



13a. Health and Safety Roles and Responsibilities

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See EOTAS policy control document (held by the Business Manager) for status, notes and actions about this policy



Health and Safety Roles and Responsibilities

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Introduction and Scope

This Schools Health & Safety Policy - Roles & Responsibilities is a supplement to Swindon Borough Council's Corporate Health & Safety Policy.

As the employer, the Local Authority (LA) has responsibility for Health & Safety in Community schools, Community Special, Voluntary-Controlled, maintained Nursery schools, and Pupil Referral Units. The LA has the power to ensure that this Health & Safety Policy is implemented in school and on all school activities.

The LA must provide Health & Safety guidance to those schools and services where it is the employer. It must ensure that staff are trained in their Health & Safety responsibilities as employees and that those who are delegated Health & Safety tasks (such as risk assessment) are competent to carry them out. If an LA risk assessment indicates training is required, the LA must ensure staff receive appropriate training.

To ensure Community and Voluntary-Controlled schools where the LA is the employer fulfil their Health & Safety responsibilities, they should develop and implement school-specific Health & Safety procedures based upon this Policy.

Education Other than at School (EOTAS) the LA is the employer who form a management committee and have responsibility Health and Safety.

Academy and Voluntary-Aided schools are not in the scope for this policy. For schools where the LA is not the employer there is an option of buying into a Swindon Borough Council Health & Safety buy-back service for advice. However, the LA is not responsible for the Health & Safety of pupils or staff employed by these schools; legally, it is the Academy Trust / School's responsibility.

Legislation, Governance & Escalation Procedure

Both the LA and schools need to be very aware of the Health & Safety legislation that has implications for the way that school sites are managed and the safety of site users, in particular, pupils and staff. Relevant legislation includes:

- **Health & Safety at Work, etc, Act 1974** – this sets out the responsibility of Education employers but also emphasises that employees have Health & Safety responsibilities. For Community and Voluntary-Controlled schools, the LA is the overall employer but delegates responsibilities to schools, as set out below in this document. For Academy schools it is the Academy Trust and Voluntary-Aided schools, the employer is the Governing Body of the school.



- **Management of Health & Safety at Work Regulations 1999** – these Regulations make more explicit what employers are required to do to manage Health & Safety under the Health & Safety at Work Act. One of the main requirements of employers is to carry out risk assessments.
- **School Standards & Framework Act 1998** – for Community and Voluntary-Controlled schools, the LA can issue a direction to a school specifying Health & Safety action that must urgently be taken. In the event of non-compliance with a direction, the LA can apply to the Secretary of State under the Education Act 1996. The 1998 Act also enables an LA to issue a warning notice to any maintained school, including Voluntary-Aided schools, where the safety (not the health) of staff or pupils is threatened by, for example, a breakdown of discipline.

The governance for Health & Safety in Swindon schools is through the Education Joint Safety Committee. This group includes Head Teacher representatives, other key stakeholders, in particular, Trade Union representatives, and LA officers. The governance structure is shown in diagrammatic form in **Appendix 1** attached.

If serious concerns are identified on school sites, there is an escalation procedure in place to address these. This procedure is attached as **Appendix 2**.

Statement of Intent

The LA collectively understands that the Health & Safety of staff, pupils and visitors is essential to the success of its schools.

We recognise that overall responsibility for Health & Safety lies with senior management, Governing Bodies, Head Teachers, Managers and partner organisations having direct responsibility for premises, activities, employees and pupils under their control.

We are committed to:

- Providing a safe and healthy working and learning environment
- Preventing accidents and work-related ill health
- Assessing and controlling risks from curriculum and non-curriculum work activities
- Complying with statutory requirements
- Ensuring safe working methods and providing safe working equipment
- Providing effective information, instruction and training
- Monitoring and reviewing systems to make sure they are effective
- Developing and maintaining a positive Health & Safety culture through communication and consultation with employees and their representatives on Health & Safety matters
- Setting targets and objectives to develop a culture of continuous improvement
- Ensuring adequate welfare facilities exist at the school
- Ensuring adequate resources are made available for Health & Safety issues, so far as is reasonably practicable.

Organisation (People and Responsibilities)

The Group Director, Children

The Group Director, Children is responsible for:

- controlling responsibility for organising and managing the resources at their disposal for the implementation and compliance with Health & Safety legislation within the Group Directorate;



- consulting with the Head of Audit Services and the Corporate Health & Safety Lead in any case where the requirements of this Policy are not able to be implemented and maintained due to a lack of resources, in order that a joint report can be submitted to the Cabinet.

Corporate Health & Safety Lead

The Corporate Health and Safety Lead is responsible for:

- reviewing this policy, in conjunction with the Head of Audit Services;
- providing competent, proactive advice and practical assistance to all Head Teachers, managers and staff throughout Children Services;
- providing appropriate health and safety related training and supporting Head Teachers in identifying further training needs;
- preparing and publishing policies, procedures and codes of practice to promote Health & Safety in the workplace;
- supporting the Head Teacher in investigating significant accidents and incidents and, where necessary, recommending action to prevent recurrence;
- preparing Health & Safety-related reports for the Director and Senior Managers;
- ensuring systems to monitor safety performance and ensure compliance, and to escalate non-compliance within the management chain, if required;

Governing Bodies

- In addition to the LA's overall responsibility as employer in respect of Community and Voluntary-Controlled schools, school Governing Bodies also have responsibilities in exercising control over premises.
- The Governing Body and Head Teacher must produce a Risk Register and draw to the attention of the LA any high risk areas in relation to Health & Safety that they believe cannot be managed locally and, therefore, require the LA's intervention/support (see Escalation Procedure set out in **Appendix 2**).
- In all areas and activities under their control, Governing Bodies have a duty to take steps to ensure that appropriate Health & Safety standards are complied with as far as is reasonable practicable. This duty will include ensuring that appropriate arrangements are made to comply with statutory requirements, the Health & Safety Policy for Schools and associated Codes of Practice and that these are taken into account in determining the allocation of resources.
- The Governing Body must ensure that all new Governors are provided with Health & Safety induction at a very early stage that covers Health & Safety both at a general level but also the importance of ensuring the safety of the school site for the benefit of pupils, staff and visitors. (Governing Bodies should contact the LA if they would like support for this induction process.)
- Governing Bodies must ensure that all Governors with Health & Safety responsibilities attend at an early stage LA Health & Safety training that is made available.



- Governing Bodies should ensure that annual internal monitoring is carried out. Where necessary when major building, maintenance or improvement works are being carried out, they must appoint a competent construction, design and management coordinator (CDM Coordinator).
- Governing Bodies should ensure that any contractor appointed to undertake work on the school premises is competent to do so.
- Governing Bodies will also need to ensure that the Head Teacher has an appropriate workload, in support of a reasonable work/life balance, having regard to his/her health and welfare.

Head Teachers

Head Teachers are responsible for:

- in conjunction with the Governing Body, as indicated above, producing a Risk Register and bringing to the attention of the LA any high risk Health & Safety areas that it is considered cannot be managed locally and require LA intervention/support (see **Appendix 2**);
- supporting the Governing Body to ensure that all Governors have received relevant Health & Safety induction and training;
- ensuring there is an appropriate organisation within the school for implementing the Health & Safety Policy. It is recommended that in larger schools a senior member of staff should be designated as Health & Safety Co-ordinator for the establishment (see School Health & Safety Co-ordinator);
- ensuring the LA and Schools Health & Safety Policies are brought to the attention of all staff;
- ensuring current copies of SBCs Policies and Procedures are made available to members of staff as necessary via schoolsonline;
- co-operating and co-ordinating with partner organisations, contractors and other service providers to ensure the adequate provision for Health & Safety of pupils, employees and others who may be affected by schools' activities and/or the service provision of third parties on school sites;
- liaising with and seeking advice as necessary from the Health & Safety Team in order to fulfil the responsibilities outlined in this Policy;
- ensuring the provisions set out in SBCs Policies and Procedures are implemented;
- undertaking risk assessments and implementing control measures (Section 6 - Risk Assessment);
- ensuring all teaching staff have an appropriate workload, in support of a reasonable work/life balance, having regard to his/her health and welfare;
- implementing the LA's "Schools Notification Process" on any proposed alterations to the school site;



- Health & Safety monitoring undertaken in the school through:
 - an internal self-audit & monitoring checklist;
 - termly inspections of the premises (Head Teacher must be involved in at least one of the inspections);
 - accident, near-miss and ill-health investigation.

- Performance management review and ensuring that:
 - appropriate Health & Safety information is communicated to relevant staff;
 - relevant Health & Safety information is provided to visitors, temporary and agency staff, voluntary workers, contractors and those who may use the site;
 - there is agreement and co-operation between other users and other employers of the school site to ensure hazard reporting and joint risk assessments are recorded;
 - accidents are investigated and reported using the established procedures;
 - Trade Union safety representatives can carry out their functions and that appropriate consultation takes place;
 - opportunities are identified to improve health & safety within the school and that the health & safety responsibilities in relation to procurement and the management of contracts are carried out and recorded;
 - Health & Safety is included on team and staff meeting agenda and Governing Body meeting agenda;
 - there are arrangements for maintaining and inspecting services, such as gas and electrical systems and equipment;
 - arrangements to enable staff to report hazards are in place;
 - an Educational Visits Co-ordinator, who has attended a recognised training course, is appointed within the school;
 - procedures for identifying and acting upon failures by any employee to achieve adequate Health & Safety performance are in place;
 - Health & Safety training needs are identified and met;
 - fire precautions procedures are implemented (including fire drills);
 - appropriate arrangements are made with regard to any lettings;
 - copies of the school local organisation and arrangements are completed, posted on staff noticeboards in a prominent position and updated as appropriate (see **Appendix 3**).

School Health & Safety Co-ordinator

- A Health & Safety Co-ordinator should be appointed in Secondary schools and it is recommended that this should be the case for larger Primary schools. It is a matter for the Head Teacher to determine the precise duties and to put them in writing. It is



suggested the following could be included:

- Establishing arrangements for dealing with Health & Safety matters, such as:
 - dissemination of Health & Safety information to all staff;
 - first aid;
 - accident reporting;
 - emergency evacuation procedures;
 - ensuring accidents are investigated;
 - ensuring Health & Safety matters raised by staff are dealt with;
 - maintaining a central file of other relevant health & safety information;
 - co-ordinating all aspects of health & safety policy and practice;
 - liaising with safety representatives or other means of consulting with employees;
 - ensuring the implementation of the safety policy is monitored;
 - ensuring “reportable” accidents are reported to the Health & Safety Executive.
- School Health & Safety Co-ordinators can access training through Swindon Borough Council’s Learning and Development Team (Tel. 464980). Health & Safety Co-ordinators are advised to attend the Health & Safety Awareness for Managers and Risk Assessment courses.

Line Managers of teaching staff

- Line managers of teaching staff are responsible for implementing the Health & Safety Policy within their area of responsibility, which will vary according to the phase and organisation of the school.
- In particular, teaching line managers will need to ensure that:
 - Health & Safety rules, procedures and policy appropriate to their area of responsibility are brought to the attention of all staff within their area and complied with;
 - appropriate safety signs or notices are displayed;
 - relevant Health & Safety information is communicated to staff;
 - all accidents occurring are reported, the causes are investigated and an accident report form is completed;
 - reasonable arrangements for allowing safety representatives to carry out their functions are complied with;
 - Health & Safety training needs of staff within the area are identified and met or reported to the Head Teacher;
 - All staff are made aware of the emergency procedures, including fire procedures, on first the first day of employment;
 - new employees receive appropriate Health & Safety information, instruction and training, including Health & Safety induction training within school;
 - a record of all Health & Safety training for staff should be maintained and held on site;



- assessments for all risks to Health & Safety are carried out and significant findings recorded, with appropriate preventative measures completed, in accordance with Health & Safety Policies and Procedures relevant to the area (including requirements of particular subject areas);
- there are procedures for identifying and acting upon failures by any employee (including managers) to implement the Health & Safety Policy and procedures.

Classroom Teachers

The health and safety of students in classrooms, laboratories and workshops are the responsibility of the classroom teacher. These rules also apply to student teachers, who must be made aware of their responsibilities by a professional tutor, and to support staff, such as teaching assistants.

A classroom teacher is expected to:

- know the emergency procedure in respect of fire and First Aid and the special Health & Safety measures to be adopted in his/her own teaching areas as outlined in the school's Health & Safety Policy;
- be aware of and follow Health & Safety Policies, Procedures and guidance;
- exercise effective supervision of students and ensure that they know of the general emergency procedures in respect of fire and First Aid and the special safety measures of the teaching area;
- give clear instructions and warnings as often as necessary (notices, posters and handouts are not enough);
- ensure that students' items such as coats, bags and cases are safely stowed away;
- integrate all relevant aspects of Health & Safety into the teaching process and, if necessary, give special lessons on Health & Safety;
- follow safe working procedures personally;
- ensure precautions such as protective clothing, guards and special safe working procedures are used when necessary;
- bring health & safety concerns to the attention of the Head Teacher.

Other Line Managers in Schools

Other line managers in schools, such as site managers or the office manager, are responsible for the implementation of the Health & Safety Policy for Schools in their area of control. This includes:

- ensuring all staff are made aware of the emergency procedures, including fire procedure, on the first day of their employment;
- ensuring risk assessments in areas under their direct control are completed and recorded and any necessary control measures implemented (see Section 6 Risk Assessment);



- undertaking risk assessments of all significant hazards to which directly managed staff are exposed (see Section 6 Risk Assessment).
- ensuring that Health & Safety monitoring is undertaken in their area of control through:
 - internal monitoring;
 - inspections;
 - accident, near-miss and ill-health investigations;
 - performance management reviews
- identifying the training needs of staff to enable them to meet required competencies;
- ensuring all new employees to the area receive a Health & Safety induction;
- ensuring all relevant Health & Safety information is communicated effectively to the correct staff;
- ensuring procedures for identifying and acting upon failures by any employee to implement the Health & Safety Policy and procedures.

All Employees

Although prime responsibility for Health & Safety in Community and Voluntary-Controlled schools rests with the LA as the employer, the Health & Safety Policy can be implemented in schools only with the full co-operation of all members of staff. All employees, therefore, have the following responsibilities:

- To take reasonable care for their own health, safety and wellbeing and that of other persons affected by their acts or omissions;
- To co-operate with the LA, so far as is necessary, to enable it to meet its responsibilities for Health & Safety;
- To be aware of and follow Health & Safety Policies, Procedures and Guidelines;
- To use correctly work equipment provided, in accordance with instructions and training;
- To report to their line manager any hazards or work situations they identify and any inadequacies in Health & Safety;
- To report, using prescribed procedure, all accidents, reportable diseases, ill health, dangerous occurrences and near misses;
- To take part in any Health & Safety training identified as necessary by the LA or Head Teacher;
- Employees at all levels should note that if they fail to discharge the obligations placed on them by this Health & Safety Policy or any relevant statutory provision they may be liable to disciplinary action according to the LA's disciplinary rules and procedures or prosecution by the Health & Safety Executive.



Local Consultation

Head Teachers are responsible for ensuring that arrangements are in place for consultation with workplace safety representatives and to address issues raised by safety representatives on behalf of the staff they represent.

In any situations where the Trade Unions have not appointed local safety representatives, Head Teachers are responsible for arrangements to consult directly with employees in the establishment or with their elected representatives. The recognised Trade Unions have agreed that safety representatives may represent staff who are not members of the Trade Union for the purposes of consultation on Health & Safety matters.

Head Teachers must ensure that all relevant staff are consulted with regard to risk assessments that cover their work activities.

General Arrangements for Health and Safety

Local organisation and arrangements

Head Teachers are responsible for completing **Appendix 3**, indicating the local organisation and arrangements for implementing the Policy.

Health & Safety Policies & Procedures

Swindon Borough Council's Policies and Procedures are available on the Health & Safety section of schoolsonline.

Risk assessments

Under the Management of Health & Safety at Work Regulations there is a requirement for all risks to Health & Safety to be assessed and for significant findings to be recorded. The Health and Safety Policies and Procedures were prepared following an assessment of the risks and, in general, form the basis of most routine risk assessments. However, as generic assessments, they have limitations and it is the responsibility of managers to ensure assessments are modified and extended to take account of local circumstances. Head Teachers are responsible for ensuring specific risk assessments are undertaken (such as Fire, School Visits and Manual Handling) and for undertaking risk assessments relating to hazards to which directly managed staff are exposed (this will include stress risk assessments).

Health & Safety Monitoring and Auditing

Health & Safety Monitoring

The LA has established the following systems for Health & Safety monitoring:

- Inspections of establishments, sites and contractor operations by Head Teachers, as identified in Health and Safety Policies and Procedures or specific risk assessments;
- Routine checks on equipment and electrical, gas, mechanical and other services;
- Investigation of incidents, accidents and causes of ill health by local managers in the first instance;
- Hazard reporting, as described in Health and Safety Policy.



Health & Safety auditing

The Health & Safety Team is responsible for an auditing programme, which will include Community and Voluntary-Controlled schools. On receipt of an audit report, Head Teachers will prepare an action plan to address any findings.

Health & Safety Review

Head Teachers and Governing Bodies will review Health & Safety performance in the following ways:

- Using a Performance Management system to ensure Health & Safety is an integral element of target setting, monitoring performance and related processes;
- Establishing systems for ensuring that issues identified by monitoring and auditing are addressed;
- Establishing procedures when issues are not addressed.
 - The procedure must address the following issues:
 - How the matter will be dealt with within the line management structure when it is referred upwards, with responsibilities established for each stage;
 - The point at which the matter must be referred to the Governing Body.
 - The procedure must include a response to remedy failures, whether observed in routine activities, active or reactive monitoring or auditing.
 - The procedure must be well documented to emphasise that, for example deviation from the established Policies & Procedures is unacceptable. It is important that there is a way of holding failing managers to account.

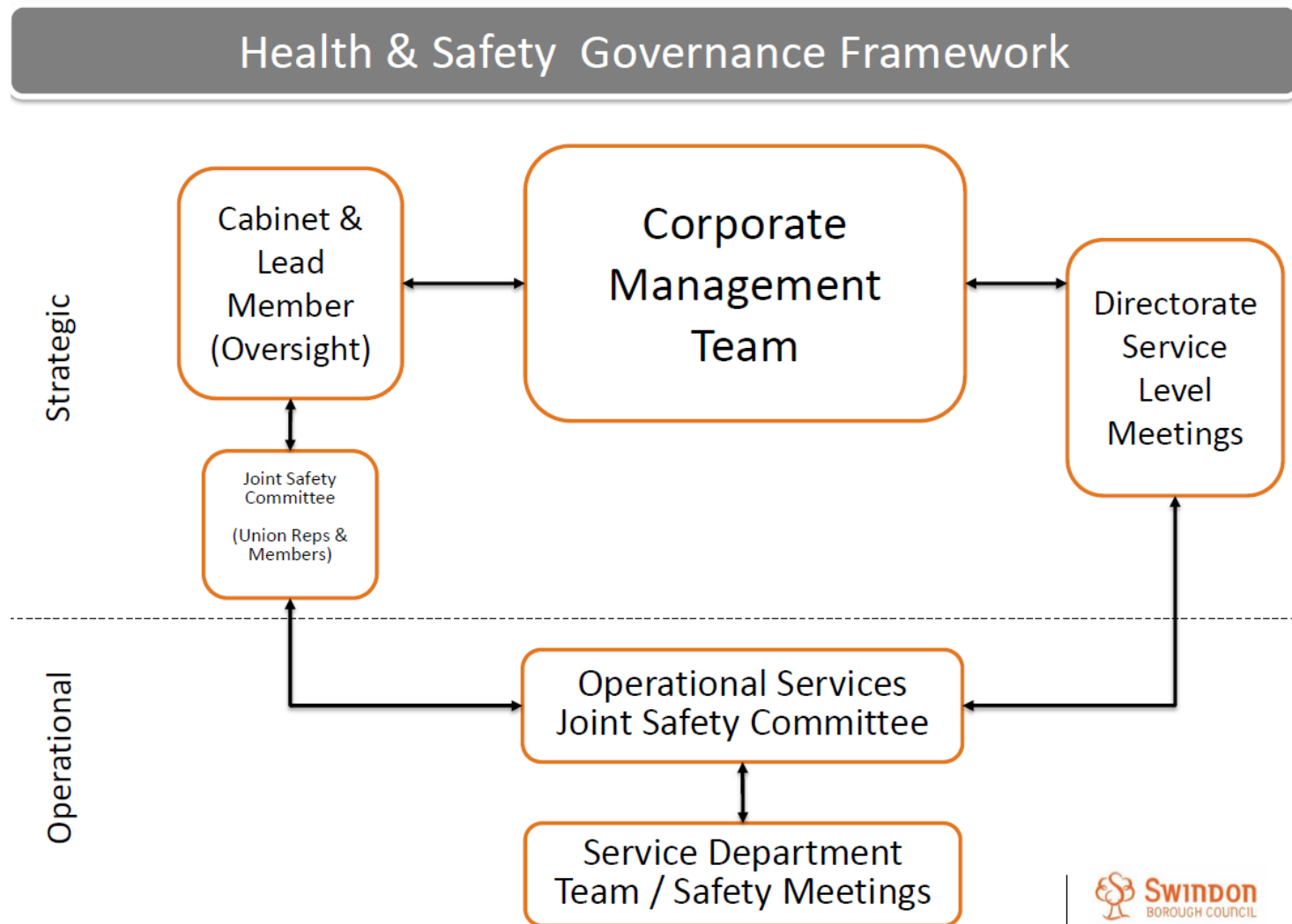
Consequences of Non-Compliance

It is a requirement of all staff to fulfil their responsibilities as outlined in this Policy. Where there is a failure to comply with the Policy (including Procedures), whether observed in routine activities, active or reactive monitoring or auditing, an appropriate response is required to hold managers and staff to account and remedy the failure within the establishment.

Where a Head Teacher fails to co-operate with the LA, thereby placing the LA at risk of legal action, the Corporate Health and Safety Lead will raise the issue with the Chair of Governors. The Governing Body will be expected to direct the Head Teacher to take appropriate action and if non-compliance continues disciplinary procedures will ensue. (See also Escalation Procedure – **Appendix 2.**)



Appendix 1 – Health & Safety Governance Structure



Appendix 2 - Escalation Procedure

Criteria of Response to Health and Safety Compliance

Green

- Children Services establishment receives advisory note from SBC Officer/Enforcement Agency.
- SBC Officer/Enforcement Agency reviews school response/action direct with the school.

(In the event of a serious Health and Safety concern which requires an immediate response, go straight to Red).

Failure to respond to SBC Officer within two weeks

Amber

Children Services establishment fails to respond to SBC Officer within set timescale.

Action: Letter from Group Director, Children/Director responsible, asking for response to concerns raised.

Failure to respond to Group Director, Children, within one week

Red

- Children Services establishment fails to respond to Group Director, Children/Director responsible.
- Major concern on lack of compliance.

Action: School invited to a meeting with Group Director: Children, regarding lack of compliance leading to enforcement.

Or: Immediate site visit for enforcement action.



Appendix 3 - Local Organisation & Arrangements Notice

Name of Establishment	EOTAS Swindon
Manager responsible for establishment Eg. Head Teacher	Lindsey Hull
School's Health & Safety Co-ordinator (if applicable)	Evan James
Location of Health & Safety Policies/Procedures/Documentation/Risk Assessments	Shared Drive – Policies Paper copies – Maintenance Office
Location of Fire Register	Maintenance Office
Procedure for accident reporting (Name of employee to report and, if appropriate, who reports to the HSE)	Complete Incident form and give to Head of Centre. Head of Centre reviews and copies to Business Manager and Facilities Manager. Business Manager reports to HSE
Procedure for reporting hazards (Name, telephone number or other contact arrangements, such as Hazard Book)	As above
Name(s) of Establishments Trade Union Safety Representatives	
Fire assembly point	Each site has a different location – per Fire Evacuation Plan
Fire Marshal/Evacuation Officer (if applicable)	As above
Day and time of weekly fire alarm tests	Per Fire RA
Name, address and telephone number of nearest hospital	Great Western Hospital Marlborough Road Swindon SN3 6BB 01793 604020
Location of First Aid Boxes	Notices around each site with locations

