorate.

- Ensuring there are effective arrangements in place to address the measures needed to implement recommendations arising out of internal monitoring and health and safety audits of schools.

7. Responsibilities of School-based staff and Governors

7.1. Headteachers

Will ensure:

- That there are appropriate and robust 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.
- That systems are in place for consultation with all employees and that Trade Union appointed safety representatives can carry out their functions.
- They demonstrate health and safety leadership by ensuring health and safety is given no less importance than educational outcomes.
- That there are appropriate arrangements in place for co-operation and coordination with other users of the school site and that, where necessary joint health and safety arrangements are recorded and agreed.
- That 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.
- That health and safety policies available on the schools Infolink are regularly checked and where necessary, made available to relevant employees / volunteers / contractors (e.g., sports coaches, PTA members, Governors).
- That all employees are competent and have the capability to carry out their role/function.
- That records of health and safety training and development are maintained by the school, as required by law.
- That the Council's health and safety policies for schools (available via the schools Infolink) are implemented.
- That 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 policies.
- That systems are in place for monitoring and reviewing health and safety in the school.
- That all accidents / incidents are reported and investigated in line with the ECC Incident Reporting Procedure for Schools.
- That they co-operate with any health and safety investigations, or monitoring carried out by the Council and that actions arising from them are implemented.
- That the annual online Health & Safety monitoring is submitted by the agreed deadlines.
- That health and safety performance is reported to the Governing Body regularly (at least annually).
- That responsibilities allocated to them in the Council's Health and Safety policies covering premises management are complied with.
- That day-to-day premises management tasks are delegated to a member of staff and / or property consultant who is suitably competent. (The Headteacher retains the ultimate responsibility for the management of the premises).

- That they are the School's named Educational Visits Co-ordinator or they appoint a member of the Schools Senior Management team as the School EVC (and ensure they are given training and time to undertake the role).

7.2. School Health & Safety Coordinator

Headteachers can if appropriate, appoint a senior member of staff to co-ordinate and monitor the implementation of the health and safety policy. The safety coordinator must be given sufficient time and resources to carry out their role. Their identity and role should be clearly communicated to all school employees.

Below are the *duties* which may be delegated to another member of staff. However, the *responsibility* remains with the Headteacher.

The School Health and Safety Co-ordinator will:

- Establish arrangements for the effective coordination of health and safety throughout the School.
- Support the Headteacher in coordinating the development, review, and revision of the School's health and safety policies.
- Set up arrangements for consulting with employees on health and safety (e.g., through health, safety and wellbeing committee meetings or team meetings).
- Set up arrangements for the effective communication of health, safety, and wellbeing information relevant to the school.
- Ensure health and safety concerns raised by employees are brought to the attention of the appropriate senior manager.
- Ensure 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.
- Co-ordinate the identification of health and safety training and development needs to meet the requirements of the School's and Council's Policies.
- Support the establishment of adequate arrangements for:
    - First aid
    - Fire and emergency evacuation.
    - Reporting of health and safety incidents, hazards, and concerns.
- Co-ordinate arrangements for monitoring of health and safety policies within the school.

7.3. Responsibilities for School Visits

Below are the *duties* which may be delegated to the School Educational Visits Co-ordinator. However, the *responsibility* remains with the Headteacher.

The School Educational Visits Co-ordinator will:

- Ensure they have attended EVC Training (EVC training should be refreshed at least every 3 years).
- Ensure that establishment managers, visit leaders, assisting staff, voluntary helpers and all staff involved in Learning Outside the Classroom (LOtC), off-site activities and visits have had access to training / instruction at an appropriate level to ensure that the

employer's guidance and establishment procedures are properly understood and followed.

- Organise the training of Visit Leaders and Assistant Leaders (including voluntary helpers).
- Ensure that Leaders and Assistant Leaders are competent to carry out the tasks they are assigned.
- Ensure 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.
- Ensure they understand how LOtC, off-site activities and visits can support a wide range of outcomes for children and young people and raise achievement.
- Ensure that LOtC, off-site activities and visits meet guidance requirements.
- Ensure that a school specific visits policy has been developed using the template / guidance on EVOLVE and that the policy has been uploaded on the Establishment section on EVOLVE.
- Ensure that DBS checks are in place as required.
- Ensure that the establishment policy provides sufficient guidance to Visit Leaders about information for parents and parental consent.
- Support the headteacher with approval and other decisions.
- Check that there is a 24/7 emergency contact(s) with the base for each visit and that emergency arrangements are in place.
- Ensure they keep up to date with EVC update processes through EVOLVE and EVC Revalidation courses as recommended or required.
- Ensure that there is an establishment procedure for recording "incidents / accidents / near misses", including any resulting learning points and action.
- Ensure 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.
- Ensure that medical and first aid issues are addressed.
- Ensure that emergency arrangements are in place including emergency contact access to all relevant records, including medical and next of kin information for all members of the party, including staff.
- Undertake monitoring of Visit Leader planning and sample monitoring of visits.
- Ensure that individual activities and visits are reviewed and evaluated and that this process includes reporting of accidents and incidents, (including under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations [RIDDOR] where necessary).
- Ensure 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.

7.4. Responsibilities of Governing Bodies

Essex County Council recognises the vital role which school governors play in monitoring health and safety policies in schools and, in some circumstances, assisting with consultation between parents, and the headteacher on health and safety matters.

As school governors are volunteers, they cannot be held legally responsible for any aspect of health and safety management, under health and safety legislation. (Note: This is true where ECC is the employer but does not apply for members of a Governing Body for schools which are outside ECC control).

It is, however, the expectation of ECC that governors appointed with a health and safety role (and indeed the Governing Body as a whole) will play an active part in supporting and monitoring health and safety policies in the school.

To carry out this role effectively they will:

- Receive a regular (at least annual) Headteacher's report on health and safety performance at a formal Governing Body meeting (see Section 11.5 for details of what should be in the report);
- Take part in termly health and safety inspections of school premises to make sure that the school buildings, grounds, equipment, and materials are safe and ensure the health, safety, and wellbeing of all persons on the premises.
- Comply with the Health, Safety and Wellbeing Policy for Schools and Essex County Council's policies for health and safety.
- Consult with parents on any health and safety concerns raised by them and liaise with the headteacher to reach an acceptable outcome.
- Have regard to their own competence and capability before offering advice or undertaking work that may affect the health and safety of school activities.

They will check that:

- Appropriate arrangements are put in place in the school to comply with statutory requirements, the Health, Safety and Wellbeing Policy for Schools and the Council's health and safety policies.
- The annual Health and Safety Internal Monitoring (HSIM) return has been completed for the school.
- An action plan arising from the HSIM exercise is put in place and actions are taken as required to address any deficiencies identified in health and safety management.
- Any actions arising from ECC Corporate Health and Safety Team Audits, Compliance checks or Inspections are addressed.
- Accident and incident reports are being completed, investigations are undertaken into the causes and any issues arising from these are addressed.
- Any visits by, or correspondence from, the enforcing authorities are notified to the ECC Corporate Health and Safety Team, and any actions taken as required.
- A property consultant is appointed to advise and assist with construction and premises maintenance matters.
- 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 2015.
- Appropriate consideration is given to, and actions taken, arising from any surveys carried out by the school in relation to employee health, safety, and wellbeing (e.g., Education Support Partnership).

- Statutory requirements and the Council's health and safety policies are considered in determining the allocation of resources.
- The Headteacher has an appropriate workload, in support of a reasonable work/life balance, having regard to his/her health and wellbeing.
- 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.
- Educational visits are being correctly managed.

Note: 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).

Governors are encouraged to work in conjunction with the school management to ensure good safety standards in a constructive manner but also to challenge decisions and actions and request evidence to verify answers to their questions.

If they are not satisfied that the appropriate policies are in place and feel that they are no longer able to rectify the situation at local school management level, they must raise their concerns with Governor Services.

Governors' helpline: tel. 033301 39833 / e-mail: essex.governorservices@essex.gov.uk

7.5. Line managers and supervisors

All employees with management and supervisory responsibilities are responsible for the implementation of the Schools Health, Safety and Wellbeing Policy in their area of control. Generally, 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:

- 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.
- Identifying opportunities to improve the health, safety, and wellbeing within the School, and promoting risk awareness and the development of safe behaviours.
- Ensuring all relevant health and safety information is communicated effectively to the correct employees and to take account of their views.
- Ensuring the health and safety competence and capability of employees under their control (See arrangements section 9.3).
- Ensuring relevant health and safety policies, including the Council's Health and Safety Policies, are implemented in their area of control. (See relevant parts of Section 9);
- Ensuring, in their area of control, risk assessments are carried out, recorded and the control measures, including any safe systems of work, are implemented (See relevant parts of Section 9);
- Undertaking risk assessments relating to hazards to which directly managed staff are exposed (this will also include stress risk assessments).

- Ensuring health and safety monitoring is undertaken in their area of control, in accordance with the Council's and School's requirements. (See monitoring and review section 11);
- Reviewing the effectiveness of health and safety policies at controlling risks and feeding back areas of concern to their line manager, Headteacher or Governing Body (see sections 11.4 and 11.5);
- Ensuring health and safety issues identified via risk assessments or monitoring activities that cannot be addressed are raised with their line manager.

7.6. All Employees

All employees have a duty to:

- Look after their own safety and the safety of others affected by their work.
- Follow safe working practices and carry out their health and safety responsibilities as detailed in the council's health and safety policies.
- Report to their line manager any hazards they identify and any inadequacies in health and safety procedures.
- Take part in any health and safety training and development identified as necessary by the County Council or their line manager.
- Use work equipment provided correctly, in accordance with instructions, training and Essex County Council health and safety policies.
- Ensure that if organising projects or activities, risks are assessed as part of the planning stage and suitable control measures are implemented.
- Report health and safety incidents including near misses, in accordance with the council's health and safety incident reporting procedure.

7.7. Contractors and Visitors

- Visitors to Essex County Council premises, including contractors, clients, service providers and members of the public, must comply with Essex County Council health and safety procedures and requirements.
- All contractors and visitors must be made aware of the site-specific arrangements and emergency procedures and are the responsibility of the manager of the employees being visited.

8. Support Services

8.1. Health and Safety Co-ordinator for Schools (and Children & Families)

The Lead for Policy Business Planning & Commercial has been appointed to the role of Health and Safety Co-ordinator for schools.

The Co-ordinator is responsible for supporting the Health and Safety Champion for Schools (Head of Education Operations), and will:

- Liaise closely with the Health & Safety Champion for Schools.
- Attend and support the Schools Health, Safety and Wellbeing Committee meetings.
- Liaise directly, where appropriate, with the Corporate Health and Safety team for support and guidance on health, safety and / or welfare issues.

- Receive information from the Corporate Health and Safety team and cascade this on to the group of employees in ECC controlled schools.
- Discuss colleague's health and safety complaints with the H&S Champion for Schools and liaise with the employees headteacher where appropriate.
- Be consulted on health and safety issues which affect schools.
- Support in the follow up of health and safety risk assessments, audits, internal monitoring, and inspections as required.
- Act as an advocate for health and safety, and to promote the use of all relevant sources of information, advice, and guidance currently available.
- Undergo appropriate training, as required, to enable them to carry out their health and safety duties and responsibilities.

8.2. 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. To meet its health and safety responsibilities to schools, the Council provides a health and safety service. Schools have been delegated resources to fund the appointment of other specialist advisers.

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 Corporate 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 policies for the Council and schools.
- Maintains the health and safety pages on the Schools Infolink and provides a health and safety support desk (for telephone or e-mail queries).
- Examine 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 Health & Safety Champion for Schools.

8.3. 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 which may be subject to the Equality Act 2010.
- Support the prevention of work-related absence through advising on health-related risk assessments.
- Carry out statutory health surveillance (e.g., exposure to noise and vibration);

- Provide advice at the early stages of occupational ill health, thereby reducing the risk of recurring or long-term absence.
- Where employees are sick, 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.
- Assess the employee's eligibility for ill health retirement.

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. The OH provider for ECC is Innovate Ltd, schools can access Innovate Ltd but are not obliged to.

Counselling

Schools need to source their own counselling service/ Employee Assistance Programme.

8.4. Wellbeing

Schools can use the Team Stress Risk Assessment forms and guidance available on the Health and Safety pages of the Schools Infolink. Schools must treat work-related stress like any other physical workplace hazard. Under the Health and Safety at Work Act 1974, school employers have a strict legal duty to conduct a stress risk assessment to protect their staff. https://www.hse.gov.uk/stress/risk-assessment.htm provides an example. Employers have a legal duty to protect workers from stress at work by doing a risk assessment and acting on it.

Alternatively, Schools can choose to access an employee assistance programme, training, or other services through the Education Support Partnership Programme. Schools can access the programme through www.educationsupportpartnership.org.uk or telephone 08000 562 561 / e-mail enquiries@edsupport.org.uk (this is an Independent Charity and therefore there would be a cost implication for Schools).

8.5. Educational Visits

Schools subscribing to the Educational Visits Support Team SLA have access to the EVOLVE online submission system and associated resources.

Essex County Council has adopted the OEAP National Guidance for the Management of outdoor learning, off-site visits and Learning Outside the Classroom. See www.oeapng.info - (documents 3.4g Headteacher/ Manager and 3.3b- Check List- Headteacher/ Manager).

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. These will be on the EVOLVE website.

Policy on Learning Outside the Classroom Quality Badge: We strongly recommend the priority use of providers who hold the LOtC Badge Holder. Find a LOtC Quality Badge Holder - Council for Learning Outside the Classroom

8.6. Training for Schools

Provide advice and training on all aspects of training within schools. Contact Juniper for Schools https://trainingcentre.junipereducation.org/ for information and guidance.

8.7. Catering

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

(From 1 April 2019), all maintained primary schools, and all maintained secondary schools are delegated the responsibility to manage food safety. They can access the Essex School Meals Support Service for compliance and audit advice and monitoring. This is a chargeable service, and details are available on application. Contact: school.meals@essex.gov.uk

All community and V/C schools are recommended to buy in to Essex School Meals Service. Access to competent food safety advice will be monitored through the Health and Safety Internal Monitoring (HSIM) System.

Special schools and CSS / PRUs are funded differently and therefore Community or Voluntary Controlled specials schools and CSS / PRU's will have decide where to access food safety advice from. It is recommended that special schools and CSS / PRU's who carry out their own catering buy in to Essex School Meals Support Service.

Wherever schools access food safety advice from, it should be ensured it includes training on allergens.

Support and guidance relating to school meals operations and training for Catering Health & Safety (CIEH level 2) and Food Safety (CIEH LEVEL 2 & 3) is available via the School Meals e-mail school.meals@essex.gov.uk and further information can also be found on the schools Infolink:

8.8. Health Protection

The East of England Health Protection Team (HPT), part of the UK Health Security Agency (UKHSA), provides specialist advice and support to prevent and mitigate the spread of infectious diseases and environmental hazards. In the first instance, schools should refer to the HPT's guidance – 'Communicable Disease in Schools/Nurseries and Centre's for the under 5s' or PHE general guidance 'Infection control in schools and other childcare settings.' (These documents are available on the health & safety pages of the Schools Infolink under 'Pupil Related Issues' – Communicable Diseases and Infection Control). If further assistance is required contact the school nurse at your local NHS clinic or contact the HPT directly.

East of England Health Protection Team Contact Details: Tel: 0300 303 8537 option 1 or e-mail EastofEnglandhpt@ukhsa.gov.uk

8.9. 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. (See HSP 9.30 Construction Design and Management on the Schools Infolink Health & Safety pages).

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

A property consultant should be able to 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, policies, and statutory approvals

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

9. Health and Safety Arrangements

9.1 General Arrangements for Health and Safety

The detailed arrangements for implementing this Policy are contained within health and safety pages of the Schools Infolink (under School Management). (NB these are kept on a secure part of the Infolink, so staff involved in helping to manage health and safety will need access to the H&S pages as part of their login).

9.2 Local Arrangements within Schools

Headteachers are responsible for developing and communicating local arrangements for implementing the Councils Policy and guidance in their school. Health and safety arrangements should focus on real, significant risks and avoid unnecessary bureaucracy. 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). The school must manage and reduce fire risks which includes carrying out a suitable and sufficient fire risk assessment, implementing preventive and protective measures (e.g. alarms, escape routes, signage), ensuring safe evacuation procedures and regular fire drills, maintaining fire safety equipment and systems and appointing competent persons to assist (fire marshals). See HSP 10.1 Fire Safety Policy

- First aid - this includes the need for the school to undertake a first aid needs assessment, provide adequate and appropriate equipment, facilities and trained personnel for on-site and off-site activities – see HSP 10.2 First aid policy.
- Communication and consultation with staff on health and safety matters. See HSP 7.0 Health and Safety Information, Communication and Consultation Policy.
- Reporting of health and safety incidents, hazards, and concerns. See HSP 12.0 Accident and Incident Reporting and Investigation Policy and Guidance
- Ensuring risk assessments are in place for work activities where there is significant risk. See HSP 5.0 Risk Assessment Policy.
- Managing the risks to Young People on Work Experience Placements. See HSP 9.12 Young Worker Policy
- Controlling risks arising from work activities not covered by the Council's health and safety policies. This includes an individual, proportionate, enabling risk assessment approach to children with Special Educational Needs and Disabilities, with involvement of staff and carers where relevant.
- Control of asbestos – Each school built before 2000, must have an up-to-date asbestos register/survey, a written asbestos management plan, regular condition checks, and provide asbestos information to anyone likely to disturb asbestos before work starts. See HSP 9.17, Asbestos Management Policy
- Control of legionella – The school must control the risk of legionella which includes having a suitable and sufficient risk assessment undertaken by a competent contractor, implementing and maintaining control measures by temperature control, flushing and cleaning. They must appoint a competent responsible person for day-to-day management, which includes monitoring, inspecting and maintaining the system and keeping appropriate records. See HSP 9.38 Legionella Policy
- Working at height - Where possible the school will avoid work at height and where this is not possible, carry out a suitable and sufficient risk assessment. They must ensure their staff use appropriate equipment and control measures (e.g. guardrails, fall restraint equipment), ensure work is planned, supervised and carried out by competent persons and all access equipment is inspected and maintained. See HSP 9.32 Work at Height Policy.
- Managing site traffic / pedestrian-vehicle management – The school must assess the risk from vehicle movements on school premises as well as movements occurring immediately outside the school premises, which may be associated with school activities. This includes staff arriving and leaving work, delivery vehicles, school buses transporting pupils and parents collecting and dropping off pupils. See HSP 9.06 Transport in the Workplace Safety Policy.
- Statutory inspection and maintenance of work equipment, plant, and service. See HSP 11.3 Inspections Policy.
- Control of (health and safety competence and monitoring) contractors. See HSP 9.14 Management of Contractors Policy
- Monitoring compliance with and reviewing effectiveness of health and safety policies.

9.3 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 11.6 of this Policy).

ECC Policies & 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.

For non-academic staff health & safety should also be considered as part of the performance management process.

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

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

NOTE: If all or part of the school was built before 2000 and there is no architect's statement available that asbestos was not used it is a requirement that there is at least one member of staff who has been trained in asbestos management within the previous 3 years and their line manager. This would normally be the site supervisor and/or a member of the senior management team.

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

Juniper for Schools organise the following health and safety courses:

- Health and Safety for Headteachers, Managers & Co-ordinators (1/2 day)
- Site Supervisor and Staff- General Health and Safety Awareness (1/2 day)
- Asbestos Management (1/2day)
- Legionella Management (1/2day)

Contact Juniper for Schools at www.trainingcentre.junipereducation.org

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

It is also advised that Schools keep a record of any Health & Safety induction / instructions given to volunteers.

9.4 Health and Safety Policies

How we do things safely is detailed in health and safety policies on the Health and Safety pages of the School's Infolink covering a range of activities. It is important that managers and employees follow these policies, 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 policies 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.

All policies are available on the health and safety pages of the Schools Infolink.

9.5 Health and Safety Risk Assessments

Risk Assessment is a legal requirement. Risk assessments must be specific to the circumstances of the hazard. Generic risk assessments can be used, but must always be adapted to the site in question. In some circumstances, individual risk assessments will be required in relation to either employees or pupils.

Where an employer carries out a risk assessment, in all school settings it must be written down and shared with relevant staff. Employers should consult with competent persons in compiling risk assessments. Having a suitably qualified person is vitally important for many risk assessments, including asbestos, fire, and legionella risk assessments.

The process of risk assessment is the same in all circumstances: the risk should be identified, its severity and likelihood assessed, along with who it is likely to harm, and then control measures put in place to reduce, or preferably eliminate the hazard. Do not need to identify severity and likelihood of

Our health and safety policies 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 policies.

Managers are responsible for:

- Ensuring controls detailed in policies and generic risk assessments are implemented in their area of control.
- Ensuring that where there are generic risk assessments these are added to reflect local circumstances and controls.
- Ensuring that where there are no policies 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.

9.6 Communication

Communication to Schools: The Council communicates health and safety information, policies, guidance and forms to Schools through the Health & Safety pages of the Schools Infolink. (Note: health and safety policies are kept on a secure part of the Infolink, so staff involved in helping to manage health and safety will need access to the H&S pages as part of their login).

The health and safety pages of the Infolink are regularly updated. It is essential that the health and safety homepage of the Schools Infolink is regularly checked.

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, pupils, volunteers, and contractors under their control.

Getting Help on Health & Safety: The Council has a range of professionals available to provide competent advice to schools. (See section 8 and Appendix B).

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 A) in a prominent position.

10. Consultation Arrangement

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 regarding 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 A). ECC grant reasonable paid time off for school safety reps to undergo approved training, investigate employee safety complaints, and conduct termly site inspections of the school premises.

Safety representatives at a County level are listed in Appendix B.

Schools Safety Committee: The Council has arrangements in place for consulting with employees on strategic issues. For schools this is through the Schools Health, Safety and Wellbeing Committee.

Full details of the council's consultation arrangements can be found on the Schools Infolink Health & Safety pages under Health & Safety Management (HSP 7.0 – Health and Safety Information, Communication and Consultation & HSP 8.0 - Health and Safety Consultation with Trade Unions).

11. Monitoring and review

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 the development and review of health and safety policies.

11.1. Audits and Compliance Visits

The Corporate Health & Safety Team is responsible for an auditing programme which will include community and voluntary controlled schools. Following completion of an audit or

compliance visit, the school will receive tasks to action on MySafety which the Headteacher must implement. Appendix D 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 Education Leadership Team.

11.2. Internal Monitoring

Schools are required to complete electronic health & safety internal monitoring checklists (HSIMs), on MySafety, to confirm compliance with the Council's health and safety policies. It is expected this will be on an annual basis unless the school has been audited by the Corporate Health and Safety Team within the same Academic Year. Schools will be notified through the Health & Safety pages on the School's Infolink and the Education Essex Newsletter of the academic year's Health and Safety Internal Monitoring exercise. The system will provide schools with actions which they must implement. Data collected will also be used as a basis for a statistical report to the Education Leadership Team. The Health & Safety Champion for Schools will be notified of any schools that fail to submit the appropriate internal monitoring checklists within the specified deadline.

11.3. Health and Safety Incident Investigation

The Corporate Health & Safety Team monitors accident / incident report forms submitted by schools on MySafety. Where necessary they may seek further information from the school or carry out an investigation. Statistical data on trends is regularly reported to the Education Leadership Team.

11.4. 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 accidents / incidents.
- Systems for reporting hazards and safety concerns.

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

11.5. 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 provide data that relates to employee health, safety, and wellbeing (e.g., Outcomes from Stress Assessments or any Employee Support Programme (see section 8.4).

11.6. Consequences of Non-Compliance with the Council's H&S Policies

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, 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. Several 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.

See Appendix D - "Protocol for Escalation of Non-Compliance with the Council's Health and Safety Policies".

11.7. Headteachers non-compliance with Statutory / Council H&S Policies & Requirements

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 can 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 Education 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, to prevent enforcement action against the 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 Director for Education. 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 Director for Education will then directly intervene, either verbally or in writing with the Headteacher and Governing Body 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 Director for Education will issue a Performance, Standards and Warning Notice under Section 60 of the Education and Inspections Act 2006. The Governing Body will then become eligible for statutory intervention within the DfE Support and intervention in schools.
- If non-compliance continues, the LA may apply to the Secretary of State to remove the governing body and implement an Interim Executive Board. In addition, 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 Director for Education will refer the matter to the Executive Director, Children and Families and Education who holds the statutory post of Director of Children & Families.
- 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 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.

See Appendix D - "Protocol for Escalation of Non-Compliance with the Council's Health and Safety Policies".

11.8. Review and Revision of this Policy

This Health, Safety and Wellbeing Policy will be reviewed periodically, at least every 2 years or sooner, if 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 Corporate Health & Safety Team.

12. Record Keeping

Please refer to the Retention of Health and Safety Documents Policy (HSP 3.0) on the health and safety pages of the schools Infolink.

13. References

The Councils health and safety policies, guidance and forms are all on the health & safety pages of the Schools Infolink (From the Schools Infolink homepage Health & Safety is under the School Management tab). Health and Safety policies are kept on a secure part of the Infolink, so staff involved in helping to manage health and safety will need access to the H&S pages as part of their login.

14. Internal References

- HSP 5.0 Risk Assessment Policy
- HSP 7.0 Health and Safety Information, Communication and Consultation Policy
- HSP 9.06 Transport in the Workplace Safety Policy
- HSP 9.12 Young Worker Policy
- HSP 9.14 Management of Contractors Policy
- HSP 9.17 Asbestos Management Policy

- HSP 9.32 Work at Height Policy
- HSP 9.38 Legionella Policy
- HSP 10.1 Fire Safety Policy
- HSP 10.2 First aid policy
- HSP 11.3 Inspections Policy
- HSP 12.0 Accident and Incident Reporting and Investigation Policy
- HSG 002 HSE Inspector Visits

15. Legal References

The following laws and regulations apply when a HSE inspector visits:

- Health and Safety at Work etc. Act 1974

and relevant regulations made under it.

16. Appendices

A. Template for Health and Safety Policy Statement of Intent

Health & Safety Policy Statement of Intent

At , we are fully committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of all pupils, employees, volunteers, contractors, and visitors.

We recognise our responsibilities under the Health and Safety at Work etc. Act 1974 and associated regulations, and we will take all reasonable steps to provide and maintain a safe and healthy working and learning environment.

Responsibilities for health

Governing Body

Will provide strategic oversight, ensure adequate resources are available, and monitor health and safety performance and adhere to the '7 Principle of Public Life'

Headteacher

Has overall responsibility for the implementation of this policy, ensuring arrangements are in place, and that staff are competent and supported.

Health & Safety Co-ordinator / Site Manager

Will manage day-to-day health and safety matters, carry out inspections, maintain records, and ensure corrective actions are completed.

All Staff

Must take reasonable care of their own and others' safety, follow procedures, report hazards/incidents, and cooperate with management and adhere to the '7 Principle of Public Life'.

Pupils

Will be encouraged to behave safely, follow instructions, and report concerns to staff.

Arrangements for health and safety

To meet our commitments, we will:

- Carry out suitable and sufficient risk assessments and implement control measures
- Provide safe premises, equipment and systems of work
- Ensure safe handling and storage of substances (COSHH)
- Deliver appropriate information, instruction, training and supervision
- Maintain effective accident/incident reporting and investigation procedures
- Ensure fire safety management, including drills and equipment maintenance
- Provide adequate first aid arrangements
- Monitor and review health and safety performance through regular inspections and audits
- Consult with staff on health and safety matters
- This policy will be reviewed annually or sooner if significant changes occur.

Signed (Headteacher) **Name** N.J. O'Grady **Date** 16/11/26

Signed (Chair of Governors) **Name** D. Cohen **Date** 17/11/26

B. Schools/ CSS: Health and Safety Arrangements

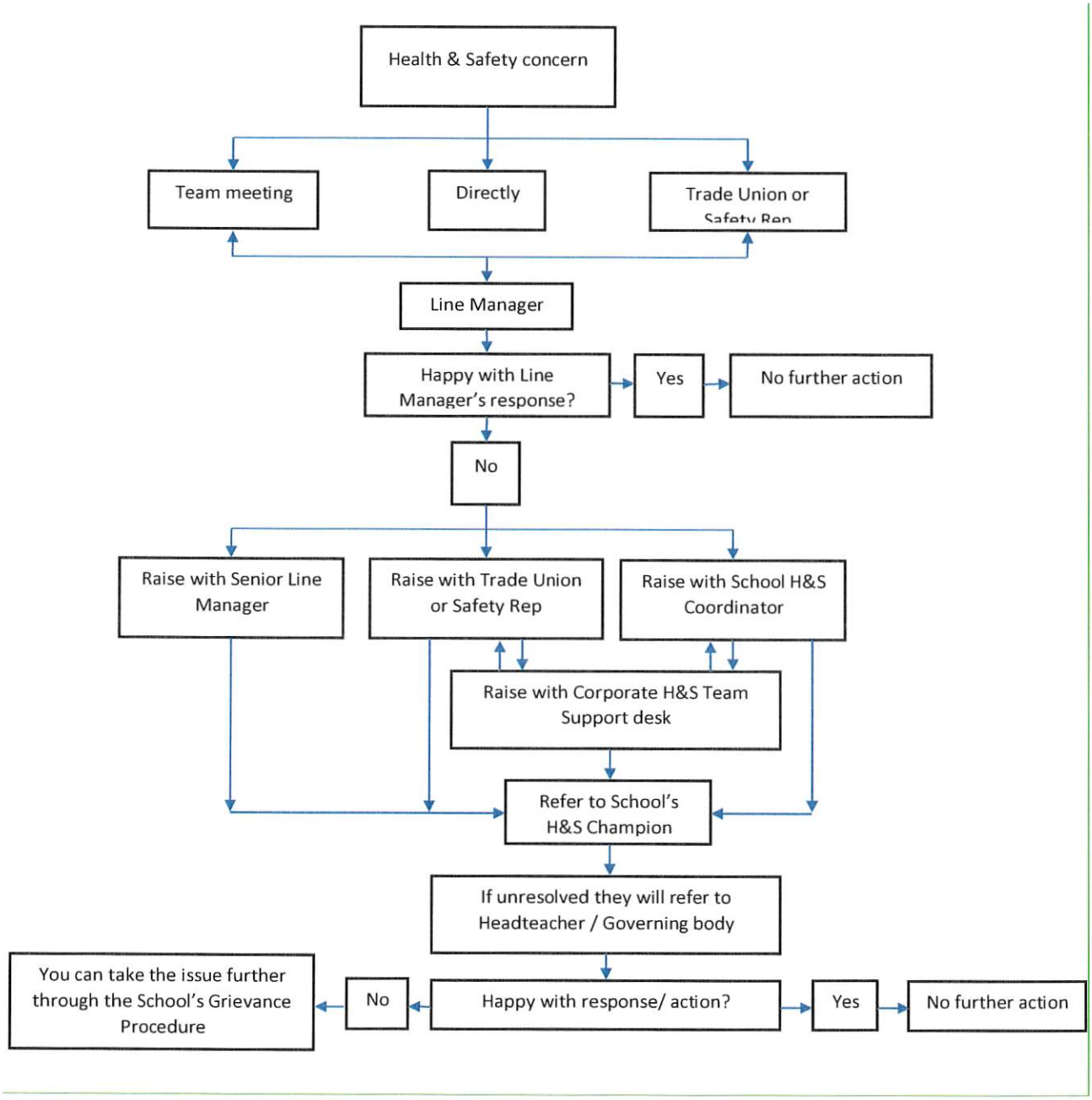
School Name	
Headteacher who has overall responsibility for health and safety at the establishment.	Mr Matt O'Grady
School Health and Safety Coordinator	Mr Mark Norman
School Educational visits co-ordinator	Mr Matt O'Grady
Trade Union Health and Safety Representative (or Employee Representative if one appointed)	Miss Elisabeth Jean-Marie
Report health and safety incidents to:	Mr Mark Norman
Report hazards to:	Mr Mark Norman
Person(s) responsible for undertaking H&S inspections:	Mr Mark Norman
Person responsible for co-ordinating fire evacuation arrangements:	Mr Matt O'Grady & Mr Mark Norman
Fire marshals:	Mr Mark Norman, Mrs Sharron Smith
Fire assembly point(s):	Main Playground & Playing Field
Day and time of weekly fire alarm tests	Mon-Fri When school is not occupied
First aiders / appointed persons:	List of this can be found in the medical room and various other places throughout the school
Designated DSE Assessor(s):	Mrs Sharron Smith
ECC Counselling Service (Confidential) (if school purchases)	Tel: 0333 013 5859
Where to find:	**Location:**
Incident / Accident report forms	Schools Infolink – Report online Evolve
Hazard book	Staff room notice board
Health and Safety Policies and Information relevant to school / curriculum area.	Admin folder drive
Location of ECC health and safety information:	All policies are on the health & safety pages of the schools Infolink, under School Management
Members of staff who have Infolink health & safety access:	Mr Matt O'Grady, Mr Mark Norman, Mrs Sharron Smith

C. Schools/ CSS: Getting help on Health and Safety

ECC Contacts	Name(s)	Contact No. / email
ECC Corporate Health & Safety Team	H&S Support desk	Tel: 0333 013 9818 hs@essex.gov.uk
Health and Safety Champion for schools	Shamsun Noor	Tel: 0333 013 1167
Health and Safety Co-ordinator for Schools (Children and Families)	Nicola Park	Tel: 0333 013 6307
Asbestos / legionella / contractor management advice (this will be schools property consultant or another competent contractor)	Asbestos – Environtec Anthony Aylieff Legionella – Primec Simon King	Tel: 01245 381900 Tel: 07557 953197 Tel: 01787 478350 Tel: 07860414131
School meals	School Meals Helpline:	school.meals@essex.gov.uk
Educational Visits Adviser (EVOLVE)	Educational Visits Team	advice@evolveadvice.co.uk
Employee Assistance Programme (Confidential service)	*Enter details of own provider*	
ECC Safety / Employee representatives: (These representatives sit on the ECC Schools Health & Safety Committee).	Jeff Fair (NEU) Tresa Cummins Alan Garnett (NAHT) Marilyn Smith (Unison) Ben Steel (Unison) Cathy Holland (GMB)	jeff.fair@neu.org.uk tresa.cummins@icloud.com garnett@north.essex.sch.uk unisonms1@gmail.com Ben.steele@essex.gov.uk cathy.holland@gmbactivist.org.uk
Other Contacts		

School's Property Consultant	
School's food safety advisor	
Juniper Training	www.trainingcentre.junipereducation.org
Occupational health advice	Innovate Health Care – www. innovateoh.co.uk Email - enquiries@innovatehmg.co.uk 0161 527 7405 (*Or enter details of own provider*)
School nurse	
Essex Health Protection Unit (Infection control advice):	0300 303 8537 EastofEnglandhpt@ukhsa.gov.uk

D. Schools/CSS: Raising a Health and Safety Concern



E. Protocol for Escalation of Non-Compliance with the Council's H&S Policies

Where there is a failure by Community, V/C Schools, CSS or PRU's to comply with the Health, Safety and Wellbeing Policy, the matter may be escalated to the Director for Education, depending on the circumstances and the severity of the failure.

This protocol is to be followed for the situations described below and as a guide for others which may arise. The Health and Safety Champion for Schools will then decide regarding what action to take as described in Section 11.7 of the policy "Failure of Headteachers to Comply with Statutory Requirements and to implement the Council's Health and Safety Policies".

Outcome of HSIM and Audits.

All Educational Establishments covered by this policy are required to complete and return the relevant HSIM checklists each year.

- Where a school has not completed the current academic year's HSIM then the Director for Education will write to these schools stipulating the need for their support in this process and to complete the HSIM in the future.
- Where a Headteacher continues to fail to co-operate with the Council, the Director for Education will issue a Performance, Standards and Warning Notice under Section 60 of the Education and Inspection Act 2006. The Governing Body will then become eligible for statutory intervention within the DfE Support and intervention in schools.
- If non-compliance continues, the LA may apply to the Secretary of State to remove the governing body and implement an Interim Executive Board. In addition, disciplinary procedures will ensue, for serious breaches this could result in dismissal for misconduct or gross misconduct.
- The Director for Education will agree with the Corporate Health and Safety Team which schools will be subject to a compliance visit or full audit.

Note: Following a Full audit or Compliance visit, the auditor writes an action plan, prioritising actions which the school is expected to complete and send back within 4 months. Where an action is identified as 'Urgent' this timeline may be adjusted accordingly.

Food Safety Standards

Where a school, which carries out its own catering, fails to ensure that they have access to competent food safety advice they will be formally written to by the Corporate H&S Team and required to appoint immediately.

Where a school carries out its own catering and has appointed competent advice (through the Schools Meals Service or other) and the Council becomes aware that the school is failing to follow the advice issued to them they will be contacted directly by the Corporate Health and Safety Team.

If the school fails to follow advice issued by the Corporate Health & Safety Team as a result of either of the above scenarios, and the team deems it necessary the matter will be escalated to the Director for Education.

Where a Headteacher continues to fail to co-operate with the Council, the Director for Education will issue a Performance, Standards and Warning Notice under Section 60 of the Education and Inspections Act 2006. The governing body may then become eligible for statutory intervention within the DfE Support and intervention in schools. If non-compliance continues, the LA may apply to the Secretary of State to remove the governing body and implement an Interim Executive Board. In addition, disciplinary procedures will ensue, for serious breaches this could result in dismissal for misconduct or gross misconduct.

Educational Visits

EVOLVE is responsible for providing professional advice on and setting and monitoring health and safety standards for all educational visits, including Adventurous, Residential and Overseas visits, involving children and young people. Where EVOLVE deems that a school is not meeting the Council's standards with respect to Educational Visits, they will first make the Headteacher, or an appropriate Senior Manager, aware of the matter and offer advice. If this advice is not heeded and the risk persists the matter will be escalated to the Corporate Health and Safety Team.

If they are unsuccessful in resolving the issue, they will escalate the matter to the Director for Education. Where a Headteacher continues to fail to co-operate with the Council, the Director for Education will issue a Performance, Standards and Warning Notice under Section 60 of the Education and Inspections Act 2006. The governing body will then become eligible for statutory intervention within the DfE Support and intervention in schools. If non-compliance continues, the LA may apply to the Secretary of State to remove the governing body and implement an Interim Executive Board. In addition, disciplinary procedures will ensue, for serious breaches this could result in dismissal for misconduct or gross misconduct.

Complaints and Other Matters

Where a complaint with respect to health and safety policies is made to an ECC employee they will bring it to the notice of the appropriate ECC Support Service or, schools health and safety Champion.

That service will contact the Headteacher, or an appropriate Senior Manager, and give them an opportunity to respond. If the service is concerned that the appropriate policies are not being met and this represents a significant risk to ECC then the matter will be escalated to the Director for Education.

Where a Headteacher continues to fail to co-operate with the Council, the Director for Education will issue a Performance, Standards and Warning Notice under Section 60 of the Education and Inspections Act 2006. The governing body will then become eligible for statutory intervention within the DfE Support and intervention in schools. If non-compliance

continues, the LA may apply to the Secretary of State to remove the governing body and implement an Interim Executive Board. In addition, disciplinary procedures will ensue, for serious breaches this could result in dismissal for misconduct or gross misconduct.