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**Health, Safety and Wellbeing Policy for Community, Voluntary Controlled Schools
and
Community Support Services / Pupil Referral Units**

ESSEX COUNTY COUNCIL

**Health, Safety and Wellbeing Policy for Community,
Voluntary Controlled Schools
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Health, Safety and Wellbeing Policy for Community, Voluntary Controlled Schools and Community Support Services / Pupil Referral Units

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1.0 OBJECTIVE

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

- Providing schools with health and safety standards 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 7);
- Monitoring health and safety standards and taking appropriate action to ensure compliance (see section 10 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.

2.0 SCOPE

This document applies to governors, headteachers, managers and employees in community and voluntary controlled schools, pupil referral units and children's support services for health and safety within their areas of control.

It does *not* apply to Academy, Free, Foundation or Voluntary Aided Schools, Centres or Referral Units.

3.0 SUMMARY OF CHANGES SINCE THE PREVIOUS VERSION OF THIS POLICY

This policy has been substantially revised to take into account legal advice on the responsibilities of ECC in relation to schools and the recommendations of an independent health and safety auditor/consultant.

The most significant changes are:

- Addition of the "ECC Management" section of the policy, in order to show the responsibilities of various ECC management roles (Section 5);
- Responsibilities of school based staff are still detailed within the policy but have been reviewed. (section 6);
- Clarification of the status of school governors with respect to their health and safety role (section 6.4);

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- Modification of the Monitoring, Review and Auditing strategy to a risk based approach (section 10).

4.0 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, 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.

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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.

CMB – is the ECC Corporate Management Board which consists of the Chief Executive and the Executive Directors.

5.0 RESPONSIBILITIES OF ECC MANAGEMENT

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

5.1 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 Management Board (CMB) 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 and standards;
- 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 Management Board (CMB) and other senior competent officers.

5.2 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 Schools Infolink (HSP1.0).

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5.3 Monitoring Officer

The Monitoring Officer is responsible for advising the Council where any proposal, decision or omission by the Council, its committees and subcommittees or officers would contravene health and safety legislation.

5.4 Corporate Management Board (CMB)

Will ensure:

- Health and safety is an integral part of CMB 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 Health and Safety Board Champion is appointed 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;
- Health and safety performance is monitored and reviewed at least annually.

5.5 Corporate Health and Safety Board

The Essex County Council Corporate Health and Safety Board (CHSB) and Corporate Management Board (CMB) 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 CMB. The objectives of the Corporate Health and Safety Board shall be:

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- 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 CMB 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 Action 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 Action 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.

Further responsibilities can be found in the Corporate Health and Safety Board Terms of Reference.

5.6 Executive Directors

Will ensure:

- All CMB 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;

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- 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 they chair 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 (Tier 3) 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.

5.7 Directors and Heads of Service

Will ensure:

- All decisions made by their Service 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;
- 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 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;
- That their Service is represented at the quarterly Function Health and Safety Group meetings;

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- 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 Action 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 is 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 standards 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.

5.8 Health and Safety Champion for Schools

The Director for Commissioning Education and Lifelong Learning 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;

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- Other specialists that provide health and safety advice and support to schools to ensure the effective co-ordination of health and safety and the provision of competent advice;
- Co-ordinating the development, review and revision of School Health, Safety & Wellbeing Policies and standards;
- Setting up and chairing a health, safety and wellbeing committee for school based employees and representing schools 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 for People Commissioning 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 and Standards;
- Contributing to the development of the Schools Health, Safety and Wellbeing Action 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

6.0 RESPONSIBILITIES OF SCHOOLS BASED STAFF AND GOVERNORS

6.1 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 co-ordination with other users of the school site and that, where necessary joint health and safety arrangements are recorded and agreed;

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- 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 standards available on the schools infolink are regularly checked and where necessary made available to relevant employees;
- 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 standards 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 standards;
- 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 standards 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 Schools 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).

6.2 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 co-ordinator 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.

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The School Health & Safety Co-ordinator will:

- Establish arrangements for the effective co-ordination of health and safety throughout the School;
- Support the Headteacher in co-ordinating the development, review and revision of the School's health and safety standards;
- 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 and Standards;
- 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 standards within the school.

6.3 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 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;

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- 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 have an understanding of how Learning Outside the Classroom (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 the 'Educational Visits Statement' available from the EVOLVE website is implemented;
- 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 and every 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 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.

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6.4 Responsibilities of Governing Bodies

Essex County Council recognises the vital role which school governors play in monitoring health and safety standards in schools and, in some circumstances assisting with consultation between parents, and the head teacher 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 standards in the school.

In order 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 10.5 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 standards 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 made by the school to comply with statutory requirements, the Health, Safety and Wellbeing Policy for Schools and the Council's health and safety standards;
- 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;

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- 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. Outcomes from the Work-Life Support Wellbeing Programme);
- Statutory requirements and the Council's health and safety standards are taken into account 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.

In the event that they are not satisfied that the appropriate standards 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

6.5 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. As a general rule the direct responsibility of managers for health and safety is determined by the extent to which they have authority to take action. That is if they have the authority to make a general decision about some aspects of the work, they are responsible for the health and safety implications of that decision.

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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 take account of their views;
- Ensuring the health and safety competence and capability of employees under their control (See arrangements section 8.3);
- Ensuring relevant health and safety standards, including the Council's Health and Safety Standards, are implemented in their area of control. (See relevant parts of Section 8);
- 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 8);
- 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 10);
- Reviewing the effectiveness of health and safety standards at controlling risks and feeding back areas of concern to their line manager, Headteacher or Governing Body (see sections 10.4 and 10.5);
- Ensuring health and safety issues identified via risk assessments or monitoring activities that cannot be addressed are raised with their line manager.

6.6 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 standards;
- 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;

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- Use work equipment provided correctly, in accordance with instructions, training and Essex County Council health and safety standards;
- 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.

6.7 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 member of employees being visited.

7.0 SUPPORT SERVICES

7.1 Health and Safety Co-ordinator for Schools (and Family Operations)

The Risk Officer for Family Operations 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 (Director for Commissioning Education and Lifelong Learning) and will:

- Liaise closely with the Health & Safety Champion for Schools;
- Attend and support the Schools Health, Safety and Wellbeing Committee meetings.
- Advise and guide line managers, to ensure that they meet their statutory responsibilities and ECC's health and safety standards;
- 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.
- Highlight potential hazards and dangerous occurrences in the workplace.

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- 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.

7.2 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. In order to meet its health and safety responsibilities to schools, the Council provides a health and safety service. Schools have been delegated resources to fund 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 standards 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);
- Examines 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.

7.3 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 (for exposure to noise and vibration);

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- 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. Further details can be found on occupational health pages of the Schools Infolink or by telephoning 03330 139804.

Counselling

- Schools purchasing the Council's Occupational Health Service will have the OH Counselling Service included as part of the SLA.
- Schools not purchasing the Council's Occupational Health Service can access the counselling service charged at a cost per session / consultation. There are various options available regarding counseling sessions / consultations (subject to capacity within Occupational Health at the time. Contact Occupational Health for further details.

For schools which have access to the counseling service through buying in to the Occupational Health Service the contact details are:

Tel: 01245 434225 / E-mail: counselling@essex.gov.uk

7.4 Wellbeing

Schools may either use the Team Stress Risk Assessment forms and guidance available on the Health and Safety pages of the Schools Infolink or sign up to the Education Support Partnership Programme. Schools can access the programme through www.educationsupportpartnership.org.uk or telephone 0845 8735680 (this is an Independent Company and therefore there would be a cost implication for Schools).

7.5 Educational Visits Officer

The Council's Educational Visits Officer 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.

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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/ Managers and 3.3b Check List).

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

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 Quality Badge

For full details on the Council's Educational Visits Support see www.essexvisits.org.uk or contact 01245 22102

7.6 EES for Schools

Provide advice and training on all aspects of training within schools. Contact EES for Schools on telephone 0333 013 9834 or e-mail EEStraining@EESforschools.org for information and guidance.

7.7 Catering

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

All maintained primary schools and all maintained secondary schools are through the Schools forum have agreed to de-delegation and therefore are entitled to have access to the Essex School Meals Support Service.

Maintained primary schools which have not accessed food safety advice through this option must decide where to access it from. It is recommended that they buy in to Essex School Meals Support Service.

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.

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Wherever schools access food safety advice from it is also to ensure this will include 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 Help line on 01245 356218 or e-mail school.meals@essex.gov.uk further information can also be found on the schools [Infolink](#): -

7.8 Health Protection

The Essex Health Protection Team (HPT), which is part of Public Health England (PHE), provides advice on communicable diseases and infection control in schools. In the first instance, schools should refer to Essex HPT's guidance – 'Communicable Disease in Schools/Nurseries and Centres 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.

Essex Health Protection Team Contact Details: Tel: 0345 155 0069 or e-mail essexhpt@phe.gov.uk

7.9 Management of Radioactive Sources

The majority of science departments within Community and Voluntary Controlled Secondary Schools hold radioactive sources and therefore Essex County Council (ECC) is deemed to be a 'radiation employer'.

As a 'radiation employer' it is necessary to consult with and appoint where necessary a Radiation Protection Adviser (RPA). The Criteria of Competence for RPA's is set by the Health & Safety Executive.

ECC has appointed RPA Plus through CLEAPSS, as the authority's RPA. ECC subscribes to CLEAPSS on behalf of all Essex Maintained Schools to provide support and guidance on science and technology.

ECC is required by CLEAPSS to appoint a Radiation Protection Officer to act as a link between the schools and the RPA / CLEAPSS on radiation matters. ECC Corporate Health and Safety Team have been appointed as the Authority's RPO. Corporate Health & Safety as the Authority's RPO will:

- Keep central records of the sources held by each school;
- Keep records of who the Schools RPS is;

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- Ensure RPS's are informed of any information or guidance on managing radioactive sources;
- Undertake visits of schools from time to time to monitor practice and procedures (check records are accurate, sources appropriately stored, source use log kept, leak checks carried out and general source management).

ECC expects all Community and Voluntary Controlled Secondary Schools to adhere to the latest CLEAPSS Guide L93 – Managing Ionising Radiations and Radioactive Substances in Schools, etc. This includes the requirement that each school appoint a Radiation Protection Supervisor (RPS). CLEAPSS Guide L93 contains guidance on the qualifications / competence the RPS must have to undertake the role.

The full duties of the establishments Radiation Protection Supervisor are contained in CLEAPSS Guide L93. All RPS's should familiarise themselves with their duties and ensure they are meeting them.

RPS specific duties include:

- Informing the Authority's RPO when any new sources are acquired;
- Informing the Authority's RPO when any sources are disposed of or transferred to another establishment;
- Informing the Authority's RPO if the establishment appoints a new RPS;
- Providing information on sources held when requested to do so by the Authority's RPO;
- Informing the Authority's RPO of any incidents involving the establishment's sources, e.g. spill, leak or loss.

The contact details for the Authority's RPO are:

Corporate Health & Safety Team, County Hall, Chelmsford
Telephone: 0333 013 9818 / E-mail: hs@essex.gov.uk

7.10 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 the Construction area of the health and safety infolink Pages).

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

Your property consultant, who will also give specialist advice on the following:

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- 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, standards and statutory approvals

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

8.0 HEALTH AND SAFETY ARRANGEMENTS

8.1 General Arrangements for Health and Safety (Our Standards)

The detailed arrangements for implementing this Policy are contained within health and safety standards on the health and safety pages of the Schools Infolink (under School Management). (NB health and safety standards are kept on a secure part of the infolink, so schools will need a password to access them).

8.2 Local Arrangements within Schools

Head Teachers are responsible for developing and communicating local arrangements for implementing the Councils Policy and standards in their school. This should include arrangements for:

- Ensuring employee health and safety competence and capability;
- Addressing failures to comply with health and safety requirements through performance management and disciplinary processes;
- Fire and emergency evacuation (including fire risk assessment);
- First aid;
- Communication and consultation of health and safety;
- Reporting of health and safety incidents, hazards and concerns;
- Ensuring risk assessments are in place for all work activities;
- Managing the risks to Young People on Work Experience Placements;
- Controlling risks arising from work activities not covered by the Council's health and safety standards;
- Control of asbestos (including asbestos management plan) and legionella;
- Working at height;
- Statutory inspection and maintenance of work equipment, plant and service;
- Control of (health and safety competence and monitoring) contractors;
- Monitoring compliance with and reviewing effectiveness of health and safety standards;

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8.3 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 10.6 of this Policy).

ECC Standards & 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 on recruitment and on being exposed to new risks (for instance due to a change of job role).

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

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

EES for Schools organise the following health and safety courses:

- Managing Health and Safety (1/2 day)
- Managing Asbestos (1/2day)
- Managing Legionella (1/2day)

Contact EES for Schools on:

- Telephone: 0333 013 9834 / Email: EEStraining@EESforschools.org

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

8.4 Health and Safety Standards

How we do things safely is detailed in health and safety standards on the Health and Safety pages of the Schools Infolink covering a range of activities. It is important that managers and employees follow these standards, as they are the way the Council ensures it is meeting its legal obligations for health and safety. Your contract of employment (Conditions of Service) requires that you co-operate with the Council by complying with its standards for health and safety. Failure to do so can result in disciplinary action. It may also expose the Council and individuals within the school to the risk of prosecution.

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

8.5 Health and Safety Risk Assessments

Risk Assessment is a legal requirement. Our health and safety standards 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 Standards.

Managers are responsible for:

- Ensuring controls detailed in standards and generic risk assessments are implemented in their area of control;
- Ensuring that where there are generic risk assessments these are added to in order to reflect local circumstances and controls.

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- Ensuring that where there are no standards 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.

8.6 Communication

Communication to Schools: The Council communicates health and safety information, standards, guidance and forms to Schools through the Health & Safety pages of the Schools Infolink. (Note: health and safety standards are kept on a secure part of the Infolink, so schools will need a password to access them).

The health and safety pages of the Infolink are regularly updated. This is notified to Schools through alerts (latest news) on the health and safety homepage and through the 'Education Essex' weekly newsletters sent to Schools.

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 and pupils under their control.

Getting Help on Health & Safety: The Council has a range of professionals available to provide competent advice to schools. (see section 7 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.

9.0 CONSULTATION ARRANGEMENTS

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

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safety decisions. The law requires that employees must be consulted before implementing changes that may affect their health and safety and with regard to risk assessments that cover their work activities.

Local Consultation: 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).

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 8.0 Health and Safety Consultation with Trade Unions.

10.0 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 standards.

10.1 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 an action plan which the Headteacher must implement.

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The completed action plan, detailing action that has been taken to address areas for improvement must be returned to the Corporate Health & Safety Team within four months of the audit. Section 10.7 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 and Lifelong Learning Leadership Team.

10.2 Internal Monitoring:

Schools are required to complete electronic internal monitoring checklists, to confirm compliance with the Council's health and safety standards. It is expected this will be on an annual basis. Schools will be notified through the Health & Safety pages on the School's Infolink and the Education Essex Newsletter. The system will provide schools with an action plan, which they must to implement. Data collected will also be used as a basis for a statistical report to the Education and Lifelong Learning 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.

10.3 Health and Safety Incident Investigation:

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

10.4 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 accident / incidents;
- Systems for reporting hazards and safety concerns.

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

10.5 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:

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- 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 provides data that relates to employee health, safety and wellbeing (e.g. Outcomes from Stress Assessments or Work-Life Support Programme (see section 7.4).

10.6 Consequences of Non Compliance with the Council's Health and Safety Policies and Standards

It is a requirement for all employees to fulfil their responsibilities as outlined in this policy. Where there is a failure to comply with the Policy (including the Council's standards), whether observed in routine activities, active or reactive monitoring or auditing, an appropriate response is required to hold managers and employees to account and remedy the failure. A number of options are available depending on the severity of the circumstances:

- As part of the normal line management process;
- Through performance reviews;
- For serious breaches, through disciplinary action. If sufficiently serious, this could include dismissal for gross misconduct.

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

10.7 Failure of Headteachers to Comply with Statutory Requirements and to implement the Council's Health and Safety Standards

It is necessary for the Council to have procedures in place, to ensure that all employees and managers in schools fulfil their legal responsibilities, so that the Council is able to meet its legal health and safety obligations as the employer. A failure to manage health and safety could lead to enforcement action by the Health and Safety Executive.

Specialists within Education and Lifelong Learning and the Council's competent health and safety advisers are expected to make reasonable efforts to secure information, co-operation or compliance with health and safety legislation, so as to prevent enforcement action against Council.

- Where a 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 Commissioning Education and Lifelong Learning. All documents, including

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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 Commissioning Education and Lifelong Learning 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 Commissioning Education and Lifelong Learning 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 Schools Causing Concern Guidance (March 2016).
- 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 Commissioning Education and Lifelong Learning will refer the matter to the Executive Director for People Commissioning who holds the statutory post of Director of Children's Services.
- In the event of further non-compliance, the matter may be referred to the Chief Executive.
- The Council, as employer under the *Schools Standards and Framework Act 1998* has the authority to recoup costs from school budgets where it is forced to undertake additional work in schools in order to meet legal requirements. This will be done only when the Council has made all reasonable efforts to achieve compliance.
- Ultimately, compliance would be enforceable through the courts. Substantial or persistent non-compliance with the policy requirements is grounds for suspending delegation, subject to the governing body's right of appeal.

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

10.8 Review and Revision of this Policy

This Health, Safety and Wellbeing Policy will be reviewed annually and revised as necessary in the light of changes in circumstances and/or legislative requirements.

If you have any queries or comments on the policy, please contact The Corporate Health & Safety Team.

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11.0 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.

12.0 REFERENCES:

The Councils health and safety standards, codes of practice, 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 standards are kept on a secure part of the Infolink, so schools will need a password to access them.

Appendix A: Health, Safety and Wellbeing Policy for Community & VC Schools and CSS & PRU's

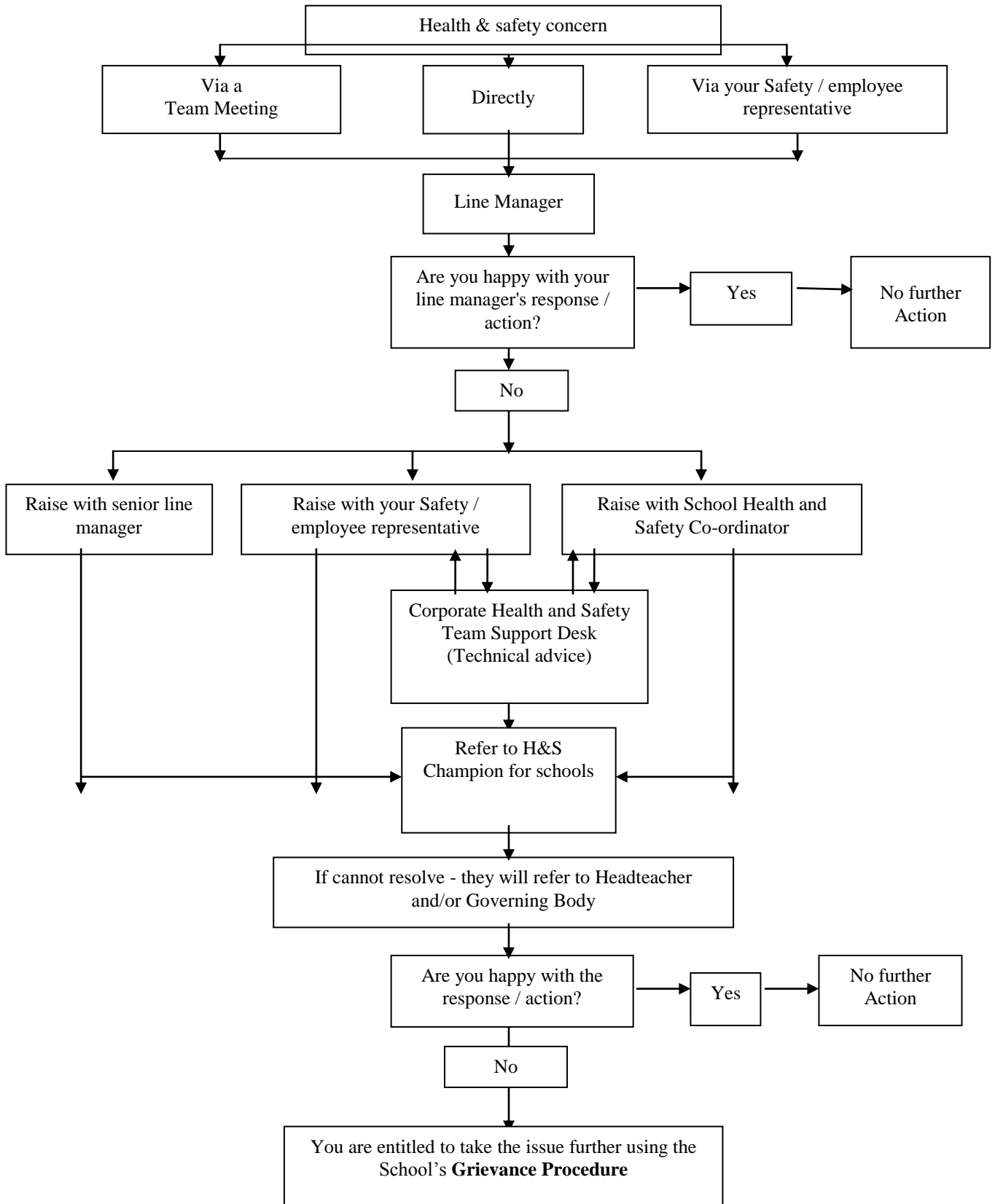
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|  | SCHOOLS / CSS: HEALTH AND SAFETY ARRANGEMENTS | Form Number: HSF130 Version: 3.0 Date: May 2016 Procedure: HSP(S) 1.0 |
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| | |
|---|---|
| School Name | |
| Headteacher who has overall responsibility for health and safety at the establishment. | |
| School Health and Safety Coordinator | |
| School Educational visits co-ordinator | |
| Trade Union Health and Safety Representative (or Employee Representative if one appointed) | |
| Report health and safety incidents to: | |
| Report hazards to: | |
| Person(s) responsible for undertaking H&S inspections: | |
| Person responsible for co-ordinating fire evacuation arrangements: | |
| Fire marshals: | |
| Fire assembly point(s): | |
| Day and time of weekly fire alarm tests | |
| First aiders / appointed persons: | |
| Designated DSE Assessor(s): | |
| ECC Counselling Service (Confidential) | Tel: 01245 434225 |
| Where to find: | Location: |
| Incident / Accident report forms | Schools Info link – Report online |
| Hazard book | |
| Health and Safety Standards and Information relevant to school / curriculum area. | |
| Location of ECC health and safety information: | All standards are on the health & safety pages of the schools Infolink, under School Management |
| Members of staff who have Infolink health & safety access: | |

Appendix B: Health, Safety and Wellbeing Policy for Community & V/C Schools and CSS & PRU's

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|  | SCHOOLS / CSS: GETTING HELP ON HEALTH & SAFETY | Form Number: HSF131 Version: 3.0 Date: May 2016 Procedure: HSP(S) 1.0 |
|---|---|--|

| 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 | Clare Kershaw | Tel: 01245 434745 |
| Health and Safety Co-ordinator for Schools (Family Operations) | Ami Balbi (on mat leave from 27/04/16). Mark Campbell covering. | 01245 434745 |
| Asbestos / legionella / contractor management advice (this will be schools property consultant or other competent contractor) | | |
| School meals | School Meals Help line: | Tel. 01245 356218 or e-mail school.meals@essex.gov.uk |
| Educational Visits Officer | Norberto Fusi | Tel: 01245 221022 Educational.visits@essex.gov.uk |
| ECC Counselling Service (Confidential service) | Occupational Health Centre | Tel: 01245 434225 |
| ECC Safety / Employee representatives: (These representatives sit on the ECC Schools Health & Safety Committee). | Paul Bundy (NUT) Simon Smith (Voice) Jeff Fair (ATL) Ingrid Leatherdale (NASUWT) | pb006c4108@blueyonder.co.uk simons@sweynepark.com jfair@essex.atl.org.uk ileatherdale@email.com |
| Other contacts | | |
| School's Property Consultant | | |
| School's food safety advisor | | |
| Occupational health advice | ECC Occupational Health Service 0333 013 9804 (Or enter details of own provider) | |
| School nurse | | |
| Essex Health Protection Unit (Infection control advice): | 0345 1550069 essexhpt@phe.gov.uk | |



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|  <p>Essex County Council</p> | <p>Protocol for Escalation of Non Compliance with the Council's Health and Safety Policies and Standards</p> | <p>Form Number: HSF133 Version: 1.0 Date: May 2016 Procedure: HSP(S) 1.0</p> |
|---|---|--|

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

This protocol is to be followed for the standard situations described below and as a guide for others which may arise. The Health and Safety Champion for Schools will then make a decision regarding what action to take as described in Section 10.7 of the policy "Failure of Headteachers to Comply with Statutory Requirements and to implement the Council's Health and Safety Standards".

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 Commissioning Education and Lifelong Learning will write to these schools stipulating the need for their support in this process and to complete the HSIM in future.
- Where a Headteacher continues to fail to co-operate with the Council, the Director for Commissioning Education and Lifelong Learning 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 Schools Causing Concern Guidance (March 2016).
- 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 Commissioning Education and Lifelong Learning 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 fails to follow the advice of the School Meals service and this is deemed as not meeting the Council's standards with respect to food safety the School Meals Advisor 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 Director for Commissioning Education and Lifelong Learning.

Where a Headteacher continues to fail to co-operate with the Council, the Director for Commissioning Education and Lifelong Learning 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 DfES Schools Causing Concern Guidance (March 2016). If non-compliance

Appendix D – Health, Safety and Wellbeing Policy for Community & V/C Schools and CSS & PRU's

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

The Educational Visits Officer 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 the Educational Visits Officer 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 Commissioning Education and Lifelong Learning. Where a Headteacher continues to fail to co-operate with the Council, the Director for Commissioning Education and Lifelong Learning 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 Schools Causing Concern Guidance (March 2016). 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 standards 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 standards are not being met and this represents a significant risk to ECC then the matter will be escalated to the Director for Commissioning Education and Lifelong Learning.

Where a Headteacher continues to fail to co-operate with the Council, the Director for Commissioning Education and Lifelong Learning 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 Schools Causing Concern Guidance (March 2016). 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.