



'ALIS VOLAT PROPRIIS'

SEATON HOUSE SCHOOL

HEALTH, SAFETY & WELFARE
POLICY

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Reviewed by: Head, SLT, Bursar

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This Policy applies to the whole school, including the EYFS

SEATON HOUSE OPERATES A NON- SMOKING POLICY (INCLUDING 'E' CIGARETTES) WHICH APPLIES TO ALL STAFF, PARENTS, CONTRACTORS AND VISITORS

A. General Statement of Health and Safety Policy

- i. The Governors of Seaton House School recognise and accept their responsibility as employers for providing, so far as is reasonably practicable, safe and healthy work places, work practices and working environments for all their employees, pupils and visitors.
- ii. The Governors will take all steps within their power to meet this responsibility, paying particular attention to the provision and maintenance of proper:-
 - a) plant, equipment and systems of work;
 - b) arrangements for the use, handling, storage and transport of articles and substances;
 - c) information, instruction, training and supervision;
 - d) places of work with safe access and egress;
 - e) environments for safe and healthy working and adequate welfare facilities.
- iii. Without detracting from the primary responsibility of the Bursar (in conjunction with the Headteacher) for ensuring safe conditions of work, the Governors will continue to keep under review arrangements for providing advice on Health and Safety matters where this is necessary.
- iv. The Governors are committed to ensure that the school operates in accordance with current legislation and where necessary additional resources will be provided to facilitate this.
- v. The Governors will ensure that the Bursar makes appropriate committee arrangements for the consideration of safety matters through the meetings of the Compliance Sub-Committee.
- vi. In addition to the Compliance Sub-Committee Reports, the Bursar (in conjunction with the Headteacher) is expected to report to Governors on any significant Health and Safety matters affecting the school.
- vii. Employees are reminded of their own duties to take care of their own safety and that of other employees, pupils and other persons who might be affected by their work activities and the duty to co-operate with the Governors to enable the Governors to carry out their Health and Safety responsibilities successfully.
- viii. A copy of this statement is issued to all employees. It will be reviewed and added to or modified from time to time and as necessary. Details of the

organisation and arrangements for carrying out the policy are to be found in parts B and C of this document.

B. Organisation for Health and Safety

The Bursar (in conjunction with the Head teacher) is responsible for ensuring compliance with this Health and Safety policy which comprises these parts: -

- A the General Statement.
- B the Organisation for Health and Safety
- C the Arrangements.
- D Risk Assessments
- E Health and Safety Act 1974

i. Executive responsibility for safety

Every Head of Department and employee with a supervisory role is responsible for ensuring, in accordance with the law, the Health and Safety of employees, pupils and other persons in their area of responsibility and also anyone else who may be affected by their work activities. In particular, the responsibilities listed in Annexe 1 to Part B of this policy document [sections b, c, d, e, h, k and o] are assigned to such persons for their areas.

In the areas listed below, the persons named have overall executive authority for safety.

Senior House	Mrs L Wilson
Design and Technology Activities	Mrs Baker
Science Activities	Mrs Brooks
The Pond and surrounding area	Mrs Brooks
Games	Mr Colomer
Junior House	Mrs McGreevy
Early Years Centre	Mrs McGreevy
All other areas	Mrs Darvill/Mr. Roads

- All those with executive responsibility should notify the Bursar & Headteacher of any planned, new or newly identified significant hazards in their areas and also of the control measures needed to avert any risks involved.
- As it is the Bursar & Headteacher's duty to ensure adherence to the school's Health and Safety policy, they instruct every Head of Department and employee with a supervisory role to report to her any breach of the safety arrangements.

- When Heads of Departments, supervisors or others in charge of areas, employees, pupils or visitors are going to be or are, absent for significant periods, adequate substitution must be made in writing to the Headteacher. For short periods of absence, she will be responsible for ensuring that proper arrangements are in place.
- Termly Compliance Sub-Committee Meetings are held where Health & Safety is discussed. In addition, more regular SLT meetings will allow urgent issues to be raised. The Sub-Committee meetings will:
 - Discuss matters concerning health, safety & welfare including changes in regulations*
 - Monitor the effectiveness of health, safety & welfare within the school*
 - Review accidents and near misses. Discuss preventative measures*
 - Review risk assessments and ensure they are updated regularly*
 - Discuss training requirements*
 - Review the Health, Safety & Welfare Policy guidance and update it*
 - Review all matters relating to Fire Safety*
 - Monitor the implementation of professional advice*
 - Assist in the development of safety rules and safe systems of work*

ii. Advisory responsibility for safety

The Bursar and Headteacher are responsible for day to day advise to the school on Health & Safety Matters. The named Governors for Compliance are Mr Omar Saeed and Mr Mark Russell.

The purpose of the committee is to oversee and monitor the effective implementation of the safety policy within the school and to review regularly the contents of the safety policy. It will meet once a term or more frequently if deemed necessary.

iii. Other Functions

- Mrs L Wilson, Mrs Saunders and Mrs Drury are responsible for First Aid. Mrs Drury responsible for checking the contents of the First Aid kit in every building at the end of each term.
- All major injuries and all injuries to teachers, dangerous occurrences and near misses should be reported immediately to the Bursar and Headteacher. Records of all accidents are kept and reported to the Compliance Sub-Committee. Accidents of a serious nature must be reported to the Health and Safety Executive (as defined by the current HSE guidance).
- Accidents to children should be recorded in SIMS against the pupil record, and on the Accident File (summary spreadsheet). For further recording details please refer to Part F.
- Any accidents to staff should be reported in the Staff Accident Book kept in the School Office (the format of this record complies with the Data Protection Act

1998). Completed forms should be given to the Headteacher to be retained with staff confidential records.

iv. Individual responsibility

All school employees, pupils and all persons entering onto the school's premises or who are involved in school activities are responsible for exercising care in relation to themselves and others who may be affected by their actions. Those in charge of visitors (including contractors) should ensure that the visitors adhere to the requirements of the school Health and Safety Policy, where appropriate, making sure that all work is carried out in the approved way and in accordance with the school policy.

All members of staff must

- a) be familiar with the Health and Safety Act 1974, a copy of which is reprinted in section E;
- b) obey all instructions emanating from the Bursar / Headteacher in respect of Health and Safety;
- c) be familiar with the safety policy and all safety regulations as laid down by the Governing Body;
- d) ensure health and safety regulations, rules, routines and procedures are being applied effectively by both staff and pupils;
- e) see that all plant, machinery and equipment is adequately guarded and in good and safe working order;
- f) not make unauthorised or improper use of plant, machinery and equipment; Use the correct equipment and tools for the job and any protective equipment or safety devices which may be supplied;
- g) ensure that toxic, hazardous and highly flammable substances are correctly used, stored and labelled;
- h) report any defects in the premises, plant, equipment and facilities which they observe;
- i) warn their immediate supervisor and the Bursar/Headteacher of any new hazards to be introduced or newly identified risks found in present procedures;
- j) when appropriate, give visitors (including contractors) a named contact within the school with whom to liaise;
- k) offer any advice and suggestions that you think may improve Health and Safety;
- l) report all fires, incidents and major accidents immediately to the Head teacher;
- m) familiarise themselves with the location of fire-fighting equipment, alarm points and escape routes, together with the fire procedures;
- n) consult their superior or the Bursar/Headteacher if they are in doubt about any matter of Health and Safety.

All employees are advised to bring to the attention of the Head teacher any medical conditions and / or general physical weaknesses which may, in certain circumstances, affect their ability to bend, stretch, lift, carry, push, pull etc.

v. Specific Arrangements

The following areas/activities present identified and significant risks in this school or have health and safety implications:-

- 3 Science Activities and the Pond
- 4A The Premises - form rooms, playground, climbing equipment etc.
- 4B School Office
- 5 / 6 First Aid / Accidents
- 7 Medicines
- 8 Pregnancy
- 9 PSHE
- 10 Fire arrangements
- 11 Electrical Appliances
- 12 Protective equipment
- 13 COSHH
- 14a / 14b PE Activities and Swimming
- 15 Activities outside School hours
- 16 Outings
- 17 Food Preparation Areas
- 18 /19 Manual handling, lifting and climbing
- 20 Lone Working
- 21 Vehicular Areas
- 22 / 23 Contractors / Visitors

For all of these see separate notes in this folder in Section C as numbered above and/or Risk Assessment Forms in files in School Office.

We also recognise that COVID-19 poses a significant risk but rather than have a separate policy we have amended all aspects of this policy and updated protocols to minimise risk and to ensure we work within the specified government guidance.

C. Risks

Assessment of all risks is not practicable but the school has assessed all reasonably foreseeable ones. Assessment has taken into account risks faced by all staff, pupils and visitors.

Any member of staff who becomes aware of a risk or danger that has not been assessed should report it to the Headteacher or a member of the Health and Safety Committee.

All completed risk assessment forms are kept on the shared drive including a specific COVID-19 Risk Assessment and assessments for Off-Site activities held for that academic year in the School office (and on shared drive).

The following lists are also available:

1. Pupils with health problems: First Aid Rooms in Early Years, Junior House and Senior House
2. Pupils with inhalers for asthma and Epi pens for severe allergic reactions: In First Aid Rooms (emergency inhalers and epi pen also stored here).
3. Staff with health needs: School Office

Risk assessment forms for specific activities are stored on the shared drive.

Statutory Notice

The current certificate of Employers' Liability Insurance is displayed on the notice board by Front doors and in school office along with First Aid Rooms.

D. Premises

i. Maintenance

- The fabric of the buildings, premises and school grounds should be maintained in a safe condition.
- Every effort will be made to ensure all plants growing in the grounds are safe.
- The Bursar maintains the master list of maintenance tasks and holiday maintenance schedules.

ii. Maintenance Book

- This is kept in the Staff cabin in the Caretakers pigeon hole. The Caretaker liaises with the Bursar each week to ensure items are added to the master maintenance list, prioritised and addressed.
- When any item of furniture, fixtures or fittings is found to be in need of attention, enter the details clearly in the Book giving date and location.
- Defective equipment must be identified immediately, to prevent further use.

iii. Lighting

- Light levels should be maintained at appropriate levels.

- Staff are to switch lights on/off in form rooms, corridors etc. as necessary.

iv. Cleanliness

- All classrooms should be clean and in good decorative order.
- Floors and corridors are cleaned once per day.
- Toilet areas should be cleaned daily.
- During the COVID-19 pandemic additional cleaning of chairs, tables, surfaces, door handles and toilets will be undertaken at lunchtime and compliance checking of cleaning regimes undertaken
- During the COVID-19 pandemic Handwashing facilities are available in all classrooms to enable regular cleaning for the pupils. Where sinks are not in the classrooms, washing bowls, handwash and paper towels are provided.

v. Safety in form rooms and other indoor teaching areas

- Please check frequently that all furniture and fittings in the areas in which you work are safe.
- Bearing in mind the activities of the children, please let the Headteacher /Bursar know if you think there is anything which could be dangerous or hazardous.
- During the COVID-19 pandemic, classrooms have been reconfigured to promote social distancing and reduce the risk of infection.
- During COVID-19, worktops and desks will be cleaned at lunchtimes in addition to the normal evening cleaning and all computer keyboards will be wiped before use and restricted to be used by one pupil as far as possible.
- Floor surfaces should be dry and in good repair; if uncarpeted floor surfaces are wet, a yellow 'wet & slippery floor' warning cone should be placed in a prominent position to alert all persons to the potential hazard.
- Floors should be free from obstruction and chairs and desks should not block exits.
- Children should not move around form rooms carrying scissors, compasses etc. unless these items have their points facing downwards
- Any shelving or other storage units must be secure and safe.
- Safe means of reaching high storage areas is provided ('kick' stool, small and large step ladders).
- At the end of the day, windows are closed, doors locked and lights and machines/computers turned off.

vi. Safety Rules in the Science/Art Room

- There will be no running.
- Overalls will be worn when appropriate and should fit closely.
- Any loose clothing will be secured for any practical session and long hair must be tied back.
- During COVID-19 there will be limited Art supplies available and pupils will not generally share resources but if they do, they will be wiped down between usage.
- Food or drink will not be consumed in the Science Room during lesson time.
- Safety goggles or gloves will be worn when appropriate.

vii. Safety Points from ASE

- *Burns* Use cold running water for 10 minutes. Consult School First Aid policy for details. Never use creams or lotions
- *Glue Guns* Use "low melt" guns.
- *Cuts* Use a pad to stop bleeding, apply a dressing if necessary. Consult School First Aid policy for details. Do not remove glass or other foreign object.
- *Injury to eyes* An eye wash bottle is available in the science room
- *Mirrors* Should be plastic whenever possible. Glass mirrors should be taped at edges.
- *Batteries* Re-chargeable batteries are not recommended for use in experiments.
- *Electrical Safety* Pupils will not experiment with real household electrical components in the study of electricity
- *Thermometers* Mercury thermometers should not be used
- *Glass* Glass containers will only be used when there is no realistic alternative. Its condition will be checked regularly and any damaged items destroyed.
- *Animals* No animal from the wild will be kept in captivity for prolonged periods. Animals kept in school will be housed appropriately, checked and cleaned regularly.
- *Plants* No protected or poisonous plants will be kept in the classroom or used for study. Seeds which have been treated will not be used for study purposes.
- *Micro-organisms* These, or their spores, should not be allowed to enter the atmosphere. Care should be exercised when fermenting yeast in a closed container.

viii. The Pond and Wildlife Area

- Any damage to the skin should be covered with a waterproof plaster before visiting the pond area. Pupils with cuts on their hands should not put their hands in the pond water. All pupils should wash their hands after visiting the pond area
- The pond gate may only be unlocked by a member of staff who is also responsible for locking the gate after use.
- Children may only go into the pond area if supervised by at least one member of staff.
- There is a key to the pond area held by in the key box in School Office.

ix. Safety in the Playground

- In Main School, there should be 2 members of staff on duty, one on each tennis court.
- In the Early Years the number of staff outside may vary according to the number of children but minimum ratios will always be maintained.
- During the COVID-19 pandemic, break times will be staggered where possible to minimise the number of children in play areas at any one time, 2m social distancing will be monitored by duty staff. Children will not be allowed to play games which involve physical contact. Any resources used will be used by one pupil and then wiped down before the next use.
- Playing areas should be free of debris, loose grit or gravel and animal faeces.

- Reasonable care and attention should be taken when pupils are using playtime apparatus.
- (See also supervision at Break times policy - Appendix 1)

x. Food Preparation Areas

- Kitchen refuse bins must be emptied and cleaned at the end of every day
- All tables, work surfaces, open shelves and floors must be left clean at the end of the day.
- Cookers in Early Years Centre must be cleaned regularly.
- Fridges and freezers should be defrosted and cleaned regularly and temperatures checked.
- Food should be stored in suitable containers to avoid attracting mice and agents of decay.

xi. Safety in rooms used by pupils eating lunch

- No running.
- Any spillages should be wiped up as soon as possible.
- Pupils should not touch the containers that hot food delivered in.
- During COVID-19, pupils will only eat in the classrooms and all surfaces will be cleaned after use ready for the afternoon session.

xii. Safety in Corridors and on Stairs

- No running.
- During the current COVID-19 pandemic, one way systems have been implemented to reduce contact in narrow corridors. All staff & pupils are to adhere to these temporary restrictions
- Give way to anyone carrying books, equipment etc. and to members of staff and visiting adults.
- Corridors should be kept clear of furniture and other obstructions, boxes and packaging. Pupils must be made aware of the trip hazard their belongings become if they fall off pegs and lie on the floor.
- Handrails and balustrades on staircases must be secure and the stairwell kept free from obstruction. During COVID-19, handrails will be wiped down every lunchtime in addition to the regular evening cleaning regime.
- External steps to have edges marked in yellow/white paint.

xiii. Security of Premises

- All doors and gateways which allow access to the road are locked while the school is in session.
- All doors and gateways to the roads are manned by a member of staff while they are opened for drop off or collection.
- During the COVID-19 pandemic children will have specific access routes on and off site and into classrooms to minimise the risk of contact with others.
- Senior House 1st Floor is not currently being used, it is secured to general access. The Bursar & Caretaker can access and keys are held in the Office key safe.
- All visitors are signed in at the Junior House entrance and all staff and visitors wear badges at all times whilst on site.
- All buildings have alarms which are set on a daily basis.

xiv. Gates and doors.

- These should either be secured open or fastened shut.
- Fire doors should never be secured open except through use of Dorgard devices
- All internal doors should be shut when the building is vacated at night.

xv. Maintenance of equipment

- All equipment and machines must be in efficient working order and in good repair.
- Any faults should be reported immediately to the Bursar

xvi. Heating and Ventilation

- Windows should be free from cracks and all glazing below waist height should be safety glazing.
- Open windows for fresh air when necessary but do not open windows which could project into an area where people might collide with them.
- Children should not open or close windows unless a member of staff is present.
- The temperature in rooms should be maintained as near as 19°C as possible and must be at least 16°C. In the summer (i.e. when no artificial heating is in use) the recommended temperature is 23 °C +/- 4°C

xvii. Gas

- If there is a smell of gas, the School Administrator or a senior member of staff should be asked to telephone the Gas Board immediately. (The Mains Switch in Senior House is in the driveway and in the Early Years building and Junior House, in the under stairs cupboard).

xviii. Electricity

- Fuse boxes are located in the Library in Senior House and in the understairs cupboard in Early Years building and Junior House. Sub Fuse Boards are also in the Staff Cabin on the inside left wall, and on the first floor in the Early Years Extension (cupboard on the left of the back window)
- See also [G.ii] Electrical Fittings and Appliances

xix. Sanitary

- Special bins for the disposal of Sanitary towels are located in three pupils' toilets in the Senior School and in the staff toilets in Junior House, Senior House and the Early Years Centre.

xx. Staff Facilities

- *Cloakrooms* Junior House [downstairs by back door]
Senior House [by back door]
Early Years building [upstairs]
- *Staffroom* Outside cabin
Early Years centre – Next to the kitchen
- *Refreshment preparation areas* Senior House [next to Form III]
Junior House [ground floor next to School Office]

E. The School Office & Upstairs Office

- i. Display Screens should be
 - legible by a person of normal vision at a distance of 1 metre,
 - have a non reflecting faceplate or screen,
 - be free of glare, distortion and flicker
 - be free of emissions which exceed national and international limits
 - be adjustable so that its plane is approximately at right angles to the operator's line of vision
 - receive maintenance to manufacturer's recommendations
- ii. Display characters should be clearly formed and well defined.
- iii. The keyboard should
 - have a matt surround with low reflectance keys
 - have easily legible characters
 - be easy to move and stable
 - have a comfortable angle of slope
- iv. Worktops and desks should
 - provide sufficient space for individual preferences in arrangements of documents etc.
 - In the current COVID-19 climate, additional precautions must be taken to preserve 2m clearance between staff members
 - provide adequate leg clearance and be at a comfortable working height for the operator
 - have adequate storage facilities
- v. Chairs should be
 - adjustable in height with backrests
 - adjustable in height and tilt
- vi. Lighting should not be too harsh or gloomy and optimally be between 300 - 500 lux at desk level
- vii. Formal breaks (lunch) should be taken in an environment away from Display Screen Equipment (DSE) and the operator should ensure that regular informal breaks from the DSE work are taken.

The School operates a non-smoking policy across all areas of both sites. This included e-cigarettes.

F. First Aid and Health

- Before a child enters the school, the parents complete a health form which is updated annually or whenever necessary. Health forms are kept in a file in the school office.

- A copy of the forms for nursery and Reception children is kept in the Early Years First Aid room in a locked filing cabinet.
- If a child feels unwell they go or are taken to the School Office. If necessary, after consulting the child's Form Teacher and /or Mrs L Wilson, the PA or Office Administrator will telephone home to arrange for the child to be collected. In the Early Years children who are unwell are taken to the first aid room and assessed. If the first aider feels the child needs to be collected they will report to Mrs McGreevy who will arrange for the parent/carer to be called.
- Lists of children who have health problems and/or inhalers for asthma are kept in the Junior House and Senior House kitchens and copies for Early Years children kept in the Early Years First Aid room.
- Children with severe allergic reactions are also listed with a photo in all 3 kitchens and staff rooms, along with their healthcare plan. Arrangements are made for children with inhalers/epipens to allow immediate access when necessary.
- Anything contaminated with bodily fluids should be placed in the yellow 'tiger' bin in the kitchen of each building.
- During COVID-19 pandemic (and before administering first aid when bodily fluids are involved), staff should put on appropriate PPE (disposable gloves, aprons and masks are available in all buildings) before administering first aid.
- During COVID-19 staff are free to wear PPE if they feel it appropriate but the requirement to wear PPE is for administration of First aid.
- During the COVID-19 pandemic, children and staff will be temperature tested on entry to the school each morning and sent home if abnormal temperatures are recorded. Children will be retested for temperature before afternoon sessions commence.
- Anyone displaying COVID-19 symptoms will be isolated in the medical rooms (EY and JH kitchens) awaiting collection by parents or Ambulance

i. Accidents

- If an injury to a child is major and it is considered safe to do so, the child is taken to the School Office. If appropriate, a person holding a Paediatric First Aid qualification will be called to attend and the Headteacher informed.
- Medical attention will be sought if necessary, either through the ambulance service or by conveying the child to hospital.
- The parents will be informed of any major injury and the steps taken to deal with the situation.
- Parents will be informed of any injury involving the Headteacher.
- All minor accidents in Junior and Senior houses are recorded in the accident book, which is kept in Junior House Kitchen first aid cupboard. Sheets are then correlated by the office and put on spreadsheet.
- Accidents are recorded on an electronic spreadsheet in the Shared Area.
- Major injuries in the Early Years are recorded on an accident form. This is shared with the child's parent/carer and signed. The form is then sent to the office to be logged on the school spreadsheet.
- Minor injuries in the Early Years will be recorded on a minor accident form which is then sent to the office to be logged on the school spreadsheet. A copy is sent home in the child's bookbag.

- Accidents involving a member of staff should be recorded on a form from the Staff Accident pad kept in the School Office.

RIDDOR REPORTING

- If the incident falls under RIDDOR the Bursar or Headteacher has a legal duty to report it correctly. A report must be sent without delay, (within 10 days of the incident). However, if the incident resulted in more than seven days' absence from work it can be submitted within 15 days. In the case of occupational illnesses and diseases, the report should be submitted as soon as a diagnosis is received.
- The report must be submitted online via the [HSE website](#) with all the relevant details of the incident. The telephone service can be used for fatal or major incidents.

ii. Prescribed medicines

- No medicines are administered by any member of staff, except asthma inhalers when the child is young and antihistamine or epipens to control a severe allergic reaction. Parental permission must have been given. Any other prescription medication will only be given with Healthcare plan in place and signed consent from parent about dosage.
- If a parent wishes their child to receive medicine during school hours, the parent or other authorised adult must bring the medicine to the school in order to administer it.
- In certain circumstances, in accordance with a signed Healthcare Plan agreement, a designated (volunteer) member of staff may agree to administer specific medication(s).
- There is a First Aid cupboard in JH First Aid Room and Early Years.

iv. Pregnancy

- Any member of staff who is pregnant should have a risk assessment pertinent to her role which will be reviewed regularly throughout pregnancy.
- During COVID-19, no pregnant workers will be allowed on site.

v. Personal, Social, Health, Citizenship, Emotional and Economic Education (PSHE)

PSHE is incorporated into the curriculum and can also be covered in lessons such as PE, Science or Religious Studies, during Form Time or via outside speakers.

To include:

- Road Safety
- Fire Safety
- Sun Awareness (sensible use of sun hats and/ or protective creams)
- Personal Hygiene
- Healthy Diet and Exercise
- Abuse of substances

Vi Work Related Stress

- Staff should speak to their line manager in the first instance

- School will undertake work place environment checks
- Work with the member of staff to find ways to reduce stress and if necessary draw up an agreed plan to manage workload.
- If necessary school will draw on the advice of occupational health in an attempt to minimise work related stress.
- The school recognises that the COVID-19 pandemic may cause more stress and anxiety and encourages staff to seek help and advice as soon as possible from line manager, or MARSH's helpline below.
- Staff can contact MARSH's 24hr Health and Medical Information Service on 0117 9330687

G. Fire Precautions

i. Basic Safety Fire Rules:

- Combustible materials, such as cardboard boxes and packaging materials, should not be kept about the school unless they are required, for example for making scenery in school plays or for art and craft purposes. When such materials are not in use, they should be kept in a designated storage area.
- Corridors, stairways, entrances and exits should be kept clear and, in particular, kept free from combustible materials.
- Stairways and corridors, which form part of escape routes, should *always* be kept clear.
- Classroom displays and work displayed in corridors should be set up with care.
- Decorations can be a fire risk if they are hung near sources of heat or from light fittings.
- Metal waste-paper bins should be used and waste paper should not be left lying around.
- Rubbish should not be allowed to collect in hidden places and particular attention should be paid to general tidiness and cleanliness, especially around electrical appliances.
- Boiler rooms must be kept clean, clear, labelled and locked.
- Electrical equipment must be used properly and kept in a safe working order.
- Electrical points should never be overloaded and wiring must be checked regularly. PAT testing is carried out annually, organised by the Bursar.
- Some clothing and costumes, which are used for school plays and shows, are highly flammable these should not be used.

The signal for the fire procedure is fire bells, which ring continuously.

Every effort is made to carry out the recommendations of the Fire Brigade.

- All Staff and children should know the location of Normal and Emergency Exits
- All staff should know the location and correct usage of nearest extinguisher and fire fighting appliances and the location of nearest alarm point and telephone.
- At the end of the day the last member of staff to leave the premises will close all doors, (including releasing Dorgard mechanisms) and ensure that outside doors are locked, the windows closed and the building alarmed.

- The condition of hazard notices are to be monitored by the member of staff responsible for health and safety in the building where they are situated.
- Fire alarm systems are to be tested weekly by the Caretaker and smoke alarms termly.
- The appointed contractor will inspect the school's fire extinguishers annually.
- Records of emergency evacuations and testing of emergency systems are kept by the Bursar in the Shared Drive in the H&S Control Book file.

ii. Electrical Fittings and Appliances

To include: portable appliances, OHP, interactive whiteboards & projectors, laptops, kitchen appliances and cookers, fridges, freezers, TVs, computers, iPads, DVD players, video machines, radios, cassette players and other items which plug into an electrical socket.

- When pupils are using electrical appliances where there is a risk of cutting or burning the supply cable, it is advisable to use a cut-out socket. Such appliances would include electrical drills, glue guns, irons etc.
- RCDs (safety switches) are fitted in Power circuits in the Early Years building, Junior and Senior House.
- Staff should never use defective equipment or allow it to be used by anyone else. Such equipment must be removed for repair.
- All sockets not in use should be switched off.
- Unused sockets will be protected by a safety cover in the Nursery rooms.
- Electrical appliances are to be checked regularly to ensure safety.
- When cleaning IWB projectors, care must be taken to follow procedures recommended by manufacturers.

iii. Personal Protective Equipment

- Heads of Departments are required to assess where PPE should be provided.
- Staff are responsible for ensuring that pupils wear overalls for Science lessons and for Art, Design and Technology lessons when appropriate.
- Safety spectacles / goggles must be used when necessary and any loose items of clothing made safe.
- Disposable gloves and masks should be worn by all staff and pupils when necessary especially during the COVID-19 pandemic.

iv. COSHH

The Control of Substances Hazardous to Health

- a. Any cleansing substances covered under COSHH will be kept in locked store cupboards out of the reach of children.
- b. No flammable material should be kept in the boiler room.
- c. Cleaning materials should only be kept in properly labelled containers and never mixed except in accordance with the manufacturer's instructions.
- d. Weed killer should only be applied when there are no children in the grounds.

- e. Drain cleansers and other powerful cleansing agents are only to be applied when there are no children around.
- f. An inventory of all substances subject to COSHH regulations which are kept on school premises or for use in lessons will be updated annually by the Caretaker in accordance with the Bursar's instructions.

Heads of Departments and cleaning contractors are responsible for ensuring that all the hazardous substances used in their department are identified, listed and labelled, and that arrangements are made for their safe storage.

H. PE and Extra-Curricular

i. PE Activities

- Attention should be paid to warming up before activities.
- Teaching staff should be fully conversant with fitness training, prevention of injury and the safety factors involved in their particular sport and familiar with any medical conditions relevant to participation in sporting activities.
- An injured player should not return to the game until cleared by the teacher in charge.
- During COVID-19, no matches with other schools will take place. Where possible PE will be taught outside to minimise risk of infection.
- All lenses in spectacles should be shatter-proof.
- Long hair must be tied back.
- Watches and other jewellery must not be worn.

Off - Site Sports Activities – Please see Off Site Visits and activities policy

One member of staff plus a second adult (who may be a parent) should be present, one of whom should ensure that immediate access to a mobile 'phone and a First Aid Kit is always available.

ii. Swimming

- At least two members of staff are present during swimming lessons
- Pupils should visit the toilet before entering the pool
- Pupils should wear rubber socks if they have foot infections
- All pupils must wear swimming caps
- All lenses in swimming goggles should be shatter-proof.
- During COVID-19 Pandemic, swimming will not take place until it is safe to do so.

iii. Activities taking place outside school hours

- There should be a minimum of 2 members of staff on the premises.

iv. Outings

Staff organising outings should liaise with the Headteacher to determine the adult / pupil ratio appropriate.

In general this is:

- Nursery and Reception 1:4/5
- Form I to II 1:6

- Form 11 to VI 1:8/10

These ratios are just for guidance and will be reviewed as part of the risk assessment and based on the activities the children are taking part in.

After first carrying out a preliminary visit to the location (where necessary- discuss with the Head teacher to determine if required) a Risk Assessment form must be completed by the member of staff leading the trip.

- One member of staff is to be responsible for taking a First Aid kit if necessary and a School mobile phone whose number is known to the School Office.
- Vehicles should be hired from one of the companies recommended by the school. If an alternative company is to be considered, then the Headteacher should be consulted.
- Any problems or difficulties arising from the hired vehicle should be reported to the Headteacher as soon as possible after return.
- In the coach, staff should not usually sit together but should be spread out individually at the front, back and in the middle.
- All passengers should be instructed about emergency procedures before departure, either by the coach driver or by a member of staff.
- Children must never leave the coach first.
- Children must never walk behind the coach.
- If staff cars are used for transport, they must be fitted with seatbelts for the number of people carried and child booster seats, if required. Each person whose vehicle is used should complete a form to confirm that the vehicle is taxed, roadworthy and suitably insured. Staff must always be accompanied by one other adult.
- Children must wear safety belts throughout the journey.
- Staff must count the children regularly to ensure that no-one is missing.
- Pupils must be closely supervised when walking through towns.
- Pupils should always wait for a member of staff to give permission before crossing roads and they must be supervised by staff whilst crossing.
- Staff must be totally vigilant about traffic, animals, machinery etc.
- Staff must ensure that any activity undertaken by pupils is led by a suitably qualified person.
- No glass bottles or carbonated drinks should be allowed in packed meals.

v. Internet safety

We regularly use the Internet in school, because it has many educational benefits. In order to minimise the risk of children coming across unsuitable material, we provide appropriate supervision, and we use only a filtered service, selected links, and child-friendly search engines. Children are taught how to use the internet safely during lessons. We also seek parental permission before using photographs of children or their work on the school's website, or in newsletters and other publications.

Also refer to E-safety policy

I. Staff Safety

i. Manual Handling

- The Bursar/Head teacher should always be informed if additional help is needed.

ii. Pupils

- Pupils should never be required to undertake manual handling operations likely to cause injury;
- Pupils should never move or carry very heavy items;
- Pupils should never remove staging from trolley or reload staging onto trolley;
- Gym equipment should only be moved using the correct lifting and carrying techniques and under the close supervision of a member of staff;
- Pupils in the Senior School may carry up to 2 large chairs or 3 small chairs (chairs to be correctly stacked and pupils to be under constant staff supervision);
- Never stack chairs more than 8 high. The stack should be positioned so that collapse would not cause injury; this usually means with the seats facing a wall;
- Older pupils should be shown the correct technique for setting up and putting away folding tables. If asked to set up/put away folding tables, pupils should always be closely supervised. An appropriate risk assessment for trapped fingers should be done.

iii. Staff

- Staff are not expected to move heavy items.
- Staff should exercise due care and thought when moving/carrying any furniture or equipment and not take unnecessary risks.
- Staff will be made aware of the correct dynamic lifting techniques for lifting any object correctly and safely.
- Staff should never attempt to move / carry items weighing more than 25kg unaided.
- Staff should not attempt to move large, wheeled items unaided – this includes piano, TV trolley, staging trolley etc.
- If unaided, staff should not remove staging from its trolley or reload trolley with staging.
- Staff should follow any instructions affixed or pertaining to specific items of equipment.
- Ladders (see ladder section).

iv. Lone Working

There are occasions where teaching and maintenance staff are working alone in one of the buildings. The main risks are:

Injury

Ill health

Violence perpetrated by an intruder

- The staff member must ensure that he has on his/her person a fully charged mobile phone and that appropriate numbers have been pre-programmed
- Where possible, the staff member should 'check-in' on periodic basis with a family member with expected arrival/departure times known and there should be a procedure in place if there is a deviation from the agreed times.
- A risk assessment for this is done annually by the Headteacher.

v. Vehicular Areas

- During the School working day, pupils should not be allowed in the areas where cars are parked unless supervised by a member of staff.
- When going to and from the Early Years, pupils must always be closely supervised by staff wearing fluorescent yellow tabards / jackets.

vi. Contractors

- The Bursar will liaise with those carrying out the work to discuss all aspects of safety involved.
- A contractor log is held at the Junior House entrance for recording H&S briefing and declarations from the contractor prior to commencement of work including COVID-19 arrangements.
- Contractors must be accompanied on site by a member of staff when children are on the premises unless they have an enhanced DBS certificate on the Update Service
- Pupils should not be allowed anywhere near workmen, equipment, ladders, paint or other materials, etc.
- All materials and items of equipment should be stored away safely when not in use or put behind taped barriers in an area clearly out of bounds for pupils and unauthorised personnel.

vii. Visitors (including Students on placement or work experience.)

- All Visitors are to report to the Office on arrival and departure and are to be signed "in" and "out" of the premises in the Visitors' Book.
- Visitors are to wear a lanyard saying, *Seaton House School Visitor* or *Name* if a student, so that everyone knows that a visitor is not an intruder.
- Visitors must be accompanied by a staff member whilst children are on site unless they have an Enhanced DBS certificate checked on the Update Service
- All students in school on work experience must wear a name badge.
- All Visitors are to be made aware of the routine in case of fire.
- All visitors to be informed of the Safeguarding leads in the school.
- The School Administrator is to monitor the safe evacuation of visitors if there is a need to empty the building.
- During COVID-19 visitors to the school site will be kept to a minimum, only essential maintenance will take place.

viii. Step Ladders and Working above Floor Level

- No-one should work at a height greater than 1.8m from floor level, without a scaffold tower.
- Staff should not climb onto or stand on chairs, tables, worktops etc to carry out tasks.
- A 'kick' stool, can be used for lower level access.
- Ladders can only be used by those staff who have been trained on correct use of Ladders and working at heights.
- Ladders should be of sound construction and conform to BS 131.
- Staff should check the condition of ladders before use.
- Ladders should be used according to instructions and placed on a firm surface.
- Staff are expected to exercise due caution when climbing step ladders.

- A second adult should always be present if a member of staff is working above floor level.
- When using the tall ladder, **two** other adults should be present, one to steady the ladder and alert passers-by to keep clear and the other to pass up / receive items.
- Children are not allowed to climb up step ladders.

vix. Violence, Bullying or Harassment.

Violence is any incident in which the person is abused, verbally or otherwise, threatened, or assaulted and may also include bullying and sexual or racial harassment. The school will endeavour to prevent violence to staff and pupils occurring, and to support and assist them should violence occur. All violent or potentially violent incidents should be reported both to the Head Teacher and the Health & Safety Team immediately. Where actual injury occurs this should be specified on the report. It is vital that there is a written record of all such incidents, as the Council's Health & Safety team are required to report them to the Health and Safety Executive.

CRITICAL INCIDENT PLAN

The Governors and the Headteacher will ensure that a critical incident plan is prepared to cover all foreseeable major incidents which could put at risk the occupants or users of the school. This plan will indicate the actions to be taken in the event of a major incident so that everything possible is done to:

- (a) save life
- (b) prevent injury
- (c) minimise loss

This sequence will determine the priorities of the critical incident plan.

Annexe 1

It is the responsibility of the Bursar / Headteacher of Seaton House School directly or through delegation (which is detailed and in writing), in accordance with the law

- a) To ensure adherence in all aspects to the Health and Safety policy of the school and in particular to ensure that the necessary resources for implementation are available.
- b) To plan, organise, monitor and review the arrangements for Health and Safety including the arrangements for any visitors (including contractors).
- c) To carry out general risk assessments and specific risk assessments as required by Health and Safety legislation.
- d) To ensure that all work procedures under her control are safe and without risks to health.

- e) To ensure that training and instruction have been given in all procedures including emergency procedures.
- f) To provide occupational health surveillance where appropriate.
- g) To investigate and keep a record of all cases of ill health, accidents, hazardous incidents and fires.
- h) To post warning notices and signs and to keep them up to date.
- i) To appoint qualified first aiders and to have first aid boxes checked regularly.
- j) To see that adequate fire-fighting equipment and appliances are provided and to take prompt action to remedy deficiencies.
- k) To ensure that fire escape routes are kept clear.
- l) To test emergency lights, fire detection and alarm systems regularly.
- m) To have fire drills at regular intervals.
- n) To make sure that the conditions of local authority licences etc. are observed.
- o) To ensure the safe disposal of hazardous wastes is in compliance with the school's requirements.

REVIEW

This policy will be reviewed every year.

Reviewed September 2020

Judy Evans

Chair of Governors

Ruth Darvill

Headteacher

Tim Roads

Bursar

HEALTH AND SAFETY AT WORK, ETC ACT 1974

BACKGROUND TO THE ACT

The Health and Safety at Work, etc Act 1974 is an enabling measure. It sets down general duties and also provides a framework for regulations and approved codes of practice which cover special cases. Health and Safety regulations are made by the appropriate Minister (usually the Secretary of State for Employment) and are normally based on proposals submitted by the Health and Safety Commission after consultation with appropriate organisations. Where necessary, regulations are supplemented by approved codes of practice which set out and explain the precise technical and other requirements which are contained in the regulations in a way that is not possible in the regulations themselves.

Failure to observe any part of an approved code of practice is not in itself a criminal offence, but such a failure can be used in criminal proceedings as evidence that statutory requirements have been contravened (s.17 of the Health and Safety at Work, etc Act 1974). Guidance notes are issued by the Health and Safety Commission and the Health and Safety Executive and are designed to help employers and others comply with the law. They have no legal authority in themselves but as advice they are authoritative because of their source.

The Robens Committee recommended that the Health and Safety at Work, etc Act 1974, should 'begin by enunciating the basic and overriding responsibilities of the employers and employees' (Safety and Health at Work, Cm 5034, HMSO, 1970). This general statement is set out in ss.2-9 of the Act. The Committee believed that this general statement would:

- A encourage employers and employees to take a wider view of their responsibilities
- B provide guidance for use in statutory interpretation
- C encourage health and safety inspectors to look at the workplace as a whole rather than the particular areas which are covered by regulations.

There are also some absolute duties which are imposed by health and safety legislation. For example, regulation 11(1) of the Control of Substances Hazardous to Health Regulations 1994 (S1 1994 No 3246) provides that, where it is appropriate for the protection of the health of those of their employees who are, or are liable to be, exposed to a substance which is hazardous to health, employers must ensure that their employees are under suitable health surveillance. However, health surveillance is unlikely to be required in schools unless something severe occurs, such as the discovery of asbestos dust.

THE DUTY TO ACT 'SO FAR AS IS REASONABLY PRACTICABLE'

In some cases, the requirement is to take action 'so far as is reasonably practicable'. This means that steps must be carried out even if to do so is difficult and/or costly. 'Practicable' is taken to mean 'able to be achieved in the current state of knowledge'.

The duty to act so far as is reasonably practicable involves weighing up the seriousness of a risk against the cost and difficulty of either removing or reducing that risk. On investigation, the employer may find that the cost and difficulty of taking action against a risk is high and that the risk itself is not a significant one. In this situation there may be no need for immediate action and it may or may not be necessary to consider medium or long-term action. In some situations the risk is so great that it must be addressed immediately. Thus, the duty to act so far as is reasonably practicable does not require employers to eliminate every risk in every situation, but it does require them to make a reasonable assessment of risk and to provide a reasonable response.

The phrase 'so far as is reasonably practicable' has been considered in a number of cases. In *Edwards v The National Coal Board* (1949) CLC, the court considered the phrase in relation to its meaning in s.102(8) of the Coal mines Act 1911. According to Lord Justice Asquith the phrase 'reasonably practicable' is narrower than the term 'physically possible'. It implies that the degree of risk must be measured against the sacrifice (in terms of money, time or trouble) required to avert the risk. If it is shown that the risk is insignificant in relation to the sacrifice, the onus of responsibility is removed. Therefore, in the event of a criminal prosecution, the onus is on the employer to show that particular action which is taken in

the interests of health and safety is not reasonably practicable. It is not for the prosecution to show that it is practicable.

Whether or not something is reasonably practicable inevitably depends on its cost.

Reducing or eliminating risk costs in three ways:

- A it takes time
- B it requires personal commitment throughout the workplace in terms of safety consciousness and awareness
- C it requires money

It should be remembered that an effective health and safety policy benefits the whole school. If the school is a pleasant, safe place to be, the morale of both the pupils and staff is likely to be better than if it is a dangerous, unpleasant place to be.

The costs which result from an unsafe and unhealthy workplace should also be remembered. Any employer should consider how a lack of safety consciousness and awareness reflects on an organisation's image and reputation both within the workplace and outside it. This may be the case even if no accident occurs. In the event of an accident, both direct and hidden costs are likely to be incurred. Hidden costs include damage to staff morale and staff motivation and time taken up by accident investigation which could have been better spent in accident prevention.

DUTIES OF EMPLOYERS UNDER THE ACT

Section 2(1) of the **Health and Safety at Work, etc Act 1974** makes it the duty of every employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of its employees. Prior to the Act, legislation only covered health and safety in industries which were run for profit. Employees in schools, universities and hospitals which are not run for gain are now covered by the duties placed on employers by the

Without prejudice to the generality of the duty in s.2 (2) sets out five specific duties, all of which use the test of reasonable practicability.

- 1 Employers must provide and maintain plant and systems of work which are, as far as is reasonably practicable, safe and without risks to health.
- 2 Employers must ensure that, as far as is reasonably practicable, there are no risks to health in connection with the use, handling, storage and transport of articles or natural or artificial substances (whether in solid or liquid form or in the form of a gas or vapour).
- 3 Employers must provide any information, instruction, training and supervision which is necessary to ensure, as far as is reasonably practicable, the health and safety at work of their employees.
- 4 As far as is reasonably practicable, employers must maintain any place of work under their control in a condition which is safe and without risks to health. They must also provide and maintain safe means of access to and exit from the premises.
- 5 Employers must provide and maintain a working environment which is, as far as is reasonably practicable, safe and which has adequate facilities and arrangements for employees' welfare at work.

Section 3 of the **Health and Safety at Work, etc Act 1974** provides that employers and the self-employed must conduct their undertakings in a way which ensures that those on the premises who are not employees are not exposed to health and safety risks.

Under s.4 of the Act, each person who has control of a premises is required to take such measures as it is reasonable for a person in his or her position to take. The obligation is to take measures to ensure, as far as is reasonably practicable, that the premises and any plant or substances provided for work use are safe and without risk to health. The extent of this duty depends on the degree of control over the premises which that person has. Although the introduction of local management of schools (LMS) by the **Education Reform Act 1988** (now consolidated in the **Education Act 1996**) has not changed the position of the LEA as the employer under the **Health and Safety at Work etc Act 1974**, governing bodies have responsibilities under s.4 of the Act as they have control of the premises. Under s.36(1) of the Act, where a person commits an offence under health and safety law which is due to the act or default of some other person, that other person may be charged with and convicted of the offence. This applies to the LEA's obligations as the employer which are exercised by the governing body through its powers under LMS.

It should be noted that the Health and Safety Executive now attempts to investigate the management systems and procedures which exist in organisations rather than the specific incidents which result in investigations. In other words, LEA's and governing bodies should develop effective systems for managing health and safety in the schools.

Section 4 of the **Health and Safety at Work, etc Act 1974** uses the test of control rather than ownership or occupation. In the case of *Northampton Borough Council v Farthingstone Silos Ltd* (1981) the controllers of the site were prosecuted following the death of an electrician who fell whilst carrying out repairs at the top of a grain dryer. The stairway was defective, the handrails were unsafe and the floor from which the electrician fell had missing and loose footplates. In 1989 the Health and Safety Executive prosecuted Central London Polytechnic for failing to repair or reinstate the interlock on a foods lift in response to an immediate defect report on a statutory examination.

Under s.6(1) of the **Health and Safety at Work, etc Act 1974** it is the duty of any person who designs, manufactures, imports or supplies any article for use at work to ensure, as far as is reasonably practicable, that the article is designed and constructed in a safe way. That person is also responsible for whatever tests and examinations are necessary to ensure that the article is safe. There is a further obligation to provide enough information about the use of the article to ensure that it is used safely. An 'article' for use at work means any plant designed for use by people at work and 'plant' includes any machinery, equipment or appliance. Similar obligations are laid down in respect of substances. A 'substance' is defined as any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour.

Under s.9 of the Act, employers must not charge employees a levy, or allow one to be charged, in respect of anything done or provided in pursuance of statutory requirements. The objective of this section is to stop employers passing on part or all of the costs of health and safety requirements to the workforce.

DUTIES OF EMPLOYEES UNDER THE ACT

General duties of employees at work are described in s.7 of the **Health and Safety at Work, etc Act 1974**. First, all employees must take reasonable care for their own health and safety and for the health and safety of others who may be affected by their acts or omissions at work. Second, employees must co-operate with their employers as far as is necessary to perform any duty or comply with any requirement which is imposed as a result of any law which may be in force. Lorry drivers have been prosecuted under s.7 for failing to secure their loads properly and there have been convictions against charge hands and foremen who have not reported faulty machine guards or who have reported that guards were safe when, in fact, they were defective.

The Health and Safety Executive first prosecuted a teacher for an offence under s.7 of the **Health and Safety at Work, etc Act 1974** in 1986. The teacher pleaded guilty to failing to take reasonable care to protect children during a science lesson. He was demonstrating an experiment which showed how metal oxide was reduced into pure metal. This involved passing hydrogen gas over the oxide. The children gathered round the bench and as the teacher lit the bunsen burner there was an explosion. Of the 23 children in the year 8 class, 15 were taken to hospital after being spattered with sulphuric acid on their arms and bodies. One child was kept in hospital overnight but there were no lasting injuries. It was the teacher's failure to use safety equipment, which was available, when he knew there was the risk of an explosion which led to the conviction. The teacher was fined £500.

Under s.8 of the **Health and Safety at Work, etc Act 1974** employees must not intentionally or recklessly interfere with or misuse anything which is provided for health and safety purposes. The duties of employees which were created by the Act overlap with obligations which have always been implied in employment contracts and employers can also identify specific steps which must be taken by employees in order to ensure a safe working situation. In any event, the employer can take disciplinary action against a person who refuses to obey proper instructions which relate to health and safety. Therefore, if an LEA or governing body lays down health and safety procedures, then teachers and non-teaching staff must follow those procedures.

HEALTH AND SAFETY POLICIES

Section 2(3) of the Health and Safety at Work, etc Act 1974 requires employers to prepare and, as often as may be appropriate, revise a written statement of general policy with respect to the health and safety at work of employees and the organisation and arrangements which are in force for carrying out that policy for the time being. The statement and any revision of it must be brought to the notice of all employees.

Health and Safety Policies at non-LEA Schools

In grant maintained and independent schools the governing body should produce its own policy document.

HEALTH AND SAFETY REPRESENTATIVES AND SAFETY COMMITTEE

Most matters relating to a member of staff's contract of employment are dealt with by collective negotiation and bargaining between employers and the relevant trade unions or professional associations which represent the employees. The Robens committee saw health and safety at work as an issue where there is common interest between management

and employees and where problems can be resolved by consultation rather than bargaining. The system of safety representatives and safety committees provides this infrastructure for consultation between employers and employees about health and safety at work.

The **Health and Safety at Work, etc Act 1974** acknowledges that employees have a legal right to be consulted about matters which relate to their well being as individuals and also that employees can make significant contributions towards achieving safe conditions at work. How effectively the system of safety representatives and safety committees operates at any particular workplace depends chiefly on how well those involved are able to communicate between themselves..

Further information on health and safety representatives and safety committees can be found under *Safety Representatives and Safety committees Regulations 1977* later in this section.

HEALTH AND SAFETY AGENCIES

The Robens Committee recommended a new national authority for safety and health at work which would have 'comprehensive responsibility for the promotion of safety and health at work'.

Particular responsibilities would include:

- A the provision of advice to all concerned with safety and health at work
- B the setting and reviewing of standards
- C the provision of information and the promotion of research, education and training
- D working with national and international bodies concerned with safety and health.

The Health and Safety Commission and the Health and Safety Executive were both created by the **Health and Safety at Work, etc Act 1974**.

The Health and Safety Commission

The Health and Safety Commission is responsible to the Secretary of State for Employment and to other Secretaries of State for the administration of the **Health and Safety at Work, etc Act 1974**. It is responsible for policy, conducting and sponsoring research, promoting training and providing an information and advisory service. The Health and Safety Commission has a number of advisory committees, some of which are concerned with particular hazards and others which are concerned with safety in particular employment sectors. These committees provide the Health and Safety commission with direct advice. One of these committees is the Education Service Advisory Committee (also known as ESAC). With the assistance of its advisory committees, the Health and Safety Commission reviews the adequacy of current health and safety law and submits proposals for new or revised regulations or codes of practice to the Government.

Health and Safety Executive

Health and Safety legislation is enforced by the Health and Safety Executive, which is a separate body appointed by the Health and Safety Commission. The Health and Safety

Executive has a staff of around 4000, including inspectors, policy advisors and scientific and medical experts. There are over 20 regional offices of the Health and Safety Executive.

Enforcement notices

Health and safety inspectors can institute prosecutions for breaches of health and safety legislation. As well as prosecutions there is a range of enforcement action which can be taken.

The issue of a prohibition notice is a more drastic step than the issue of an improvement notice and it is restricted to cases where the inspector is of the opinion that if the activity persists there is a risk of serious injury.

Improvement notices: Improvement notices are issued when inspectors are of the opinion that a person has contravened a relevant statutory provision and will continue to do so, or will repeat the offence. The notice must specify the provisions which lead the inspector to hold that opinion and which require the person served with the notice to remedy the contravention within a specified period (ending not earlier than the period within which an appeal can be brought against the notice).

An example of a situation where an improvement notice might be issued is where inexperienced operatives are using a guillotine machine unsupervised. The notice may require training to be given.

Prohibition notices: If an inspector is of the view that activities which are being carried out, or which are likely to be carried out, at the premises being visited involve, or are likely to involve, a risk of serious personal injury, then the inspector may issue a prohibition notice. The prohibition notice must specify the reasons for the inspector's opinion and must include details of any statutory provisions which led to that opinion. The notice directs that the activity to which it relates must not be carried out until specified remedial actions have been taken. The notice can be immediate, or deferred to allow time (within a specified time limit) for remedial action to be taken.

An example of a situation where a prohibition notice might be served is where an unguarded guillotine is in use which could cause severe injury at any time. The notice would prohibit the guillotine from being used until a guard has been fitted.

Appeals: A person who has been served a prohibition or an improvement notice can appeal to an industrial tribunal (s.24 of the **Health and Safety at Work, etc Act 1974**) within 21 days of the receipt of the notice.

Health and safety prosecutions: In 1992 the maximum fine for breaches of ss2-6 of the **Health and Safety at Work, etc Act 1974** was increased to £20,000 and the maximum fine for other offences was raised to £5000.

In 1992/3 both the number of prosecutions and the number of notices served were less than in previous years. This was due partly to the fact that inspectors were involved in the introduction of the six 1992 health and safety regulations and partly to the fact that inspectors were concentrating more on the management structure and procedures which are the root of poor health and safety performance rather than on specific defects. For

example, an inspector might issue a notice which requires a proper system of protecting all the machinery in a school's design and technology area, rather than issuing a notice for each unguarded machine.