

**Thomas Deacon Education Trust  
Health & Safety Document**

**Type:** Health and Safety Policy 2018

**Status:** Statutory requirement under Section 2 of the Health and Safety at Work Act 1974

**Issue Status:**

DATE	VERSION	BRIEF DETAILS OF ALTERATIONS	APPROVED BY

**NOTE:**

Document review will be continuous and will take place under the following conditions.

1. When there are significant changes in Legislation to address any new hazards and risks.
2. Where there have been significant changes in a process.
3. After an unfortunate incident/accident that has identified gaps in a process.
4. Periodically, minimum every 3 years.

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## 1. Statement of Intent

Thomas Deacon Education Trust (TDET) regards the promotion of health safety and welfare of all people at work to be of the utmost importance, and recognises its moral and legal obligations to Occupational Health Safety and Welfare. We also understand that unsafe incidents that cause harm (i.e. accidents) or have the potential to cause harm (i.e. near misses) to people are unacceptable.

It is the Trust's policy to ensure that every 'reasonably practicable' step be taken, by all, to prevent injury or ill health to employees, pupils, contractors, and visitors. There is a desire at all institutions within the Trust to avoid such harm to people and have shaped their operational processes and procedures in such a way in order to achieve this expectation of zero harm.

It is also clear at all institutions within the Trust that good health, safety and welfare practices and performances are synonymous with good educational practices and performances such as Safeguarding, Prevent and Ofsted standards etc.

Occupational Health Safety and Welfare is primarily a line management responsibility and it is essential that all levels of the management and leadership teams understand and adhere to the contents of this policy.

It is essential for all employees, pupils, contractors, and visitors to be aware of their moral and statutory obligations to Occupational Health Safety and Welfare. Occupational Health Safety and Welfare is a 'shared responsibility', and all people need to satisfactorily discharge their responsibilities by understanding and adhering to the contents of this policy and all subordinate procedures.

This policy outlines the general organisational structure, roles and responsibilities, and the arrangements in place for the management of Health, Safety and Welfare issues.

This policy has been produced in consultation with employees and recognised trade union representatives.

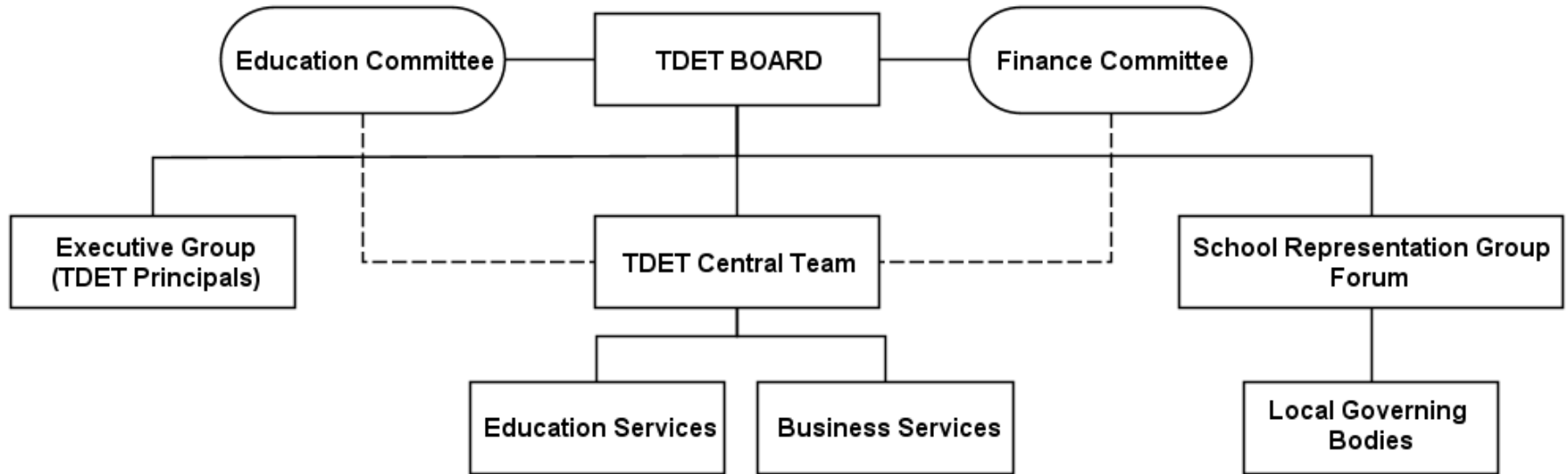
Compliance with the contents of this policy and subordinate procedures is mandatory and subject to periodic audit and review.

An Executive Summary (Scheme of Delegation) is attached in the Appendices Section of this Health and Safety Policy.

<b>Name:</b>	Julie Taylor	<b>Name:</b>	Simon Smith
<b>Post:</b>	TDET - Chief Executive Officer	<b>Post:</b>	TDET - Director of Resources
<b>Date:</b>	29.06.2018	<b>Date:</b>	20.06.2018

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2. Organisational Structure 2019/20



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### 3. Organisational Roles and Responsibilities

#### **Trust Members and Trustees**

Trust Members and Trustees will be responsible for the following.

- To act morally and responsibly in complying with their statutory obligations under current legislation and regulations.
- Demonstrate a key leadership in fostering an environment in which Health, Safety and Welfare issues are seen as an essential and integral parts of the Trusts activities.
- Ensuring that Health, Safety and Welfare practices and performances are synonymous with good educational practices and performances such as Safeguarding, Prevent and Ofsted standards etc.
- That there is an effective, robust and enforceable policy in place for the provisions of health, safety and welfare of its people within the Trust. The policy is reviewed periodically to reflect any changes, within the organisation and its arrangements, current legislation/regulations, and in guidance from the Health and Safety Executive (HSE) or the Department for Education (DfE).
- Monitor compliance with the Trusts Health and Safety Policy and subordinate Procedures, current legislation/regulations, and statutory guidance from the Department for Education (DfE).
- Monitor health and safety performances at all institutions within the Trust.
- Ensure, so far as is reasonably practicable, that suitable and sufficient processes, procedures, resources and equipment are made available so that the Trusts health, safety and welfare objectives can be achieved.
- Ensure that Health, Safety and Welfare is an agenda item on all Finance Committee and TDET Board meetings.

#### **Executive Group (Chief Executive Officer (CEO), Directors and Principals)**

The Executive Group will be responsible for the following.

- To act morally and responsibly in complying with their statutory obligations under current legislation and regulations.
- Demonstrate a key leadership in fostering an environment in which health, safety and welfare issues are seen as an essential and integral parts of the Trusts activities.
- Acts as ambassadors for Health, Safety and Welfare provisions.
- Through consultation, develop and implement an effective robust Health, Safety and Welfare policy within the Trust. The policy is reviewed periodically to reflect any changes, within the organisation and its arrangements, current legislation/regulations, and in guidance from the Health and Safety Executive (HSE) or the Department for Education (DfE).
- Ensuring and monitoring compliance with the Trusts Health and Safety Policy and subordinate Procedures, current legislation/regulations, and statutory guidance from the Department for Education (DfE).
- Ensure arrangements are in place for the development, implementation and monitoring of robust and effective processes and procedures for the health and safety hazards as outlined in the arrangements, Section (4), of this policy.
- Ensure processes are in place for monitoring and measuring health and safety performance, i.e. Safety Hazard Tours, Safety Inspections, Audits, and Surveys.
- Provide the Trust Board with an annual report on all matters affecting Health, Safety and Welfare.
- Ensure effective communication of the contents of the Trusts Health and Safety Policy to all members of the Senior Leadership Teams, and that they are fully aware of their roles and responsibilities for the provisions of Health, Safety, and Welfare within the Trust.
- Ensure, so far as is reasonably practicable, that suitable and sufficient processes, procedures,

resources and equipment are made available so that the Trusts Health, Safety and Welfare objectives can be achieved.

### **Senior Leadership Teams (Managers and Heads of Departments/Houses)**

Senior Leadership Teams will be responsible for the following.

- To act morally and responsibly in complying with their statutory obligations under current legislation and regulations.
- Demonstrate a key leadership in fostering an environment in which Health, Safety and Welfare issues are seen as an essential and integral parts of the Trusts activities.
- Acts as ambassadors for Health, Safety and Welfare provisions.
- Implement and co-ordinate the requirements of Trusts Health and Safety Policy across their institution of responsibility.
- The development, implementation and monitoring of robust and effective processes and procedures for the health and safety hazards as outlined in the arrangements, Section (4), of this policy.
- Ensure effective communication of the contents of the Trusts Health and Safety Policy to all team members, and that they are fully aware of their roles and responsibilities for the provisions of Health, Safety, and Welfare within the Trust.
- Ensure, so far as is reasonably practicable, that suitable and sufficient processes, procedures, resources and equipment are made available so that the Trusts Health, Safety and Welfare objectives can be achieved.
- Ensuring and monitoring compliance with the Trusts Health and Safety Policy and subordinate Procedures, current legislation/regulations, and statutory guidance from the Department for Education (DfE).

### **Teachers, Support Staff, Technicians, Other Employees, Pupils, Contractors and Visitors**

- To act morally and responsibly in complying with their statutory obligations under current legislation and regulations.
- Familiarise themselves with the contents of the Trusts Health and Safety Policy, and their role and responsibilities for health, safety and welfare within the Trust.
- Comply with the Trusts Health and Safety Policy and subordinate Processes and Procedures, current legislation/regulations, and statutory guidance from the Department for Education (DfE).
- Co-operate with the Trust in all matters relating to health, safety and welfare, so that the Trust can meet its objectives and discharge its statutory obligations.
- To ensure and safeguard their own health, safety and welfare at all times.
- Not to endanger themselves or others from their acts or omissions.
- Report hazards immediately.

#### 4. Arrangements

The arrangements set out in this Health and Safety Policy clearly demonstrate the Trusts overall commitment in ensuring and safeguarding everyone’s health, safety and wellbeing.

The following arrangements make reference to specific systems, processes and procedures that are used to achieve the aims and objectives of this policy.

The Health and Safety Executives (HSEs), Safety Management System (HSG65), based on the concept of Plan-Do-Check-Act will form the framework for implementing the arrangements set out in this Health and Safety Policy.



To ensure successful implementation of this policy, all systems, processes and procedures will be underpinned by the following five guiding principles.

1. Mutual accountability, i.e. shared responsibility, and teamwork.
2. Sensible risk based approach, i.e. sensible risk management.
3. Not to be seen as reactive, but establish efficient, proactive, and pragmatic ways of delivering health and safety.
4. Consistent throughout, i.e. standardise.
5. Active and visible leadership.

#### **4.1. Health and Safety Information for Employees**

TDET recognise that health and safety is all about preventing people from getting hurt or getting ill from work or learning related processes.

Increasing health and safety awareness and providing information is vital in ensuring and safeguarding everyone's health, safety and wellbeing whilst at work.

To comply with The Health and Safety Information for Employees Regulations 1989, all institutions within the Trust will display a Health and Safety Executives (HSEs) 'What You Need to Know' health and safety poster in a prominent area, ideally around reception. The purpose of the poster is to increase awareness of health and safety, provide vital information regarding health and safety, who are the health and safety representatives, and other health and safety contacts at their place of work.

#### **4.2. Representatives of Employee Safety (RoES), Recognised Trade Union Safety Representatives, Health and Safety Committee**

Health and safety is not solely the responsibility of any one person within TDET, but is a shared responsibility that involves and engages everyone across all levels of responsibility from all departments.

Health and Safety Representatives and a Health and Safety Committee play a vital role in ensuring a healthy and safe working environment at work. Talking, listening, involving, engaging, and co-operating with employees from across all levels of responsibility and departments at work help influence the health and safety culture, and helps to achieve the desired result through their own actions. Consulting with employees about health and safety lets them know that we take their health, safety, and wellbeing seriously. This in return can lead to a reduction in the number of accidents, near misses, and civil liability claims made against the Trust, and on the other hand increase morale, productivity, efficiency and quality.

Health and Safety Representatives themselves contribute immensely by having a better understanding of the views and concerns of the workforce, and by helping in the consultation arrangements with the workforce. Collaboration with the employees through Health and Safety Representatives helps to manage health and safety risks in the workplace, i.e. hazard spotting, making sure that controls are practical, and helps increase the level of employee commitment to working in a safe and healthy way. Health and Safety representatives can also be seen as on the job Health and Safety Advocates, can help identify, advice and correct potential problems before an incident occurs.

The Health and Safety at Work Act 1974 makes general provision for the following.

- Article 2(4), to consult Health and Safety Representatives on all matters that may affect the health and safety of the employees that they represent.
- Article 2(7), to establish a Health and Safety Committee if requested to do so by a Health and Safety Representative.

The following Regulations expand on the general provisions for consulting Health and Safety Representatives, and establishing a Health and Safety Committee under the Health and Safety at Work Act 1974. The Regulations expand to cover specific details of the roles and responsibilities of the Employer and the Health and Safety Representatives in ensuring and safeguarding the health, safety, and wellbeing of everyone whilst at work.

- The Safety Representatives and Safety Committees Regulations 1977

- Provisions made for recognised Trade Union Health and Safety Representatives to be appointed.
- To establish a Health and Safety Committee no later than 3 months after the request to do so by two or more Trade Union appointed Health and Safety Representatives.
- The Health and Safety (Consultation with Employees) Regulations 1996
  - Provisions made for an employer to not only inform, but consult Non-Trade Union employees or their elected Representative of Employee Safety (RoES).

TDET is fully aware of the functions of the recognised Trade Union Health and Safety Representatives, the Representative of Employee Safety (RoES), and its legal obligations to not only inform but consult employees, and their appointed Health and Safety Representatives on all matters that may affect their health, safety, and wellbeing whilst at work.

TDET recognises the advantages of establishing a Health and Safety Committee are plentiful and good practice. A Health and Safety Committee makes provisions for the following.

- Being a liaison group between Management and Employees.
- Increasing awareness of health, safety, and wellbeing at work.
- Helps integrate health, safety, and wellbeing priorities into corporate priorities.
- Allows for a pooling of knowledge and expertise to address any workplace issues or problems that may affect the health, safety and wellbeing of the workforce.
- Improves communication, promotes mutual understanding, teamwork and co-operation amongst the workforce.
- Helps improve employee motivation and morale by providing them a platform where they can express their concerns etc.
- Educating and training subordinate managers.
- Democratic management, i.e. system of governance that involves all and not just the committee members.

TDET's Health and Safety Committee will adhere to the following requirements.

- Not to be seen as a meeting that just involves the exchange of information, but is also seen as a meeting that allows constructive discussion and decision making.
- Develop and implement a written constitution on what they agree to do, and how they will manage health, safety and welfare together. The written constitution will include the purpose and objectives of the committee, membership, meeting arrangements, and arrangements for communicating outcomes of meetings to the workforce.
- Consider the following agenda items.
  - Statistics (i.e. accidents, near misses, ill health, and sickness absence)
  - Incident investigations and subsequent action
  - Audits, surveys, inspections, and hazard spotting tours
  - Risk assessments
  - Health and safety training
  - Changes in workplace that may affect the health, safety and welfare of the workforce, i.e. changes in (or new) legislation, new technology, changes in ways the workforce are instructed to work, or when new hazards have been identified.
- Meet at least once every academic term.
- Chaired by the Trusts Director of Resources.
- Consist of Principals' (or their deputy) from each institution within the Trust, Trusts Business Leadership Team, appointed Representative of Employee Safety (RoES), and

appointed Trade Union Health and Safety Representatives (i.e. from NASWT, NUT, NEU, Voice, GMB, and Unison).

### **4.3. Site Security**

Security and safety in all institutions within TDET is a highly emotive subject and one which is never far from the conscience of the Senior Leadership Teams within TDET.

TDET recognises its legal obligation under the Health and Safety at Work Act 1974 to provide a safe place in which to work.

Just like safety, everyone has an important role to play when it comes to site security, and in the successful implementation and monitoring of the security plan/procedure for their site. Unauthorised leaving from premises is strictly prohibited, and permission must be sought before leaving premises. Blatant and violent breaches of site security can have catastrophic effects, therefore site security must remain high on everyone's agenda, whether you are a parent, learner, or a member of staff. It is of utmost importance that all establishments within the Trust provide a calm and secure environment at all time and anyone attending an establishment within the Trust feels safe at all times.

Common site security concerns include:

- Intruders
- Personal safety on premises, including protection against violent, abusive or insulting behaviour, or language
- Burglary
- Arson
- Vandalism
- Intrusion to activities

All premises within TDET are private property and generally parents, guardians, visitor and contractors will have permission or an invitation from an establishment within the Trust to be on their premises. Section 547 of the Education Act 1996 cites that it is a criminal offence for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance. Establishments within the Trust can apply to the local authority/police for an anti-social behaviour order in cases of ongoing violent, abusive or insulting behaviour, or language from an individual or group of individuals.

Senior Leadership Teams at each institution within the Trust will be ultimately responsible for the security of their premises and must ensure that suitable and appropriate arrangements are in place for the following.

- Completion of a Site Security Risk Assessment
- The development, implementation and maintenance of a robust and effective Site Security Plan/Procedure for their premises that covers the following.
  - External Environment; Perimeter Fencing and Gates, Access Control, Vehicle Security/Parking, Landscaping/Defensible Planting, Signage, Security Lighting, Close Circuit Television Systems (CCTV).
  - Building Shell; Protecting the building.
  - Internal Security; School Office/Reception Location, Access Control, Vulnerable Offices/Rooms,

This responsibility to develop and implement a robust and effective Site Security

Plan/Procedure for an institution within TDET will be managed by the TDET Facilities and Estates Manager, supported by the local Facilities and Estates Team, and the TDET Health and Safety Manager. However, maintenance of the site specific security plan/procedure will be a local responsibility.

Good site security management is about being proactive rather than reactive. The emphasis will be on prevention rather than detection.

#### **4.4. Critical Incident Management (Plan)**

A critical incident may be defined as any sudden and unexpected event or sequence of events which cause trauma within a community of an establishment, overwhelms the coping mechanisms, causes serious disruption to the running of that establishment and is likely to result in significant public and media attention.

Critical incidents may include some of the following.

- Bomb threat or alert.
- Collapse or major damage to building or equipment.
- Disappearance or abduction of a learner.
- Fatality or specified serious injury under Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR), whilst within the establishment of the Trust or on an educational visit.
- Serious assault or sexual assault.
- Firearms or weapons attack
- Taken hostage or siege

It is not possible to prepare in detail for every potential critical incident that may occur at any establishments within the Trust. However, TDET does recognise that it is essential to have a general plan that defines the roles and responsibilities of the Critical Incident Management Team and outlines the steps that need to be taken by them in the event of a critical incident.

The aim of the Critical Incident Management (Plan) is to achieve the following.

- Ensure immediate, swift and appropriate action is taken the moment an establishment within the Trust is made aware that a critical incident has occurred.
- Co-ordinate all necessary remedial actions.
- Control, organise and co-ordinate all communication and response.
- Provide sensitive, non-intrusive support in the short and medium term to all those affected directly or indirectly by the event.
- To maintain, so far as is reasonably practicable, the normal routines of the establishment within the Trust.

Senior Leadership Teams at each institution within the Trust will be responsible for developing and implementing a site specific Critical Incident Management (Plan), supported by the TDET Health and Safety Manager and TDET Business Services Team as required.

Study has shown that establishments that have a robust critical incident management plan in place will handle the situation much better when it occurs. They provide the best support to students, staff and families and return to normality sooner while continuing to be alert to the vulnerability of all concerned.

#### 4.5. Emergency Evacuation

Emergency evacuation is the urgent immediate egress or escape of people away from an area that contains a serious and imminent threat or ongoing threat to lives or property. The following are just a few examples of serious and imminent incidents that pose a threat or ongoing threat to lives or property.

- Major Gas Leak/Explosion/Fire
- Suspect Package/Bomb Threat

Emergency evacuation procedures are a critical part of an organisations health and safety management system, and limit the damage to people and property (if any) caused by such incidents mentioned above. The procedures provide a clear direction for the immediate and swift response, and the actions that need to be taken by everyone in the event of any unforeseen sudden and unexpected incident that poses a serious and imminent threat or ongoing threat to lives or property.

Personal Emergency Evacuation Plans (PEEPs) are bespoke emergency 'escape plans' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in such incidents as mentioned above. Personal Emergency Evacuation Plans (PEEPs) are required for individuals with impairments in mobility, sight, hearing, cognitive, and any other impairment that may affect their ability to reach an ultimate place of safety unaided or within a satisfactory period of time. The bespoke personal emergency evacuation plans will take into consideration, and give clear instructions, in the provisions and use of 'refuge points' and 'evacuations chairs' in the event of such incidents as mentioned above.

Emergency evacuation drills are important, as not only do they ensure that all people understand and know what they need to do in such unforeseen events, they also help to test how effective the emergency evacuation procedures are, and if improvements to certain aspects of the fire provisions is required. Legislation and the Department for Education do not specify a frequency for safety drills. Knowing how often to carry out safety drills will depend on a number of risk factors, i.e. size of institution, number of people on premises, student and staff turnover, building material and layout, hazardous flammable and combustible materials etc. General good practice and recommendations made in the education sector, is to have at least one emergency evacuation drill per term, preferably at the start of the term, and that it is monitored, logged and reviewed.

The following Legislation place legal duties on the employer to have effective and appropriate procedures in place for an event that poses a serious and imminent danger to the health and safety of all within their place of work.

- The Management of Health and Safety at Work Regulations 1999
  - Article (8) cites that an employer has the duty to establish and set in motion, effective and appropriate procedures for an event that poses a serious and imminent danger to the health and safety of all within their place of work.
- The Regulatory Reform (Fire Safety) Order 2005
  - Article (15) cites that it is the duty of the responsible person to give effect to appropriate procedures, including safety drills, to be followed in the event of serious and imminent danger to relevant persons, and to nominate a sufficient number of competent persons to implement the procedures to evacuate relevant persons from the premises safely.
  - Article (19) and (21) makes provisions for safe information, instruction and training to employees and others.



- Article (22) cites where two or more Employers share, or have duties in respect of premises (whether on a temporary or permanent basis), each must take reasonable steps to co-operate and co-ordinate with others in relation to the measures they take, and to inform the others of the risks to the relevant persons arising out of the conduct of their undertakings.
- Disability Discrimination Act 1995 cites that it is an offence to discriminate on a disabled person's disability, and that an employer has a duty to make reasonable adjustments in the workplace to accommodate the disabled person, which also includes safe access and egress from premises.

Each Institution within TDET will have its own site specific Emergency Evacuation Procedures that can be set in motion in an event that poses a serious and imminent danger to the health and safety of all within their place of work. The emergency evacuation procedures will take into consideration bespoke emergency evacuation plans (PEEPs) for people with impairments, and give clear instructions in the provisions and use of 'refuge points' and 'evacuations chairs'.

Any premises used by TDET institutions that are shared with one or more other Employers, or premises that have joint duties whether on a temporary or permanent basis, each Employer including TDET institutions will take reasonable steps to co-operate and co-ordinate with each other in relation to the measures they take, and to inform the others of the risks to the relevant persons arising out of the conduct of their undertakings. In such cases Joint Emergency Evacuation Procedures will be developed, implemented and set in motion in an event that poses a serious and imminent danger to the health and safety of all within their place of work.

It will be the ultimate responsibility of the Senior Leadership Teams at each institution within TDET, with the support from TDET's Facilities and Estates Manager and Health and Safety Manager, to ensure the following.

- Arrangements are in place to develop and implement Emergency Evacuation Procedures for all people, including Personal Emergency Evacuation Plans (PEEPs) for people with impairments for their site of responsibility.
- Arrangements are in place to develop and implement Joint Emergency Evacuation Procedures where premises are being shared with one or more other Employer.
- They are set in motion as and when required.
- Provisions for at least one emergency evacuation drill per term, preferably at the start of the term, and that it is monitored, logged and reviewed.

#### **4.6. Dynamic Site Lockdown**

Advice from education experts state that academies and schools can choose to have a dynamic lockdown policy or procedure if they feel that it would help them to manage the risks. However, regulation (8) of The Management of Health and Safety at Work Regulations 1999 do cite that an employer has the duty to establish and set in motion, effective and appropriate procedures for an event that poses a serious and imminent danger to the health and safety of all within their place of work.

Attacks in the UK and abroad remind us all of the potential terrorist threat that we all face. The National Counter Terrorism Security Office (NaCTSO) are a police unit that supports the 'protect and prepare' strands of the governments counter terrorism strategy. The National Counter Terrorism Security Office (NaCTSO) are working tirelessly to protect the communities, but it also important that communities remain vigilant and be aware of how to protect

themselves if the need arises. The National Counter Terrorism Security Office (NaCTSO) have as a result of the heightened terrorist threat published guidance document for developing dynamic lockdown procedures.

TDET recognises that there is an increased risk of serious external and internal incidents which have the potential to pose a threat to the safety of all individuals within the boundaries of their academies, schools, and other organisations within the Trust. All institutions within the Trust should develop dynamic lockdown procedures as a sensible and proportionate response to any potential threat to the safety of all within its boundaries. The following are examples of incident types that have the potential to pose a threat to the safety of all individuals within the boundaries of all academies, schools, and other organisations within the Trust.

- An intruder on the schools site or nearby.
- A local incident, such as a civil disturbance or risk of air pollution.
- A fire adjacent to the school.
- A dangerous dog or another dangerous animal which is nearby.
- A firearms or weapons attack.

A dynamic lockdown procedure will enable institutions within the Trust to close down safely, restrict access and egress to a site or building (or part of) through physical measures, protect itself and those within it from the potential threat. The aim of the dynamic lockdown is to prevent people moving into dangerous areas and preventing or frustrating the attacker(s) accessing a site or building (or part of).

Each institution within TDET will have its own site specific lockdown procedures that will provide immediate and swift response to any unforeseen sudden and unexpected incident or sequence of events that pose a serious threat and cause trauma to any community within their boundaries. These lockdown procedures will be managed by the site specific Critical Incident Management Team.

Study has shown that institutions which have robust lockdown procedures in place will handle the situation much better when it occurs. They provide the best support to students, staff and families and return to normality sooner while continuing to be alert to the vulnerability of all concerned.

#### **4.7. Working Environment**

TDET recognises its statutory duty under Section 2 of the Health and Safety at Work Act to ensure, so far as is reasonably practicable, the Health, Safety and Welfare of their employees at work.

The Workplace (Health Safety and Welfare) Regulations 1992 expand on these duties and cover a wide range of basic health, safety and welfare issues to protect everyone in the workplace.

Senior Leadership Teams at each individual institution within TDET will be responsible for ensuring, so far as is reasonably practicable, that arrangements are in place to manage the following on their premises of responsibility.

All Senior Leadership Teams will be supported jointly by the TDET Facilities and Estates Manager and Health and Safety Manager.

The TDET Health and Safety Manager will advise, guide and direct all institutions within TDET with compliance and facilitate the process of compliance.

- **Health** [Articles 6 – 10 of the Workplace (Health Safety and Welfare) Regulations 1992]

Suitable and effective provisions are in place to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air. Stale air, hot or humid air arising from work processes or equipment will be replaced at a reasonable rate. The siting and filtering of inlet air will be critical to ensure that air supplied is free from impurities likely to be offensive or cause ill health. If work areas are without windows, mechanical ventilation should be provided where necessary, and uncomfortable draughts avoided with whatever method is used.

The temperature in all internal rooms during working hours is required to be reasonable, comfortable, and without the need for special clothing. This is specified in the Health and Safety Executives Approved Code of Practice (ACoP) relating to this regulation as a minimum of 16°C, or 13°C where severe physical work is involved. No maximum temperature is set by the regulation, however the Trust recognises the need to assess the risk to the health, safety and welfare of all those at risk of excessive high temperatures. In cases of excessive high temperatures, appropriate measure will be taken, so far as is reasonably practicable, to reduce temperatures to a comfortable working level. This regulation does not apply to specific work areas where the temperature has to be kept below the recommended level and is governed by another legislation, i.e. food cold stores. Local temporary heating or cooling is acceptable and will be provided where reasonable comfortable temperatures cannot be achieved. Should employees continue to be exposed to temperatures which are uncomfortable, despite the provision of local heating or cooling, suitable clothing or rest facilities will be provided.

Suitable and sufficient lighting appropriate for the task being undertaken will be provided in every workplace, preferably by natural light, so far as is reasonably practicable. The lighting will be sufficient to enable everyone to work, use facilities, and move from place to place safely without experiencing eye strain. Where the level of natural light creates excessive heat or glare, provisions for shading the windows will be provided, e.g. blinds, curtains, film etc. Where artificial lighting is used, suitable and sufficient emergency backup lighting will be provided to safeguard those at risk to dangers in the event of the artificial lighting failing. The emergency lighting will be powered by an independent source from normal lighting and will be immediately and automatically effective on the failure of normal power supplies. The level of emergency lighting will be suitable and sufficient to provide the necessary light to enable action necessary to ensure the health and safety of all in the event normal power supplies failing.

- **Safety** [Articles 12 – 19 of the Workplace (Health Safety and Welfare) Regulations 1992]

Workplaces, equipment, devices and systems will be maintained in an efficient state, efficient working order and in good repair. Any potentially dangerous defects reported will be rectified immediately or measures put in place to protect those at risk. Equipment unsuitable for use, but not a danger in terms of health safety and welfare will be removed from service until repaired. All academies, schools and

organisations within the Trust will have suitable systems of maintenance for certain types of equipment and devices on their premises, e.g. ventilation, heating, lighting, emergency lighting, window cleaning etc.

All workplaces, furnishings, floors, walls and ceilings will be kept sufficiently clean. Good housekeeping, i.e. storage and waste management, is sensible and the foundation for good health and safety. Accumulation of clutter on the floor increases the risk of trips and falls. Poor waste management increases the risk of fire. It will be the responsibility of everyone to maintain a clean, tidy and organised workplace free from the risk of any potential hazards.

Suitable workstations will be provided for the type of work undertaken by all within the Trust. Where work undertaken involves largely sitting down, suitable seating and footrest will be provided. Workstations that are sited outdoors will be protected from adverse weather conditions, so far as is reasonably practicable. Workstation that are associated with computers and display screens will be risk assessed in accordance with the Health and Safety (Display Screen Equipment) Regulations. Workstations will be designed to enable adequate freedom of movement of the individual user.

Every floor and traffic route used by pedestrians and/or vehicles will be of sound construction, have adequate properties suitable for its intended purpose, and be maintained. Where appropriate, floors will be provided with suitable drainage and be free from defects, obstructions, articles and contaminating substances that are likely to result in a slip, trip and fall incident. Where appropriate, suitable and sufficient handrails and guards will also be installed on traffic routes where they are deemed necessary, e.g. staircases.

Suitable and effective measures will be taken to prevent anyone falling a distance likely to cause injury or being struck by a falling object. Any areas where there is a likelihood of a fall causing harm will be assessed and if required will have the provisions for suitable and sufficient fencing. When fencing cannot be provided, or have to be removed, effective measures will be implemented to prevent falls, e.g. limiting access to specified individuals, operating a safe system of work procedure, or adopting a permit to work system in high risk situations. Where regular access to roofs is needed, suitable permanent access will be installed, fixed physical safeguards will be provided to prevent falls from roof edges and through fragile roofs. If only occasional access is required, other safeguards must be used, e.g. crawling boards, temporary access equipment. All fragile roofs will be clearly identified. Any activity involving working at heights will be risk assessed first in accordance with The Work at Heights Regulations 2005.

All windows or transparent and translucent surfaces in walls, partitions, doors or gates shall be made of safe materials and marked to make them apparent. Windows, skylights and ventilators will be designed, constructed and installed in such a way so that they are safe to operate, clean and be maintained without risk to personal health and safety.

Vehicular and pedestrian traffic routes will be arranged and maintained in such a way to permit safe movement, and will be suitable for their purpose both in size, number, and position. There will be sufficient separation of vehicles and pedestrian traffic routes and all routes will be suitably indicated for health and safety reasons.

Appropriate crossing points will be provided where vehicular and pedestrian routes cross. Sufficient and adequate warning signs and marking will be provided to advise drivers and pedestrians of the potential hazards, restrictions, and to provide safe information, instructions and direction.

Doors and gates will be suitably constructed with all the necessary safety devices and maintained in order to safeguard the safe passage of all when coming to and from the workplace. Sliding doors and gates will be fitted with devices to prevent the doors coming off their tracks. Upward swinging doors and gates will have a device to prevent them dropping back. Powered doors and gates will have suitable and effective safety features to prevent harm being caused to an individual as a result of getting trapped, and be capable of being operated manually if the power fails. Swipe access doors and gates will fail to safety in the event of a fire alarm being sounded so that everyone can safely egress in an emergency.

- **Welfare** [Articles 20 – 25 of the Workplace (Health Safety and Welfare) Regulations 1992]

Suitable and sufficient sanitary conveniences will be provided at readily accessible places. Sanitary conveniences will not be considered suitable unless they are adequately ventilated, lit, and kept in a clean and orderly condition. There will be provisions for separate sanitary conveniences for men, women, and disabled individuals.

Suitable and sufficient washing facilities, including showers, will be provided at readily accessible places. Washing facilities will be provided within the immediate vicinity of every sanitary convenience or any changing room. These facilities will include a supply of hot and cold water, soap or other suitable means of cleaning, and paper towels or other suitable means of drying. Such facilities will also be sufficiently illuminated, ventilated and maintained in a clean and orderly condition. Where showers are installed and fed by both hot and cold water will be fitted with thermostatic mixer valves. There will be provisions for separate washing facilities for men, women, and disabled individuals.

There will be an adequate and readily accessible supply of wholesome drinking water that will be conspicuously marked with the appropriate signage. Where a supply cannot be obtained directly from mains supply, an acceptable supply will be provided by refillable containers. Where an adequate supply of wholesome drinking water is required, there will also be provided a sufficient number of suitable cups or other drinking vessels unless the supply of wholesome drinking water is in a jet form which an individual can drink easily.

Suitable and sufficient accommodation will be provided for the clothing of any individual at work which is not worn during working hours, and for special clothing which is worn by any individual at work but which is not taken home. Accommodation will not be deemed suitable if it does not provide suitable security for the clothing.

Suitable and sufficient facilities for changing clothing will be provided for individuals at work in the workplace to change clothing where the individual has to wear special clothing for the purpose of work, and the individual cannot for reasons of health or propriety be expected to change in another room. There will be provisions for

separate facilities for changing clothes for men, women, and disabled individuals.

There will be provisions for suitable facilities in readily accessible places for rest necessary for health and safety reasons, e.g. pregnant women or nursing mother to rest, and to eat meals where food eaten in the workplace would otherwise be likely to become contaminated. Eating facilities will include provisions for preparing or obtaining hot drinks. Where it is not possible to obtain hot food in, or reasonably near to, the academy, school or other organisation within the Trust, the academy, school or other organisation will provide a means of heating food.

#### **4.8. Inclement Weather**

Inclement weather refers to severe or harsh weather conditions involving snow, ice, rain, and/or wind that have the potential to make journeys by foot or by personal, public, or private transport extremely hazardous.

In the event of such severe or harsh weather conditions, all academies, schools, and other organisations within the Trust may have to face the possibilities of closing their establishment to ensure the health and safety of all its staff and learners. It is always a very difficult decision to make because of the desire to provide the best education for its learners, however it is also paramount that we are able to provide a safe environment for the learners and staff members alike. The Trust recognises that a majority of its members of staff live a significant distance away from their place of work, and due to the number of disruptions including road traffic accidents on the road, may not be able to get into work safely, resulting in insufficient members of staff to supervise the learners.

All institutions within TDET must have a well-defined documented procedure for the closure of their institution, and must include the following.

- Roles and responsibilities.
- An assessment for the severity that takes into consideration the following.
  - Advice from the Met Office, Police, appropriate and recognised motoring organisations, and vehicle insurance companies.
  - Travel situations, disruptions and potential road traffic accidents to and from establishment.
  - On-site hazardous conditions that cannot reasonably be mitigated.
  - Adequate and safe supervision of all learners.
  - Reasonable temperature be maintained in the building or parts of the buildings where the learners and members of staff are likely to be.
  - Wholesome water available.
  - Sufficient toilets working satisfactorily.
- When to communicate message and to whom.
- Methods of communicating message.

The Senior Leadership Teams at each institution within TDET will be ultimately responsible for developing, implementing, and setting in motion procedures for the closure of their institution. All Senior Leadership Teams will be supported jointly by the TDET Facilities and Estates Manager and Health and Safety Manager.

#### **4.9. Off-Site Educational Enrichment Visits, EVOLVE, and EvolveAdvice**

The aim of this section of the Health and Safety Policy is to sustain and promote a broad range of off-site educational enrichment visits, whilst ensuring safe practice and competent supervision. TDET recognises the direct and indirect learning and social benefits of students participating in off-site educational enrichment visits. Off-site educational enrichment visits enhance and deepen a student's learning alongside the curriculum offered in the classroom, stimulate an interest in new areas and present opportunities for students to demonstrate a wide range of qualities and skills that are not available in the traditional classroom setting. They also help to develop a student's investigative skills, and in particular encourage greater independence. Off-site educational enrichment visits can also be a valuable form of personal professional development for staff, offering them insights into new skills, strengths and interests of students that can often not be gained within the classroom. At TDET, we are committed to incorporating off-site educational enrichment visits into schemes of work to enhance students' understanding and experiences.

There is no specific legislation for governing off-site educational enrichment visits in schools, however, the Health and Safety at Work Act 1974 places an overall responsibility for health and safety with the Employer. The Management of Health and Safety at Work Regulations 1999 go further, citing that all employers must carry out suitable and sufficient risk assessments of all its activities, and so far as is reasonably practicable, ensure that suitable and sufficient arrangements are in place to safeguard everyone's health and safety.

There is no legal requirement for an institution to have an Educational Visit Leader or Educational Visits Co-ordinator as such. The Local Authority (LA), the Outdoor Education Advisers' Panel – National Guidance (OEAP), the Council for Learning Outside the Classroom (LOtC), and the Institution for Outdoor Learning do however advise and highly recommend that all institutions have both, Educational Visit Leaders and an Educational Visits Co-ordinator, to jointly manage the risks of all their off-site educational enrichment visits. Having such roles within an institution demonstrates good practice for managing the risks of off-site educational enrichment visits and allows institutions within the Trust to meet their legal obligations under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

The Senior Leadership Team at each institution within TDET will be ultimately responsible for their internal organisation, the management of its staff, and in ensuring that arrangements are in place to develop and implement a well-defined robust off-site educational visits procedure and critical incident plan.

Members of the Senior Leadership Team responsible for overseeing off-site educational enrichment visits for their institution within the Trust, will serve as the first point of contact in the event of any unforeseen incident or issue that may arise during an off-site educational enrichment visit managed by their institution.

##### **Visit Leader (EvolveAdvice – Level 1 Authorisation)**

Each Visit Leader will have the overall responsibility for the planning, supervision and conduct of their off-site educational enrichment visit. The Visit Leader will adhere to the following protocol before planning, commencing, and concluding any educational visit.

- Date of the visit is checked with the school calendar and with other relevant teachers to ensure that there are no clashes with other events, including planned revision sessions, phase test and examinations etc.
- Clarifying the purpose of the off-site educational enrichment visit (i.e. is it essential,

does it add value to learning, and can it be delivered in another way etc.), the number of people involved (i.e. staff and students including any special needs etc.), the contents of the programme, any Plan 'B'.

- Seek approval from their Head of Department before commencing any submission onto EvolveAdvise. All Heads of Departments have a responsibility for overseeing all off-site educational enrichment visits within their department.
- If applicable, submit financial costings and seek financial approval from the Senior Finance Manager.
  - All trips cancelled by the school will result in an automatic refund in respect of contributions received from students.
  - In the case of a student withdrawing from a trip, a refund may be made depending upon the individual's circumstances surrounding the withdrawal.
- Ensure that there is suitable and sufficient travel and accident insurance cover for the duration of the educational visit.
- Demonstrate planning, and proportionate, sensible and responsibly risk management.
- Submit a suitable and sufficient Task Based Risk Assessments, or Generic Risk Assessments that are accompanied with a Safe Working Procedures through the online Trip Management System (EvolveAdvise) for approval by the Educational Visits Administrator, Educational Visits Head and the expert Outdoor Educational Advisor (if applicable, i.e. residential, overseas, adventurous activity, and DofE).
  - Task Based Risk Assessments, and Generic Risk Assessments that are accompanied with a Safe Working Procedures will take into consideration the student numbers, age group, special needs, adult-student ratio, supervision, competency of staff, First Aid provisions, finance, code of conduct and behaviour, communication, consent by parents/guardians, transport and travel arrangements, level of travel and accident insurance, medical arrangements and emergencies, and appropriate contingency plans for any unforeseen critical incidents.
- Will not commence off-site educational enrichment visit until final approval has been received from the Educational Visits Administrator, Educational Visits Head and the expert Outdoor Educational Advisor (if applicable, i.e. residential, overseas, adventurous activity, and DofE).
- Ensure compliance with TDET's Health and Safety Policy, and their institutions Off-Site Educational Enrichment Visits Procedure.
- Ensure suitable and sufficient levels of supervision and enforcement are maintained throughout the educational visit.
- On return, evaluate and feedback any relevant information, issues, concerns, and any potential new learning from the educational visit to the Principal, Head of Department, Educational Visit Co-ordinator and Trusts Health and Safety Manger.

### **Educational Visits Administrator/Co-ordinator (EvolveAdvice – Level 2 Authorisation)**

The Educational Visits Administrator will have the following responsibilities.

- Support in the development, implementation, and maintenance of a well-define robust Off-Site Educational Enrichment Visits procedure for its institution.
- Liaise with all Visit Leaders in the planning process of all off-site educational enrichment visits, offering advice and support where necessary.
- Assess the competency of all staff members, volunteers, and service providers participating in the educational visit, i.e. Disclosure and Barring Service (DBS), training, experience, and LOtC accreditation/badge etc.
- Quality assurance (QA), i.e. check that all the correct paperwork has been filled in



correctly, signed and dated, and that it complies with TDET's Health and Safety Policy and their institutions Off-Site Educational Enrichment Visits Procedure.

- Approve submission and submit all documents to the next level of approval, i.e. Educational Visits Head, using the online Trip Management System, EvolveAdvise.
- Ensure that all documents are correctly and safely stored.
- Debrief Visit Leader on return.

### **Educational Visits Head (EvolveAdvice – Level 3 Authorisation)**

The Educational Visits Head will have the following responsibilities.

- Development, implementation, and maintain a well-define robust Off-Site Educational Enrichment Visits procedure for its institution.
- Liaise with all Visit Leaders and the Educational Visits Administrator/Co-ordinator in the planning process of all off-site educational enrichment visits, offering advice and support where necessary.
- Consult with TDET's Health and Safety Manager about any health and safety matters or queries that may arise in the planning and approval process, i.e. risk assessments, staff to pupil ratio etc.
- Assess the arrangements considered and prepared by the Visit Leader are proportionate and sensible, responsibly managed in terms of risk management, and that they can lead to a well-managed, engaging, relevant, enjoyable and memorable educational visit.
- Assess the competency of all staff members, volunteers, and service providers participating in the educational visit, i.e. Disclosure and Barring Service (DBS), training, experience, and LOtC accreditation/badge etc.
- Quality assurance (QA), i.e. check that all the correct paperwork has been filled in correctly, signed and dated, and that it complies with TDET's Health and Safety Policy and their institutions Off-Site Educational Enrichment Visits Procedure.
- Approve submission and if necessary (i.e. residential, overseas, adventurous activity, DofE visits), submit all documents to the next level of approval, i.e. Outdoor Educational Advisor, using the online Trip Management System, EvolveAdvise.
- Debrief Visit Leader on return.
- Liaise with their institutions Critical Incident Management Team in any unforeseen sudden and unexpected event or sequence of events during educational visits which cause trauma within the community of that institution and overwhelms its normal coping mechanisms.

### **TDET Health and Safety Manager (Full access to EvolveAdvice)**

The TDET Health and Safety Manager will have the following responsibilities.

- Support and facilitate the development and implementation of a well-defined robust off-site educational visits procedure for each institution within the Trust.
- Provide advice, guidance and direction in all matters relating to Health and Safety.
- Quality assurance (QA), i.e. periodically inspect and audit the planning and approval process to ensure that the process and its contents comply with current regulations and guidance, TDET's Health and Safety Policy and the institutions Off-Site Educational Enrichment Visits Procedure.
- Debrief Visit Leader on return.
- Liaise with the institutions Critical Incident Management Team in any unforeseen sudden and unexpected event or sequence of events during educational visits which cause trauma within the community of that institution and overwhelms its normal coping mechanisms.

### **Outdoor Educational Advisor (EvolveAdvice – Level 4 Authorisation)**

The appointed Outdoor Educational Advisor will be an Accredited Member of the Outdoor Education Advisers' Panel (OEAP) and someone who has demonstrated the following competences.

- Good knowledge of the legal responsibilities of an employer.
- Experience in leading/managing a broad range of outdoor learning activities and off-site visits.
- Understanding of the contributions that outdoor learning, off-site visits and LOtC can make to learning and development.
- A practical understanding of the difficulties involved in the supervision and management of groups of young and vulnerable people in a wide range of venues and environments.
- Competent in sensible and proportionate assessment of risks, and in managing those risks responsibly.
- Ability to interpret, refine and present National Guidance from the Outdoor Education Advisers' Panel (OEAP) at a local level.
- Ability to organise, facilitate and/or deliver effective training.
- Knowledge of when and how to access technical experts when specialist advice beyond their own competence is required.

The appointed Outdoor Educational Advisor will have the following responsibilities.

- Provide expert advice, guidance and direction about compliance with the legal framework within which outdoor learning, off-site visits and LOtC are delivered.
- Provide expert advice, guidance, direction and continuous monitoring in relation to developing high quality outdoor learning, off-site visits and LOtC.
- Interpret, refine and present OEAP National Guidance at a local level.
- Actively engage with the appropriate networks and organisations including OEAP.
- Provide practical advice, guidance and direction in sensible and proportionate risk management, and manage risks responsibly.
- Developing, organising, facilitating the delivery of effective training to meet the training needs of each institution within TDET.
- Advising on the role of National Quality Assurance Schemes, e.g. LOtC Quality Badge, National Governing Body Accreditation Schemes, AALA Licensing.
- Advising on the role of National Quality Assurance Schemes, e.g. LOtC Quality Badge, National Governing Body Accreditation Schemes, AALA Licensing.
- Excluding Day Visits, assess and approve all other Off-Site Educational Enrichment Visit submissions.
- Quality assurance (QA), i.e. periodically inspect and audit the planning and approval process to ensure that the process and its contents comply with current regulations and guidance, TDET's Health and Safety Policy and Off-Site Educational Enrichment Visits Procedure.
- Liaise with the institutions Critical Incident Management Team in any unforeseen sudden and unexpected event or sequence of events during educational visits which cause trauma within the community of that institution and overwhelms its normal coping mechanisms.

### **Critical Incident Management Teams**

Each institution within TDET will have its own Critical Incident Management Team responsible for the immediate and swift response to any unforeseen sudden and unexpected event or sequence of events during educational visits which cause trauma within the community of that establishment and overwhelms its normal coping mechanisms.

The role of the Critical Incident Management Team is to co-ordinate all necessary remedial actions, control and organise all communication, co-ordinate necessary response, and provide support to those directly or indirectly involved.

It is not possible to prepare in detail for every potential critical incident that may occur during an educational visit however, TDET does recognise that it is essential to have a general plan/procedure which outlines the steps that need to be taken by the Critical Incident Management Team.

Study has shown that institutions which have robust critical incident management plans/procedures in place will handle the situation much better when it occurs. They provide the best support to students, staff and families and return to normality sooner while continuing to be alert to the vulnerability of all concerned.

### **EVOLVE and EvolveAdvice**

Evolve is an online cloud-based service/tool used for planning and managing off-site educational enrichment visits. The software was developed by edufocus with the support from experienced teachers and educational practitioners. This market leading system has been designed with teachers in mind and helps schools, academies, colleges, and trusts improve and simplify the process of planning, approving, monitoring, evaluating and reporting on all learning which takes place outside the classroom.

An Evolve annual subscription could have been purchased directly through edufocus at a cost, and the EVOLVE system could have been setup using the TDET brand name and logo with all its academies enlisted directly under TDET. An approved expert outdoor educational adviser could have been appointed at a cost from the approved associates list of expert outdoor advisers from the Outdoor Educational Advisers Panel (OEAP).

EvolveAdvice is a standalone company of expert outdoor educational consultants/advisers approved by the Outdoor Educational Advisers Panel (OEAP) and has already purchased an annual EVOLVE subscription with edufocus. EvolveAdvice has enlisted many local authorities (LA's), schools, academies, and trusts onto their EVOLVE subscription with edufocus. EvolveAdvice offers a comprehensive and inclusive support service, providing expert outdoor advice, guidance and training for all off-site educational enrichment visits.

EVOLVE uses four levels of authorisation which have been setup as follow.

Level 1 – Visit Leader

Level 2 – Educational Visits Administrator

Level 3 – Educational Visits Head

Level 4 – Expert Outdoor Educational Adviser

Note: TDET's Health and Safety Manager will have full access to EvolveAdvice

## 4.10. Managing Visitor and Contractors

### 4.10.1. Managing Visitors

TDET will experience a significant number and wide variety of visitors to their premises, e.g. parents, volunteers, ex-students, VIPs, associate professional colleagues, sales representatives, representatives of Government Departments and Local Authority, and employees of utility companies etc.

A visitor to an institution will face a number of risks that will arise from the layout of the institution, the processes that are carried out, and the procedures that are in force. These are the same risks that are faced daily by the employees within the institution, however, because of their familiarity, knowledge and training, the risks for them are reduced to an acceptable level. It would be foolish to assume that a visitor will comprehend the risks posed by particular hazards on the institutions premises without site specific safe information and instruction.

The following Legislation place legal duties on the occupier of premises to all its visitors.

- Health and Safety at Work Act 1974  
Article 3(1) cites that it shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.
- Occupiers Liability Act 1957 and (1984 – to include trespassers)  
Article 2(1) cites that an occupier of premises owes the same duty, the “common duty of care”, to all his visitors.  
Article 2(2) goes on to cite, that the common duty of care is a duty to take such care as in all circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there.

TDET recognises its legal obligation to ensure that arrangements are in place to safeguard the Health, Safety and Welfare of all visitors on their premises.

Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop and implement a robust site specific procedure for the management of all visitors on their premises. The site specific procedure will include the following processes.

- Verify the identity of the visitor.
- Validate the purpose of the visit.
- Visitor will be given appropriate safe information and instructions regarding any relevant and foreseeable risks, the control measure in place, and site procedures etc. This could be achieved by presenting the visitor with a document, i.e. conditions for visitors, containing all the appropriate information and instructions for them to read and acknowledge before signing in at reception.
- Visitor must inform reception of any current health conditions that may potentially affect their visit and any current medication that they are taking before signing in at reception.
- Signing in and out at reception so that the visitor can be accounted for.
- Visitor identification badge must be worn at all times.
- To be accompanied and supervised by a responsible person at all times.
- Implement access restrictions if necessary, i.e. if visitor is unknown.

#### 4.10.2. Managing Contractors

A contractor could be defined as either an individual person or a company that is brought in, by any institution within the Trust, to undertake a contract to provide materials, labour or expertise to perform a particular service or implement a task on their premises, e.g. installation, maintenance, demolition, construction, and training etc.

Contractors do play a vital role, i.e. providing a valuable service and expertise, however do come with their own hazards and risks which need to be managed.

The addition to the Legislation covering visitors, the following Legislation also place legal duties on both the client (i.e. employer) and the contractor.

- The Management of Health and Safety at Work Regulations  
Articles under this Regulations make provisions for the following.
  - Completion of suitable and sufficient risk assessments
  - Formal arrangements are in place for health and safety, i.e. effective planning, organisation, control, monitoring, and review.
  - Co-operation and co-ordination between two or more employers who share the same workplace.
- The Construction (Design and Management) Regulations 2007 (CDM)  
Articles under this Regulations make provisions for the following.
  - An assessment of competence is undertaken.
  - Co-operation and co-ordination between two or more employers who share the same project.

TDET recognises its legal obligation to ensure that arrangements are in place to safeguard the Health, Safety and Welfare of all contractors working on their premises.

TDET Facilities and Estates Manager, supported by TDET Health and Safety Manager, and in consultation with the Senior Leadership Teams at each institution will be responsible for the development and implementation of robust site specific procedures for the safe management of all contractors working on their premises. However, maintenance of the site specific procedure for Safe Management of Contractors will be a local responsibility.

The site specific procedure will include the following processes.

- Planning, i.e. defining the job, identifying the hazards, assessing and controlling the risks.
- Selecting a competent contractor, i.e. suitability assessment of the contractor.
  - Must have a Health and Safety Policy for their organisation.
  - Must be competent in Risk Assessment and Method Statements (RAMS).
  - Provisions for First Aid.
  - Must confirm insurance cover (minimum), i.e. Employers Liability £10M, Public Liability £5M, Professional Indemnity £5M, and Motor £5M.
  - Must disclose all evidence technical ability to do task, i.e. skills, experience, and qualifications etc.
  - Selected from the Trusts approved safe contractors' database, or from a safe contractor schemes such as ConstructionLine and Alcumus Safe Contractor.
- Contractor health and safety induction.
- Approval and authorisation to work certification that clearly indicates the nature of the agreed task, persons working, RAMS, duration of work and signatures before

- commencing work and when work complete.
- Permit to work (Hazardous work, i.e. hot work).
- Monitoring the safety of contractors during contract work.
- Review the contract work on completion.

TDET will endeavour to seek expertise professional advice, guidance and direction from the Local Authority with all projects that fall under The Construction (Design and Management) Regulations 2007 (CDM), where required.

#### **4.11. Health and Safety Training**

TDET recognises the many positive benefits of health and safety training in the workplace. Health and safety training makes an individual's aware of their surrounding workplace hazards and the precautions necessary to avoid harm. This results in minimal workplace accidents/ill health/potential legal issues, allows better response to unexpected emergencies, helps with legal compliance such as the provisions for safe information, instruction and training, and promotes a safer and more secure culture within the workplace. TDET does not see health and safety training as a time consuming, costly, and disruptive element of the organisation that impinges and hinders the success of the many activities carried out within its institutions.

Health and Safety training programmes will be subject to constant review and updated accordingly following an accident investigation, new legislation, changes in the findings of a risk assessment or the introduction of new plant or processes.

Health and Safety training will take many different forms and include the following.

- **Inductions**
  - Online e-learning or 30 minutes PowerPoint training session delivered by the TDET Health and Safety Manager to all New Employees, Visitors, Contractors and Work Placement Students, preferably on their first day or at a convenient time within their first 3 months of employment. The induction training programme will include the following topics.
    - The Health and Safety Policy of the organisation.
    - Roles and Responsibilities under UK Law.
    - Sources of health and safety information.
    - Accident reporting procedures, location of accident book and nearest First Aider.
    - Near miss and hazard reporting procedure.
    - Smoking prohibitions.
    - Fire and other emergency procedures including the location of the assembly points.
    - Hazards that are specific to the workplace, e.g. manual handling, hazardous substances.
    - Summary of any relevant risk assessments and safe systems of work.
    - Location of welfare, canteen facilities and rest/prayer rooms.
    - Details of the possible disciplinary measures that may be enacted for non-compliance with health and safety rules and procedures.
- **General Health and Safety**
  - **Basic Health and Safety at Work**
    - Online e-learning or a two-hour PowerPoint training session delivered by the TDET Health and Safety Manager to the general workforce on development

days. Basic Health and Safety at Work training course will follow similar topics to those contained in an induction training course but will however be covered in more breadth and depth.

- ***Behavioural Safety and Safety Leadership***  
A two-hour PowerPoint training session delivered by the TDET Health and Safety Manager to Executive Group and all Senior Leadership Teams on development days. Behavioural Safety and Safety Leadership training course will look at people's perceptions and attitudes to safety in the workplace, antecedents of safe and unsafe behaviour, and the possible positive and negative consequences of such behaviours.

- **Job Specific**

Job specific training will ensure that all employees undertake their job in a safe manner. Job specific training can be seen as a form of skills training and would be best done on the job and therefore sometimes referred to as toolbox training.

Job specific training will include the following.

- Accident Investigation
- Manual Handling
- Display Screen Equipment (DSE)
- Control of Substances Hazardous to Health (CoSHH)
- Risk Assessments and Safe System of Work, sometimes referred to as RAMS.

All job specific activities are assessed to determine when a safe system of work is needed to compliment a risk assessment. In simple terms, a safe system of work is derived from the outcomes from a risk assessment and is basically a defined method for doing a job in a safe way. The results of a risk assessment and details of a safe system of work are very useful in the development of this type of job specific training.

It is common for this type of training to follow an operational procedure in the form of a checklist which the employee can sign on completion of the training. The employee will still need close supervision for some time after the training has been completed.

The TDET Health and Safety Manager will be responsible for facilitating and assisting all institutions within TDET with the successful execution of this job specific risk assessment and safe system of work training. Training could consist of either one to one or small group toolbox talks.

- **Specialist**

Specialist health and safety training is normally needed for activities that are not related to a specific job but more to an activity, e.g. First Aid, Radiation Protection Supervisors (RPA), Fire Marshal, Statutory Inspections. These training courses will be provided by an approved external specialised organisation and participants will be awarded certificates on successful completion.

#### 4.12. Monitoring and Measuring of Health and Safety Performance

There are two distinct types of monitoring methods used for measuring Health and Safety performance at TDET.

- Proactive Monitoring – Taking initiative before things go wrong and involves routine inspections and checks to make sure that standards and policies are being implemented and that controls are working.
- Reactive Monitoring – After things go wrong and involves looking at historical events to learn from mistakes and see what can be put right to prevent a recurrence.

Measuring is an accepted part of the Plan-Do-Check-Act management process of the Health and Safety Executives HSG65 framework for managing health and safety. There is no single reliable measure of health and safety performance. What is required is a basket of measures that provide a range of information on health and safety issues. The main purpose of measuring Health and Safety performance is to provide information on the progress and current status of the strategies, processes and activities employed to control Health and Safety risks. Effective measurement not only provides information on the progress and current status but also gives an indication as to why they are at that level and initiate the decision making process for corrective action to be taken.

TDET will employ several complementary proactive and reactive monitoring methods which address and measure different aspects and areas of the organisation. These methods are categorised as follow.

- **Health and Safety Management System Audit** is a major exercise that formally assesses the adequacy of the whole organisations Health and Safety Management System and is carried out every 3 years by the TDET Health and Safety Manager. It addresses all aspects of the Health and Safety Management in a structured manner, using written questions with answers being confirmed by a review of records, staff interviews, and through observations of workplaces and operations.

A well-structured auditing programme will give a comprehensive picture of the effectiveness of the Health and Safety Management System in controlling workplace risks.

- **Safety Survey** are a detailed assessment of one aspects of an organisation's Health and Safety Management System, e.g. the organisations training arrangements and risk assessments etc.

Safety Surveys will be conducted by the individual responsible for that particular element of the Health and Safety Management System at their institution and supported by the TDET Health and Safety Manager on an ad hoc basis.

- **Safety Inspections** will consist of a formal physical assessment of the workplace safety, any hazardous conditions or practices, and subsequent remedial actions around the general condition of any premises, floors, passages, stairs, heating, ventilation, lighting, welfare facilities, first aid, fire exits, fire extinguishers etc.

Safety Inspections will also form part of the preventative maintenance scheme for plant and equipment, e.g. PUWER inspections, pre-start health and safety checks, test and calibrate.



However, they may also be covered by legal statutory examination and inspection requirements. Equipment in this category include boilers, pressure vessels, lifting equipment and local exhaust ventilation (LEV).

Inspections will be conducted by individuals who are competent in identifying the relevant hazards, risks, and who can assess the conditions found.

Each institution within TDET will have their own schedule for such safety inspections and instruct a responsible individual to manage such Safety Inspections. TDET's Health and Safety Manager will support in the development, implementation and monitoring of such Safety Inspection schedules.

TDET recognises the legal rights of Trade Union appointed Health and Safety Representatives, and Representatives of Employee Safety (RoES). Trade Union appointed Health and Safety Representative have to legal right under Safety Representative and Safety Committees Regulations to conduct and assist in health and safety inspections in which they are considered to be competent in. Representatives of Employee Safety (RoES) have a legal right under Health and Safety (Consultation with Employees) Regulations to conduct and assist in health and safety inspections in which they are considered to be competent in. TDET welcomes and encourages the participation of Trade Union appointed Health and Safety Representatives and Representatives of Employee Safety (RoES) in the appropriate safety inspections.

- **Safety Hazard Spotting Tours** will address the 'people' aspects of workplace safety, and by discussion with a range of staff, establish their familiarity with safety procedures and requirements.

Safety Hazard Spotting Tours will be carried out by Middle and Senior Leadership Teams at each institution, as one means of demonstrating their commitment to safety. Middle and Senior Managers must satisfy themselves that all the arrangements and understanding are in place and working properly.

Each Institution within TDET will have their own schedule for such safety hazard tours and instruct a responsible individual to manage such Safety Hazard Spotting Tours. TDET Health and Safety Manager will support in the development, implementation and monitoring of such Safety Hazard Spotting Tour schedules.

- **Key Performance Indicators (Leading vs Lagging)** will be used to monitor and measure the performance of various aspects of the Health and Safety Management System at all institutions within TDET. Key performance indicators will help TDET in achieving its aspirations and strategic objectives as follow.
  - Raise awareness of TDET's Health and Safety performance amongst its management and employees.
  - Inform people of aspects of the Health and Safety Management System that are doing good and those that are not doing so good.
  - Help focus, and prioritise action and resources to where it is need the most.
  - Improve the Health and Safety Culture at all institutions within TDET.

A leading indicator is proactive in nature and includes Health and Safety initiatives or activities with the goal of preventing unfavourable events from happening. A Lagging indicator is reactive in nature and just measurements that include data from

the past, such as accident statistics. Leading and Lagging indicators have their pros and cons when used independently, however when used together, they provide a solid bigger picture on what is and what isn't working in a health and safety management system.

TDET will use the following Leading and Lagging indicators to monitor and measure performance of various aspects of the health and safety management system at all institutions within the Trust.

- Leading Indicators
  - Health and Safety Training delivered, i.e. Inductions, Basic Health and Safety at Work, Behavioural Safety and Safety Leadership, Job Specific (Toolbox Talks), and Specialist.
  - Participation in Safety Committee
  - Impact of the number of Audits, Surveys, Inspections, and Safety Hazard Spotting Tours completed, i.e. numbers of remedial actions arising, actions outstanding, and those complete.
  - Impact from the number of Near Misses reported, i.e. cause identification, remedial action, actions outstanding and those completed.
  - Risk Assessment Register, i.e. outstanding, completed, and reviewed.
  - Civil Liability claims for compensation.
- Lagging Indicators
  - Number of accidents, incident kind, injury, and severity.
  - RIDDOR reportable incidents, i.e. injury, disease, and dangerous occurrences.
  - Number of lost workdays.

The Senior Leadership Teams at all institutions within TDET will ensure that arrangements are in place to monitor, measure, log, and record such data that will be used to monitor and measure the performance of various aspects of their Health and Safety Management System.

TDET Health and Safety Manager will be responsible for collating such data from all institutions within TDET, ensure quality assurance (i.e. QA) of data provided, and present information in the quarterly health and safety report to TDET's Chief Executive Officer (CEO), Director of Resources, Principals, Trustees', and Trust Members'.

#### **4.13. Incident Reporting and Investigation**

TDET recognises its legal obligations under the following legislation.

- Social Security (Claims and Payments) Regulation 1979  
Article 24 and 25 makes provisions for an employer to keep a readily accessible Accident/First Aid book, to record all accidents and consequential first aid treatment, take reasonable steps to investigate the circumstances of every accident, and to preserve such information for 3 years from the date of last entry.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)  
Article 12 makes provisions for incident recording and record keeping. Information regarding the unfortunate incident will be preserved for 3 years from the date of last entry.

- Limitation Act 1980  
Article 11 makes provisions for a special time limit of 3 years for actions in respect of personal injuries.

It is a policy and procedural requirements that anyone injured whilst at work must adhere to the following.

- Report the accident to their line manager immediately.
- Record information of the accident in the accident book, including a statement from the injured person on how the accident happened.
- The line manager is required to investigate the cause of the accident and enter their findings in the accident book if they discover anything that differs from the initial entry.
- TDET Health and Safety Manager will be responsible for the quality assurance (QA) of all accident investigations.
- Information regarding the unfortunate accident will be preserved for 3 years from the date of last entry, or if the accident involves a child/young adult, then 3 years after the age of 18 and until that person reaches the age of 21.

TDET's Health and Safety Manager will be notified immediately should the incident be of a serious nature as classified under the Reporting of Injuries Diseases and Dangerous Occurrence Regulations (RIDDOR). Incidents of a serious nature as classified under RIDDOR will be reported to the Health and Safety Executive (HSE) by TDET's Health and Safety Manager.

A near miss is an undesired event that, under slightly different circumstances, could have resulted in harm to people or damage to property, materials or the environment. While reporting and investigation of near misses is not a legal requirement, TDET recognise that it is good safety management. Reporting and investigation of near misses can reduce accidents and improve safety.

All institutions within TDET will be responsible for managing their own incident reporting, investigation and monitoring procedures. This requirement not only satisfies their statutory obligations, but also forms part of TDET's reactive monitoring procedures, i.e. lagging performance indicator.

The Senior Leadership Team at each institution within TDET will be responsible for the quality assurance (QA) of all incident investigations and for periodically communicating all incident statistics to the TDET Health and Safety Manager, preferably at the end of each month.

Incident statistics will be analysed by the TDET Health and Safety Manager, and any potential trends identified will trigger discussions and allow the necessary corrective or preventative measures to be taken.

#### **4.14. First Aid at Work**

TDET recognises that people whilst at work can suffer injuries or fall ill, and that it does not matter whether the injury or the illness is caused by the work they do. What is important is that they receive immediate attention and that an ambulance is called in serious cases. First aid at work covers all the provisions for immediate attention to a casualty, as it not only saves lives, but also prevent minor injuries becoming major ones.

Article (3) of The Health and Safety (First Aid) Regulations 1981 places a statutory obligation on employers to provide adequate and appropriate equipment, facilities and competent personnel to enable first aid to be given to employees if they are injured or become ill at work. What is adequate and appropriate will depend on the circumstances in various workplaces, i.e. workplace hazards and risks, nature of work undertaken, number of people, accident history, remoteness from emergency medical services (A&E) etc. However, the minimum first aid provision in any workplace will be a suitably stocked first aid box, and an appointed competent person to take charge of first aid arrangements.

All institutions within the Trust will adhere to the following Health and Safety Executives (HSE's) framework for training of competent personnel to enable first aid to be given.

- **Appointed Person**  
Not necessarily trained in first aid at work, however to take charge of the first aid arrangements, including looking after the equipment and facilities, and calling the emergency services when required.
  
- **Emergency First Aid at Work (EFAW)**  
Training enables a first aider to give 'emergency' first aid to someone who is injured or becomes ill while at work. Someone trained as a EFAW will be able to demonstrate the following.
  - Understanding of the role and responsibility of the first aider.
  - Ability to assess the situation and circumstance in order to act safely, promptly and effectively in an emergency.
  - Ability to administer first aid to a casualty who is unconscious, including seizure.
  - Ability to administer cardiopulmonary resuscitation and use an automated external defibrillator.
  - Ability to administer first aid to a casualty who is choking.
  - Ability to administer first aid to a casualty who is wounded and bleeding.
  - Ability to administer first aid to a casualty who is suffering from shock.
  - Ability to provide appropriate first aid for minor injuries, including small lacerations, grazes and bruises, minor burns and scalds, and small splinters.
  
- **First Aid at Work (FAW)**  
Training includes EFAW and also equips the first aider to apply first aid to the following range of specific injuries and illnesses.
  - Injuries to bones, muscles and joints, including suspect spinal injuries.
  - Chest injuries.
  - Burns and scalds.
  - Eye injuries.
  - Sudden poisoning.
  - Anaphylactic shock.
  - Recognise the presence of major injuries, including heart attack, stroke, epilepsy, asthma, diabetes, and provide appropriate first aid.

In addition to the above criteria, all institutions within TDET will carry out their own due diligence on a suitable training provider, and ensure that all first aid training qualifications are regulated and delivered by training centres recognised by a regulated Awarding Organisation (AO), i.e. Ofqual and SQA.

All first aid training certificates, whether FAW or EFAW, are only valid for three years. The

Senior Leadership Teams at each institution within TDET will be responsible for ensuring that arrangements are in place for individuals to renew their certificates before they expire. The option for annual refresher training will be available at the discretion of the Senior Leadership Teams at each institution.

The Health and Safety (First Aid) Regulations 1981 does not place a statutory obligation on employers to make first aid provisions for non-employees, however the Trusts recognises its moral duty of care, and first aid provision in all institutions within the Trust will be made available to all non-employees.

The Senior Leadership Teams at all institutions within TDET will ensure that arrangements are in place for the following.

- An assessment of first aid needs to be undertaken.
- Develop, implement and communicate a First Aid Provisions Procedure.

This responsibility could be jointly devolved down to the relevant institutions Medical Supervisor and TDET's Health and Safety Manager.

#### **4.15. Emergency Healthcare Plans including Managing Medication(s) for Pupils**

TDET recognises that a child's medical condition(s) can be life threatening and can impact on their ability to learn. Every child with a medical condition is different and will be treated as an individual when managing their medical condition and treatment when in school.

Emergency Healthcare Plans primarily ensure the health, safety and wellbeing of a child with a medical condition when in school, and safeguard schools in the following ways.

- Ensures that schools effectively support students with medical conditions.
- Provide clarity about what needs to be done, when and by whom.
- Informs all members of staff about the needs of a student with a medical condition in their care.
- Reminds the student to take their medication when they need to.
- Reminds the student to keep their emergency medication with them at all times.
- Prepares the school medical supervisor/nurse with all the necessary information regarding the medical condition, and at the same time giving the medical supervisor/nurse the authorisation to provide emergency treatment as indicated in the plan.

Section 100 of the Children and Families Act 2014 place a statutory duty on governing bodies of maintained schools, academies and pupil referral units to make arrangements at school to support student with medical conditions. A child's mental and physical health should be properly supported in school, so that the student can play a full and active role in school life, remain healthy and achieve their academic potential.

The Department for Education has issued Statutory Guidance and Departmental Advice (i.e. Best Practice) on 'Supporting Pupils at School with Medical Conditions' which must be followed unless there is good reason not to.

Parents/Guardians/Carers will be instructed to declare on the enrolment forms, if their child has any medical conditions or health issues that need to be managed in school. This information will be forwarded to the Medical Supervisor, who will work with the parents of the child in concern and any external bodies as appropriate (i.e. NHS), carry out an assessment of the child's medical condition, create an 'Individual Emergency Healthcare Plan' for the

child, and communicate that plan to the appropriate members of staff in school.

Individual Emergency Healthcare Plans for a child with medical condition(s) will consider the following.

- Notification of medical condition, its triggers, signs, symptoms and treatment.
- The child's resulting needs, including medication (i.e. dose, side effects, storage, and disposal), other treatment, time, facilities, equipment, testing, access to food and drink where this is used to manage their condition, dietary requirements and environmental issues (e.g. crowded corridors, travel time between lessons).
- Specific support for the child's educational, social and emotional needs, e.g. how absence will be managed, requirements for extra time to complete exams, use of rest periods or additional support in catching up with lessons, counselling sessions.
- The level of support needed if the child is unable to take responsibility for their own health needs, including in emergencies. If a child is self-managing their medication, this should be clearly stated with appropriate arrangements for monitoring.
- Who will provide this support, their training needs, expectations of their role and confirmation of proficiency to provide support for the child's medical condition, and cover arrangements for when they are unavailable.
- Who in the school needs to be aware of the child's medical condition and the support required.
- Arrangements for written permission from parents and the head teacher for medication to be administered by a member of staff, or self-administered by the child during school hours.
- Separate arrangements or procedures required for school trips or other school activities outside of the normal school timetable that will ensure the child can participate, e.g. risk assessments.
- Where confidentiality issues are raised by the parent/child, the designated individuals to be entrusted with information about the child's medical condition.
- What to do in an emergency, including whom to contact, and contingency arrangements. Some children may have an emergency healthcare plan prepared by their lead clinician that could be used to inform development of their individual healthcare plan.

All institutions within TDET are advised to use the template from the Department for Education for 'Supporting Pupils with Medical Conditions' as guidance when creating and preparing Individual Emergency Healthcare Plans, including Managing Medication(s) for Pupils.

Individual Emergency Healthcare Plans for the following medical conditions will not be created by the Medical Supervisor, but will be prepared, communicated, and maintained by the National Health Service (NHS) appointed teams as indicated below.

- Extreme Allergies and Epilepsy will be controlled by the National Health Service (NHS) appointed school nurse.
- Diabetes will be controlled by the National Health Service (NHS) appointed diabetic team.

When managing medication for pupils, all institutions within TDET will adhere to the following statutory guidance on 'Supporting Pupils at School with Medical Conditions', i.e. Best Practice, from the Department for Education. The statutory guidance will be followed unless an institution can demonstrate that there is good reason not to.

- Medicines should only be administered at school when it would be detrimental to a

child's health or school attendance not to do so.

- No child under 16 should be given prescription or non-prescription medicines without their parent's written consent, except in exceptional circumstances where the medicine has been prescribed to the child without the knowledge of the parents. In such cases, every effort should be made to encourage the child or young person to involve their parents while respecting their right to confidentiality.
- A child under 16 should never be given medicine containing aspirin unless prescribed by a doctor. Medication, e.g. for pain relief, should never be administered without first checking maximum dosages and when the previous dose was taken. Parents should be informed.
- Where clinically possible, medicines should be prescribed in dose frequencies which enable them to be taken outside school hours.
- Schools should only accept prescribed medicines if these are in-date, labelled, provided in the original container as dispensed by the pharmacist and include instructions for administration, dosage and storage. The exception to this is insulin, which must still be in-date, but will generally be available to schools inside an insulin pen or a pump, rather than in its original container.
- All medicines should be stored safely. Children should know where their medicines are at all times and be able to access them immediately. Where relevant, they should know who holds the key to the storage facility. Medicines and devices such as asthma inhalers, blood glucose testing meters and adrenaline pens should be always readily available to children and not locked away. This is particularly important to consider when outside of school premises, e.g. on school trips.
- When no longer required, medicines should be returned to the parents to arrange for safe disposal. Sharps boxes should always be used for the disposal of needles and other sharps.
- A child who has been prescribed a controlled drug may legally have it in their possession if they are deemed competent to do so, but passing it to another child for use is an offence. Monitoring arrangements may be necessary. Schools should otherwise keep controlled drugs that have been prescribed for a pupil securely stored in a non-portable container and only named staff should have access. Controlled drugs should be easily accessible in an emergency. A record should be kept of any doses used and the amount of the controlled drug held.
- School staff may administer a controlled drug to the child for whom it has been prescribed. Staff administering medicines should do so in accordance with the prescriber's instructions. Schools should keep a record of all medicines administered to individual children, stating what, how, and how much was administered, when and by whom. Any side effects of the medication to be administered at school should be noted in school.

All institutions within TDET will ensure that its arrangements give parents and the child in concern confidence in the institutions ability to provide effective support for medical conditions in their institution. In doing so, it will ensure that the child can access and enjoy the same opportunities at the institution as any other child. The arrangements will show an understanding of how medical conditions impact on a child's ability to learn, as well as increase confidence and promote self-care. They will also ensure that all appropriate members of staff are properly trained to provide the support that the child in concern needs.

The Senior Leadership Teams at all institutions within TDET will ensure that arrangements are in place for developing, implementing and maintaining well-defined procedures for Emergency Healthcare Plans that include Managing Medication(s) for Pupils.

This responsibility could be jointly devolved down to the Medical Supervisor, supported by the Heads of Departments/Houses/Schools and their Admin Teams, and the TDET Health and Safety Manager.

#### 4.16. Risk Assessments and Safe Working Procedures

The general duties of the employer to their employees in Section 2 of the Health and Safety at Work Act 1974 imply the need for risk assessment. This duty was also extended by Section 3 of the Act to anybody else affected by activities of the employer, i.e. contractors, Visitors and Members of the General Public. However, the Management of Health and Safety at Work Regulations 1999 are much more specific concerning the need for robust risk assessments.

TDET recognises that risk assessments are one of the most important elements of a health and safety management system and the main aim of any risk assessment is to prevent incidents, i.e. accidents and near misses, as well as possible ill health that may be contracted from any work activities carried out within any workplace.

Risk assessments are a systematic process that will allow management to identify, analyse, assess the risks involved from potential workplace hazards, and prioritise remedial actions/controls and resources accordingly. When risks have been identified, the management team will look to implement swift remedial actions/controls that are reasonably practicable that either eliminate the risk or reduce it significantly to an acceptable level.

There are various types of Risk Assessment templates that suit different requirements.

- **Generic Risk Assessments** – A general risk assessment that analyses hazards and risks randomly in no particular order within a task. The downfall of this type of assessment is that it not clear when the hazards will pose a risk. All Generic Risk Assessments must be accompanied with a **Method Statement** of how the task will be carried out safely after analysing the finding from the generic risk assessment.
- **Task Based Risk Assessment** – A task based risk assessment breaks the overall task into sub-tasks and analyses the hazards and risks accordingly in the sub-task. This type of assessment takes you through a journey from start to finish of the task and highlights when a hazard will pose a risk. Task Based Risk Assessments does not need to be accompanied with a Method Statement. The new school of thought in Health and Safety prefer Task Based Risk Assessments over Generic Risk Assessments.
- **Specific Risk Assessment** – Requirements under specific regulations, i.e. Manual Handling, Expectant Mothers, CoSHH etc.

For generic and task based risk assessment, TDET will adopt the Health and Safety Executives (HSE) five simple step approach to a risk assessment.

- Identify the hazard,
- Identify who is at risk,
- Evaluate the risk (Quantitative or Qualitative)
- Implement Controls
- Monitor and Review

The following special cases for risk assessments are for groups of persons who will require an additional risk assessment due to them being classified as 'more at risk' than other groups.

- Young Person
- Expectant and Nursing Mothers



- Workers with Disability
- Lone Workers
- Work Placement Student

Apart from the duty under the Management of Health and Safety at Work Regulations to undertake suitable and sufficient risk assessment, TDET also recognise the importance of compliance with specific risk assessments under the following Regulations and HSE Approved Codes of Practice (ACoP).

- Regulatory Reform (Fire Safety) Order
- Ionising Radiation Regulations
- Control of Asbestos Regulations
- Provision and Use of Work Equipment Regulations (PUWER)
- Health and Safety (Display Screen Equipment) Regulations
- Manual Handling Operations Regulations
- Control of Substances Hazardous to Health (CoSHH)
- Personal Protective Equipment at Work Regulations (PPE)
- The Control of Legionella Bacteria in Water Systems (ACoP – L8)

Institutions within TDET will all have their own site specific procedures that will demonstrate how the legal compliance will be met.

TDET also recognises its responsibility to ensure that all activities are assessed to determine when a safe working procedure is needed to compliment a risk assessment. In simple terms, a safe working procedure is derived from the outcomes from a risk assessment and is basically a defined method for doing a job in a safe way.

The Senior Leadership Team at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain either a Risk Assessment and Safe Working Procedure Register or a Task Based Risk Assessment Register of all the tasks that have significant hazards and risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.

Heads of Departments/Houses/Schools will be responsible for ensuring the following.

- Developing, implementing and maintaining a Risk Assessment and Safe Working Procedure Register or a Task Based Risk Assessment Register of all task that have significant hazards and risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.

Section (7) of The Health and Safety at Work Act 1974 places a general statutory duty on all employees to take reasonable care of themselves and others who may be affected by their acts or omissions, and to co-operate with their employer to enable them to meet their statutory obligations. All employees have a responsibility to comply with the TDET Health and Safety Policy, and their institutions Risk Assessments and Safe Working Procedures.

The TDET Health and Safety Manager will be responsible for the following.

- Reviewing all current risk assessment templates, and if required develop and implement new task based risk assessment templates to be used within TDET.
- Develop and implement a programme to deliver of in-house Risk Assessment Training to all nominated Risk Assessors. A global register of all Risk Assessors trained will be maintained by the Human Resources Department at TDET.
- Advise, guide and direct all institutions within TDET with either the Risk Assessment

and Safe System of Work process, or Task Based Risk Assessment Process.

#### **4.17. Personal Protective Equipment**

Personal protective equipment includes all equipment, including clothing affording protection against the weather, which is intended to be worn or held by a person at work and which protects them against one or more hazards that pose a potential risk to their health and safety.

TDET recognises its legal obligation to comply with the requirements of Personal Protective Equipment at Work Regulations 1992 as amended in 2002.

The Senior Leadership Teams at all institutions within TDET will ensure compliance with the Regulation by establishing and implementing suitable arrangements for the following.

- Provisions – Provide personal protective equipment only as a last resort to anyone that may be exposed to one or more hazard that poses a risk to their health and safety, and cannot be adequately or more effectively controlled by other means.
- Compatibility – Assess the compatibility and effectiveness of the personal protective equipment when more than one health and safety risk necessitates the wearing of multiple personal protective equipment simultaneously.
- Assessment – Assess the suitability of the personal protective equipment for the task.
- Maintenance – Provisions for maintenance, including being replaced and cleaned, in an efficient state, in efficient working order and in good repair.
- Accommodation – Provisions for appropriate accommodation to store and protect personal protective equipment when not in use from contamination or deterioration.
- Information, Instruction and Training – Provisions for adequate and appropriate information, instruction and training in the use, risks and maintenance of personal protective equipment.
- Use and Report Defects – Take all reasonable steps to ensure that personal protective equipment is properly used.

#### **4.18. Food Safety**

Food safety is a discipline that describes the handling, preparation, and storage of food in ways that prevents foodborne illness. Foodborne illness, commonly called food poisoning, is an infection or irritation of the gastrointestinal tract caused by food or beverages that contain harmful bacteria, parasites, viruses, or chemicals. Common symptoms of foodborne illness include vomiting, diarrhoea, abdominal pain, fever, and chills. Most foodborne illnesses are acute, meaning they happen suddenly and last a short time, and most people recover on their own without treatment. However, on rare occasions, foodborne illness can lead to more serious complications that may result in hospitalisation and death.

TDET recognises its moral civil duty to ensure that all food and drink manufactured, stored, distributed, handled, and sold for human consumption is safe, and done without jeopardy to the health and safety of the consumer.

All institutions within TDET will comply with the following Legislation and Regulations in order to achieve its commitment in providing wholesome food that is safe for consumption.

- Food Safety Act 1990 – A wide ranging UK legislation on food safety and consumer protection.

- Regulation (EC) 178/2002 – A European Commission Regulation on the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety.

Main area of focus on Regulation (EC) 178/2002 will be on Articles 14 to 19 in Section 4 of Chapter 2, i.e. General requirements of food law.

- Article 14 – Food Safety Requirements
- Article 16 – Labelling, Advertising, and Presentation
- Article 17 – Responsibilities
- Article 18 – Traceability
- Article 19 – Responsibilities for Food: Food Business Operators

- Regulation (EC) 852/2004 – Regulation on the hygiene of foodstuff.

Compliance with all Chapters and Articles within Regulation (EC) 852/2004 will be met, however more emphasis will be giving to the following.

- Article 5 (Hazard Analysis and Critical Control Points – HACCP) in Chapter 2 (Food Business Operators’ Obligations).

Food business operators shall put in place, implement and maintain a food safety management procedure based on Hazard Analysis and Critical Control Point (HACCP) principles.

The Senior Leadership Teams at all institutions within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined Food Safety Management System/Plan/Procedure for their institution that complies with the relevant Legislation and Regulations as mentioned above.

This responsibility will be devolved down to and lead by TDET’s Catering Manager, supported jointly by TDET’s Facilities and Estates Manager, and Health and Safety Manager.

The Food Safety Management System/Plan/Procedure will comply with the relevant Legislation and Regulations as highlighted above, and in addition also cover food handling and transport, equipment and premises, cross contamination of foods, food hygiene, temperature control, refrigeration, appointed food handling staff and training, occupational health surveillance, task based risk assessments, cleaning, and waste management.

#### **4.19. Fire Safety**

The Regulatory Reform (Fire Safety) Order 2005 reformed the law relating to fire safety in non-domestic premises, the Fire Precautions Act 1971 (i.e. fire certification) was repealed and the Fire Precautions (Workplace) Regulations 1997 were revoked by this Order. Part 2 of the Regulatory Reform (Fire Safety) Order 2005 references fire safety duties and appropriate general fire precautions to protect both employees and persons who are not employees, and to ensure that the premises are safe. Articles in Part 2 cite the following statutory obligations under the Order.

- The duty of a responsible person to ensure that a suitable and sufficient fire risk assessment is completed for the premises. Further guidance given with regards to the fire risk assessment is that it should be reviewed on a timely basis (note, it does not stipulate a specific time and leaves this to the discretion of the duty holder), when there have been significant changes around the premises, and after any fire

emergency incidents.

- Preventative and proactive measures must be implemented on the basis of the principles of prevention specified in Part 3 of Schedule 1 of the Order.
- So far as is reasonably practicable, eliminate or significantly reduce risks from dangerous substances, i.e. arrangements for the safe handling, storage and transport of dangerous substances and waste containing dangerous substances.
- Premises must be equipped with appropriate fire detectors, alarms, and firefighting equipment.
- Appropriate measures must be taken for firefighting in premises, i.e. nominate and train competent persons to implement the measures, and arrange any necessary contacts with external emergency services.
- Ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times.
- Ensure that procedures are in place for serious and imminent danger and for danger areas; establish appropriate evacuation procedures, including safety drills (i.e. fire drills); nominate a sufficient number of competent persons to implement evacuation procedures; provide adequate safety instructions for restricted areas.  
Persons who are exposed to serious and imminent danger must be informed of the nature of the hazard and the steps taken or to be taken to protect them from it. They must be able to stop work and immediately proceed to a place of safety in the event of them being exposed to serious, imminent, and unavoidable danger; procedures must require the persons concerned to be prevented from resuming work in any situation where there is still a serious and imminent danger.
- Any facilities, equipment and devices provided in respect of the premises under this Order are subjected to a suitable system of maintenance and maintained in an efficient state, in efficient working order and in good repair.
- The responsible person (i.e. Employer) must appoint one or more competent persons to assist them in undertaking the preventative and proactive measures. If more than one person is appointed, they must make arrangements for ensuring adequate co-operation between them.  
The number of persons appointed, the time available for them to fulfil their function and the means at their disposal are adequate having regards to the size of the premises, the risks to which relevant persons are exposed and the distribution of those risks throughout the premises.
- Ensure provisions for safe information, instructions and training to employees and others.
- Where two or more responsible persons (i.e. Employer) share, or have duties in respect of, premises (whether on a temporary or permanent basis) each must take reasonable steps to co-operate and co-ordinate with others in relation to the measures they take, and inform the others of the risks to relevant persons arising out of the conduct of their undertaking, i.e. Joint Emergency Fire Evacuation Procedures.

The Senior Leadership Teams at all institutions within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined Fire Safety Code of Practice for their institute, and that they comply with the relevant Articles of the Order as mentioned above.

The responsibility to develop and implement a well-defined and effective Fire Safety Code of Practice for all institutions within TDET will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific Fire Safety Code of Practice

will be a local responsibility.

#### **4.20. Electricity at Work**

Electricity is an efficient, convenient, and a widely used source of energy. However, methods of transmitting and using electrical energy are potentially hazardous, with possibly fatal results, and therefore require stringent controls. The principal hazards associated with the accidental release of electrical energy are electrical shock, burns, fires, and explosions.

The Electricity at Work Regulations 1989 was put in place to control and regulate the use of electrical energy and the activities associated with its use. Such legislation provides a framework for the standards required in the design, installation, maintenance, use of electrical equipment and systems, and the supervision of these activities to minimise the risk of injury.

British Standard BS7671:2018 (18<sup>th</sup> Edition IET Wiring Regulations – Requirements for Electrical Installations), published by the Institution of Engineering and Technology (IET), is the national standard code of practice in the United Kingdom for electrical installations and the safety of electrical wiring in buildings. Note, the inspection and testing of equipment connected to the electrical installation is outside the scope of BS7671:2018.

The Senior Leadership Teams at each institution within the Trust will ensure that arrangements are in place to develop, implement and maintain an Electrical Safety Management System/Plan/Procedure for their institute, and that they comply with the relevant Legislation and British Standard as mentioned above.

The responsibility to develop and implement a well-defined and effective Electrical Safety Management System/ Plan/Procedure for all institutions within TDET will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific Electrical Safety Management System/Plan/Procedure will be a local responsibility.

#### **4.21. Control of Substances Hazardous to Health (CoSHH) - Chemical Agents and Biological Agent (i.e. Legionella)**

TDET understand that certain workplace activities that use, or generate hazardous substances, may have the potential to cause people ill-health and/or exacerbate their existing ill-health condition. TDET therefore recognises that Occupational Health is as important as Occupational Safety. Although these illnesses do not usually kill people, they can lead to many years of discomfort and pain. The following are two categories that pose a potential risk to health.

- Chemical Agents (e.g. chemicals, paint solvents, exhaust fumes etc.)
- Biological Agents (e.g. pathogens; bacteria, viruses, fungi, mould etc.)

The Control of Substances Hazardous to Health Regulations 2002 (CoSHH) offers employers a framework to build a management system to assess health risks, and to implement and monitor effective controls. The Regulations make provisions with respects to the following.

- Prevent exposure to a substance hazardous to health. Where this is not possible, adequately control exposure.
- Assess the risks to health arising from exposure to substance at work.
- Introduce measures to prevent or control the risk.

- Ensure that control measures are used and properly maintained, examined and tested.
- Where necessary, monitor the exposure of employees to substance and to carry out appropriate health surveillance.
- Inform, instruct and train employees about the risks and necessary precautions.
- Ensure arrangements for dealing with accidents and emergencies involving hazardous substances are in place.

#### **4.21.1. Chemical Agents**

The Senior Leadership Teams at each institution within the Trust will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective procedure for the Control of Chemical Agents at their institute, and that it complies with the provisions laid down by the Legislation as mentioned above.

Heads of Departments/Houses/Schools will be responsible for ensuring that suitable arrangements are in place for the following.

- Chemicals are purchased from a reputable source. Most retailers will be members of the Chemical Business Association (CBA) or Chemical Industries Association (CIA), both of which can provide advice. The Consortium of Local Education Authorities Providers of Scientific Services (CLEAPSS) provides professional services, resources and low cost training, which is specially designed to enable the effective and efficient management of health and safety issues related to the delivery of the practical Science, Technology, Art and Design curriculum. CLEAPSS is also able to provide advice on the purchasing of chemicals.
- Generate and maintain and up to date inventory and risk register of all chemical agents used within their department.
- Each chemical agent is risk assessed.
- Introduce measures to prevent or control the risk, i.e. correct labelling, handling, secure storage, and safe removal/disposal.
- Ensure that unwanted chemical agents are disposed safely and comply with the Environmental Protection Act 1990 and The Hazardous Waste (England and Wales) Regulations 2005.
- Ensure that control measures are used and properly maintained, examined and tested.
- Where necessary, monitor the exposure of employees to substance, and to carry out appropriate health surveillance.
- Inform, instruct and train employees about the risks and necessary precautions.
- Ensure that only capable and competent individuals who possess the required skill, knowledge and experience will be permitted to use hazardous substances and chemicals in conjunction with CoSHH Assessments and Safe Systems of Use.
- Ensure arrangements for dealing with accidents and emergencies involving hazardous substances are in place.

#### **4.21.2. Local Exhaust Ventilation (LEV)**

A Local Exhaust Ventilation (LEV) system uses extract ventilation to prevent, or substantially reduce, the level of airborne hazardous substances. It draws pollutants, dust and noxious fumes away from a process or operation that would be harmful to the operatives' health.

Article 7 and 9 of The Control of Substances Hazardous to Health Regulations 2002 (CoSHH) make provisions for Local Exhaust Ventilation (LEV) systems.

- Article 7
  - 7(1); every employer shall ensure that the exposure of his employees to substances hazardous to health is either prevented or, where this is not reasonably practicable, adequately controlled.
  - 7(3); where it is not reasonably practicable to prevent exposure to a substance hazardous to health, the employer shall comply with his duty of the control under Article 7(1) by applying protection measures appropriate to the activity and consistent with the risk assessment, including the following in order of priority.
    - The design and use of appropriate work processes, systems and engineering controls and the provision and use of suitable work equipment and materials.
    - The control of exposure at source, including adequate ventilation systems and appropriate organisational measures.
    - Where adequate control of exposure cannot be achieved by other means, the provision of suitable personal protective equipment in addition to the measures required in the two points above.
- Article 9
  - 9(1); every employer who provides any control measure to meet the requirements of Article 7 shall ensure that, where relevant, it is maintained in an efficient state, in efficient working order, in good repair and in clean condition.
  - 9(2); where engineering controls are provided to meet the requirements of Article 7, the employer shall ensure that thorough examination and testing of those controls is carried out.
    - In the case of local exhaust ventilation plant, at least once every 14 months, or for local exhaust ventilation plant used in conjunction with a process specified in Column 1 of Schedule 4, at not more than the interval specified in the corresponding entry in column 2 of that Schedule.
    - Any other case, at suitable intervals.
    - Note, the competent person in this case is usually a specialist inspector from an external inspection organisation, and may be linked to the insurance company who cover the financial risks around the control of substances hazardous to health.
  - 9(4); every employer shall keep a suitable record of the examination and tests carried out in accordance with Article 9(2) and of repairs carried out as a result of those examinations and tests, and that records or a suitable summary thereof shall be kept available for at least 5 years from the date on which it was made.

The Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective procedure for controlling exposure, and that there is suitable maintenance, examination and testing of the control measures that comply with the provisions laid down in the above mentioned articles.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure for LEV Systems will be a local responsibility.

#### **4.21.3. Biological Agent (i.e. Legionella)**

Legionella is waterborne bacteria that can lead to a range of illnesses, including the potentially fatal Legionnaire's Disease, a fatal form of pneumonia, an infection that everyone is susceptible to. The bacteria are common in natural water sources such as rivers, lakes and reservoirs. However, the bacteria are usually in low numbers and conditions rarely right for people to catch the disease from these sources. Outbreaks of the illness occur from exposure to legionella growing in purpose built systems where water is maintained at a temperature high enough (i.e. 20°C – 45°C) to encourage growth, e.g. cooling towers, evaporative condensers, hot/cold water systems etc. People contract Legionnaire's disease by inhaling small droplets of water (aerosols), suspended in air, containing the bacteria.

Duties under the Health and Safety at Work Act 1974 extend to risk from legionella bacteria, which may arise from work activities. The Management of Health and Safety at Work Regulations 1999 provide a broad framework for controlling health and safety at work. More specifically, the Control of Substances Hazardous to Health Regulations 2002 (CoSHH) provide a framework of actions designed to assess, prevent or control the risk from bacteria like Legionella and take suitable precautions. The Health and Safety Executives (HSE) Approved Code of Practice (ACoP), Legionnaires' Disease - The Control of Legionella Bacteria in Water Systems (L8), contains practical guidance on how to manage and control the risks in water systems.

The Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective procedure for the Control of Legionella Bacteria at their institute, and that it complies with the relevant Legislation as mentioned above.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure for the Control of Legionella will be a local responsibility.

Consideration will be given to the following when developing the procedure.

- Identification and Assessment of the Risk
- Managing the Risk: Roles and Responsibilities, Training and Competence
- Preventing or Controlling the Risk from Exposure to Legionella Bacteria
- Recording Keeping

#### **4.22. Asbestos**

Asbestos is a highly heat resistant fibrous silicate mineral that can be fused into fabrics and materials. The main purpose of using asbestos in the structure of buildings was because of its qualities in fire protection and heat insulation. However, asbestos is the single greatest cause of work-related death from ill health.

Large amounts of asbestos were used in new and refurbished buildings before 2000. Manufacture and supply of all asbestos was banned by the end of 1999, however existing asbestos articles continue in their use until they reach the end of their life. A large number of premises, and older plant and equipment still contain some asbestos. Much of the asbestos will be hidden in the fabric of the building so is not immediately obvious. It is unlikely to be



recorded in the building plans, but should be in the duty-to-manage plans under the Control of Asbestos Regulations 2012.

Asbestos appears in three main forms, i.e. crocidolite (blue asbestos), amosite (brown asbestos), and chrysotile (white asbestos). Chrysotile (white asbestos) was the most commonly used asbestos form in materials constructing roofs, ceilings, walls and floors. Amosite (brown asbestos) and crocidolite (blue asbestos) were used most frequently in cement sheets, thermal insulation (i.e. pipe/boiler insulation and insulating boards), and ceiling tiles. When materials that contain asbestos are disturbed or damaged, asbestos fibres released into the air can cause serious disease if inhaled. These diseases will not affect you immediately, they often take a long time to develop, but once diagnosed, it is often too late to do anything.

The Control of Asbestos Regulations 2012 offers employers a framework to build a management system to assess health risks, and to implement and monitor effective controls. Article 4 of the Regulations covers the duty to manage asbestos in non-domestic premises. It cites that the duty holder is required to identify the location and condition of asbestos in non-domestic premises, and to manage the risk to prevent harm to anyone who works on the building or to building occupants. It also explains what is required of people who have a duty to co-operate with the duty holder to enable them to comply with the Regulations. The Regulation makes provisions with respects to the following.

- Take reasonable steps to determine the location and condition of materials likely to contain asbestos.
- Presume materials contain asbestos unless there is strong evidence that they do not.
- Make and keep an up to date record of the location and condition of the Asbestos Containing Materials (ACM's) or presumed Asbestos Containing Materials (ACM's) in the premises.
- Assess the risks of the likelihood of anyone being exposed to fibres from these materials, i.e. Asbestos Risk Assessment
- Prepare a plan setting out how the risks from the materials are to be managed, i.e. reporting damage, inspections, and removal etc.
- Take the necessary steps to put the plan into action.
- Review and monitor the plan periodically.
- Provide such information and asbestos awareness training to anyone who is liable to work on these materials or otherwise disturb them.

Only if applicable, the Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective procedure for the Control of Asbestos at their institute, and that it complies with the relevant Legislation as mentioned above.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure for the Control of Asbestos will be a local responsibility.

Consideration will be given to the following when developing the procedure.

- Identification and assessment of the risk.
- Managing the risk: Roles and Responsibilities, Training and Competence
- Preventing or controlling the risk from exposure to airborne asbestos fibres
- Recording keeping

#### 4.23. Gas Safety

There is a risk of a fire, explosion, gas leak, and carbon monoxide (CO) poisoning if gas appliances such as ovens, cookers, and boilers, are not properly installed, used and maintained by a competent person.

Gas is used in the following three main areas within an education institute within the Trust.

- Boiler room for gas fuelled boilers and water heaters.
- Preparation areas of food, i.e. food technology kitchen and canteen catering kitchen.
- Classroom applications, such as science laboratories.

The following Regulations are primarily designed to safeguard everyone from the dangers arising from the use of gas.

- Gas Appliances (Safety) Regulations 1995 cover the safety standards on new gas appliances which have to comply with the following.
  - Satisfy safety and efficiency standards.
  - Carry the CE Mark and specified information.
  - Be accompanied by instructions and warnings.
- Gas Safety (Installation and Use) Regulations 1998 places the following duties on an employer.
  - Ensure that only competent people work with gas installations, i.e. Gas Safe registered person.
  - Ensure that gas appliances and associated fittings are maintained in safe condition and that the appliances and flues are checked by a Gas Safe registered person at intervals not exceeding 12 months.
  - No one permitted to use suspect and unsafe gas appliances.

The following British Standards produced by British Standards Institution Group (BSI), and guidance document produced by the Institute of Gas Engineers and Managers (IGEM) provide requirements and guidance to those concerned with the design, installation, operation and maintenance of gas pipework, systems and appliances in educational establishments. They bring together guidance, interpretation and clarification of legislation, Standards, and Codes of Practice indicating the degree to which compliance is required.

- BS 6891 / BS 6172 / BS 6173.
- IGEM / UP / 11 Edition 2 – Gas Installations for Educational Establishments.

The Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective plan for Gas Safety at their institute, and that it complies with the relevant Legislation, Standards, and Guidance as mentioned above.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure for Gas Safety will be a local responsibility.

#### 4.24. Pressurised Systems and Equipment

There is a vast array of pressurised systems and equipment's manufactured and in use today, and when charged, have stored energy in the form of steam, gas, or fluid. The main hazards associated with pressurised systems and equipment are as follow.

- Impact from flying objects of an explosion or compressed liquid/gas.
- Contact with accidentally released liquid, gas or steam can cause harm to health.
- Fire resulting from the escape of flammable liquids or gases.

Examples of some pressurised systems and equipment's used across various institutions within Thomas Deacon Education Trust are as follow.

- Boilers and steam heating systems
- Compressed air systems
- Pressure cookers and autoclaves
- Heat exchangers and refrigeration plant
- Valves, steam traps and filters
- Pipework and hoses
- Pressure gauges and level indicators

TDET recognise the following two pieces of legislation that govern the manufacturing, certification and use of pressurised systems and equipment.

- Pressure Equipment Regulations 1999 (PER)
  - Primarily concerned with the design, manufacture, conformity assessment, and CE Marking.
- Pressure Systems Safety Regulations 2000 (PSSR)
  - Primarily concerned with the risks associated with the use of pressurised systems and equipment at work.
  - Concerned with steam at any pressure, gases which exert a pressure in excess of 0.5 bar above atmospheric pressure, and fluids which may be mixtures of liquid, gases and vapour where the gas or vapour phase may be exert a pressure in excess of 0.5 bar above atmospheric pressure.
  - Places statutory obligations on designers, manufacturers and end users.
  - To comply, pressurised systems and equipment must be:
    - Properly designed and constructed from suitable materials, so as to prevent danger.
    - Supplied with the correct written information and markings.
    - There is a certified written scheme of examination of the equipment and that the equipment is periodically examined within the specified period of the written scheme of examination by a competent person. The competent person in this case is usually a specialist inspector from an external inspection organisation, and may be linked to the insurance company who cover the financial risks of use of the pressurised systems and equipment.
    - Reports of the periodic examination are held on file and any actions identified from the examination are carried out within agreed timescales.
    - Installed and maintained by a competent person.
    - Used within its operating limits.

The Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a well-defined and effective procedure for the Purchase and Use of Pressurised Systems and Equipment at their institute, and that it

complies with the relevant Legislation as mentioned above.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure for the Purchase and Use of Pressurised Systems and Equipment will be a local responsibility.

#### **4.25. Lifting Operations and Lifting Equipment (LOLER)**

Injuries due to poor manual handling techniques still accounts to a significant amount of accidents reported every year. The Manual Handling Operations Regulations 1992 (MHOR) recognise this fact and help govern manual handling tasks in order to reduce the number manual handling related accidents. Article 4(1) of The Manual Handling Operations Regulations 1992 (MHOR) clearly sets out a hierarchy of measures to reduce the risks of manual handling, i.e. avoid hazardous manual handling operations so far as is reasonably practicable. To avoid hazardous manual handling operations, mechanical handling methods should always be used whenever reasonably possible. Note, mechanical handling methods have their own hazards which need to be managed through proportionate and sensible risk management, thorough examinations and inspections by competent persons. Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) came into force in December 1998 with the aim to reduce risks to people's health and safety from lifting operation and lifting equipment at work.

Lifting equipment includes any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it. Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) cover a large range of lifting equipment and lifting accessories including cranes, fork-lift trucks, passenger and goods lifts, hoists, mobile elevating work platforms, chains, slings, eye-bolts etc.

In general, Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) makes the following provisions when lifting equipment are used for a lifting operation at work.

- Every lifting operation is properly planned by a competent person, appropriately supervised, and carried out by capable and competent individuals in a safe manner.
- Lifting equipment used are suitable and sufficient for the operation, and marked to indicate Safe Working Load (SWL).
- Subject to ongoing periodic thorough examination and inspection by a competent person. The competent person in this case is usually a specialist inspector from an external inspection organisation, and may be linked to the insurance company who cover the financial risks of using lifting equipment for a lifting operation.
- Reports of the periodic examination and inspection are held on file and any actions identified from the examination are carried out within agreed timescales.
- Installed and maintained by a competent person.
- Used within its Safe Working Load (SWL).

Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain well-defined and effective procedures for all lifting operations that use lifting equipment and their associated accessories at their institute. All procedures will comply with the provisions laid down by the Legislation as mentioned above.

This responsibility will be devolved down to and lead by TDET's Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager.

However, maintenance of the site specific procedure for Safe Lifting Operations using Lifting Equipment will be a local responsibility.

#### **4.26. Working with Display Screen Equipment (DSE)**

Working with display screen equipment, which includes visual display units, is a good example of a common work activity carried out across all academies, schools, and other organisations within the Trust. This activity relies on an understanding of ergonomics and the ill health conditions which can be associated with poor ergonomic design.

TDET recognise the legislation governing the working with display screen equipment, i.e. Health and Safety (Display Screen Equipment) Regulations. The regulation cites a 'User' as an employee, and a 'Operator' as a self-employed person, both of whom habitually uses display screen equipment as a significant part of their normal work. The regulation also applies to a user/operator if they are, working at a fixed workstation, a mobile worker, working from home, or hot-desking.

All institutions within TDET will adhere to the following legislative guidance to the regulation on determining a display screen equipment user/operator. A user/operator will be a person:

- Who has no discretion as to use or non-use of Display Screen Equipment.
- Who depends on Display Screen Equipment to do their job.
- Who needs particular training and/or skills in the use of Display Screen Equipment to do their job.
- Who uses Display Screen Equipment for continuous spells of an hour or more at a time.
- Who uses Display Screen Equipment on a more or less daily basis.
- Where fast transfer of data between the user and screen is an important requirement of the job.
- Where a high level of attention and concentration is required, in particular to prevent critical errors.

Senior Leadership Teams at each individual institution within TDET will be responsible for ensuring, so far as is reasonably practicable, that the following arrangements are in place to manage the risks of working with display screen equipment.

- Ensure suitable and sufficient analysis of user/operator display screen equipment workstations are conducted in order to assess the risks to health and safety. Assessments will be reviewed when significant changes are made to software, hardware, furniture, environment or work requirements.
- Ensure that all display screen equipment workstations meet the requirements laid down in the schedule to the Regulation. This schedule lays down the minimum requirements for display screen equipment workstations, covering the equipment, the working environment, and the interface between computer and user/operator.
- Ensure that continuous spells of working on display screen equipment are periodically interrupted by breaks away or change of activity that reduces their workload at the equipment.
- Ensure that provisions are in place for free eye and eyesight tests to be conducted by a competent person, i.e. Optometrist (Ophthalmic Optician).
- Ensure that adequate training is provided in the safe use of any display screen equipment workstation.
- Ensure that provisions are in place to communicate safe information on all aspects of health and safety relating to their display screen equipment workstation.

The TDET Health and Safety Manager will advise, guide and direct all institutions within TDET with compliance, and facilitate the analysis of user/operator display screen equipment workstations, i.e. DSE Risk Assessment.

#### **4.27. Manual Handling**

Incorrect manual handling is one of the most common causes of injury at work. It is a major cause for work-related musculoskeletal disorders (MSDs) which account for over a third of all workplace injuries. The Manual Handling Operations Regulations 1992 (MHOR) recognise this fact and help govern manual handling operations in order to reduce the number manual handling related accidents. The Manual Handling Operations Regulations 1992 (MHOR) apply to physical human intervention and cover a wide range of manual handling activities that include lifting, lowering, pushing, pulling, carrying and transporting of a load. The Regulations establish a clear hierarchy of measures that must be taken when an employer is confronted with a manual handling operation. The hierarchy of measures that an employer must take are as follow.

- Avoid manual handling operation so far as is reasonably practicable either by redesigning the task to avoid moving the load, by automating, or mechanising the operation.
- If manual handling cannot be avoided, then a suitable and sufficient manual handling risk assessment should be completed that takes into consideration the task, load, individual, and the environment.
- Reduce the risk of injury from manual handling operation so far as is reasonably practicable by either the use of mechanical handling, or by making improvements to the task, the load and the working environment.
- Have provisions for safe information, instruction and training in manual handling hazards and best practice.
- Manual Handling activities must only be performed by capable and competent individuals who possess the required skills, knowledge and experience to do the job safely.

Senior Leadership Teams at each institution within TDET will ensure that arrangements are in place to develop, implement and maintain a Manual Handling Risk Assessment and Safe Working Procedure Register, that lists all the tasks that have significant manual handling risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.

Heads of Departments/Houses/Schools will be responsible for ensuring the following.

- Developing, implementing and maintaining a Manual Handling Risk Assessment and Safe Working Procedure Register of all task that have significant manual handling risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.

Section (7) of The Health and Safety at Work Act 1974 places a general statutory duty on all employees to take reasonable care of themselves and others who may be affected by their acts or omissions, and to co-operate with their employer to enable them to meet their statutory obligations. All employees have a responsibility to comply with the TDET Health and Safety Policy, and their institutions Manual Handling Risk Assessments and Safe Working Procedures.

The TDET Health and Safety Manager will be responsible for the following.

- Development and delivery of in-house Manual Handling Best Practice Training.
- Development and delivery of in house Manual Handling Risk Assessment training to all nominated Manual Handling Risk Assessors. A global register of all Manual Handling Risk Assessors trained will be maintained by the Human Resources Department at TDET.
- Advise, guide and direct all institutions within TDET with compliance and facilitate the Manual Handling Risk Assessment and Safe System of Work process.

#### **4.28. Work at Heights**

Work at heights remains one of the biggest causes of fatalities and major injuries in the UK, and common cases for such fatalities and major injuries include falls from ladders and through fragile surfaces.

The Work at Height Regulations 2005 govern all tasks that are performed at height so as to prevent fatalities and major injuries in the workplace. The regulations have no minimum height requirement for work at height, but do however cite that work at heights means work in any place where, if precautions were not taken, a person could fall a distance liable to cause personal injury. You would be classified as working at heights if you are working above ground/floor level, could fall through a fragile surface, and could fall into an opening in a floor or hole in the ground.

The Senior Leadership Teams at each individual institution within TDET will be responsible for ensuring that arrangements are in place to comply with the legislation as mentioned above, and with the following.

- Avoid work at height where it is reasonably practicable to do so.
- Where work at height cannot be easily avoided, work is properly planned, risk assessed, supervised, and carried out by capable and competent people who possess the required skills, knowledge and experience to do the job safely.
- To not permit anyone that they deem incompetent to work at height.
- To not permit the use of any item other than the correct type of equipment when working at heights, i.e. Ladders, Mobile Elevating Work Platform (MEWP), Scaffolding.
- The use of a chair, stool, table, bench, or any other unstable item is strictly prohibited.
- Work equipment and their associated accessories must be appropriate for the work at height task and inspected by a competent person before use to ensure that they are free from any damage and/or defects.
- Provisions for safe information, instruction, and training with regards to work at heights.

Section (7) of The Health and Safety at Work Act 1974 places a general statutory duty on all employees to take reasonable care of themselves and others who may be affected by their acts or omissions, and to co-operate with their employer to enable them to meet their statutory obligations. All employees have a responsibility to comply with the TDET Health and Safety Policy, and their institutions Working at Height Risk Assessments and Safe Working Procedures.

#### 4.29. Work Equipment

Any equipment used by an employee at work is generally covered by the term 'work equipment'. The scope is extremely wide and includes hand tools, power tools, machinery, ladders, photocopiers, computers, display screens, printers, laboratory apparatus, lifting equipment etc.

Work equipment can cause injury in the following five ways.

- Entrapment, e.g. where parts of the body, such as fingers are caught and trapped in parts of a machine.
- Impact, e.g. where the body is crushed by moving parts or by items being processed.
- Contact, e.g. where the body touches sharp edges, hot items, live electrical items, or abrasive surfaces.
- Entanglement, e.g. where parts of the body such as hair, clothing, or jewellery become caught in moving parts of a machine.
- Ejection, e.g. where parts of a machine, or materials being used fly out and hit the body.

Work equipment can also cause ill-health in the following ways.

- Vibration, e.g. when unacceptable vibrations are transmitted from work processes/equipment into the user's hands and arms. Hand-arm vibration can cause a range of condition collectively known as hand-arm vibration syndrome, as well as specific diseases such as carpal tunnel syndrome.
- Noise, e.g. When elevated unacceptable noise levels cause physical and psychological health consequences, such as hearing impairment, annoyance, and hypertension etc.
- Ergonomics, e.g. poor design and layout that causes muscle fatigue, aches and pains.

The following pieces of Legislation deal with the provisions of work equipment/processes and govern the design, construction, supply and their use.

- The Supply of Machinery (Safety) Regulations 2008 deals with what the machine manufacturers have to do. The Regulations requires manufacturers to design, construct and supply safe machinery that have undergone a conformity assessment, meets all the relevant essential standards for the product, is CE Marked, and accompanied by a Declaration of Conformity, instructions and a technical file.
- The Provision and Use of Work Equipment Regulations 1998 (PUWER) deals with what the users of the machinery have to do. Employers, self-employed, and people who have control of work equipment must ensure that the work equipment is suitable for the task and the environment, is CE Marked, have the appropriate controls for start/stop/emergency stop/isolation from source, exposure to dangerous moving parts and other specific hazards are prevented or adequately controlled, suitably stabilised, prominently display health and safety markings, incorporate warning or warning devices as appropriate, undergoes periodic inspection and testing by a competent person, has a maintenance regime, is accompanied by a Declaration of Conformity, instructions and a technical file, and that there are provisions for safe information, instructions and training.
- The Control of Vibration at Work Regulations 2005 makes provisions for employers to make sensible and proportionate decisions about managing risks arising from hand-arm vibration.
- The Control of Noise at Work Regulations 2005 makes provisions for employers to make sensible and proportionate decisions about managing risks arising from noise.

The Senior Leadership Teams at each institution within TDET must ensure that arrangements



are in place to develop and implement the following measures, and that they comply with the named pieces of Legislation as mentioned above.

- A procedure and suitability assessment for Purchasing New Work Equipment, i.e. powered (electrical) and non-powered (hand tools).
- An inventory of all powered (i.e. electrical) and non-powered (i.e. hand tools) work equipment at their institution.
- A procedure for the Safe Use of Powered (i.e. Electrical) and Non-Powered (i.e. Hand Tools) Work Equipment.
  - Powered (Electrical) to include pre-start safety checks, start operation, safe operation, stop operation, emergency stop, and safe isolation etc.
  - Non-Powered (Hand Tools) to include safety checks, sign out and in, and safe use etc.
- A plan for Periodic Inspection, Testing and Maintenance of all Work Equipment at their institution.
- A procedure for Reporting any Damage and/or Defect to any type of Work Equipment.
- That only capable and competent individuals who possess the required skills, knowledge and experience will be permitted to use Work Equipment in conjunction with the Risk Assessments and Safe Systems of Use.

The above responsibility will be broken and devolved down as follows.

- Powered Work Equipment (i.e. electrical) will be devolved down to the TDET Facilities and Estates Manager, supported by the local Facilities and Estates Team and the TDET Health and Safety Manager. However, maintenance of the site specific procedure/plan/inventory for Powered (i.e. Electrical) Work Equipment will be a local responsibility.
- Non-Powered Work Equipment (i.e. hand tools) will be devolved down to the Heads of Departments/House/Schools.

#### **4.30. Ionising Radiation**

Radiation involves a transfer of energy through space. Ionising radiation is a type of radiation that carries enough energy to break bonds between molecules, ionise atoms, and can cause damage to living tissue depending on the dose. Gamma rays emitted by radioactive materials are an example of ionising radiation.

The Ionising Radiation Regulations 1999 (IRR99), made under the Health and Safety at Work Act 1974, and now replaced by The Ionising Radiations Regulations 2017 (IRR17), require an employer to ensure that radioactive substances are accounted for, stored properly, handled safely and monitored regularly. Compliance with the following key areas of The Ionising Radiation Regulations 2017 (IRR17) are essential.

- Part 3 – Arrangements for the Management of Radiation Protection
  - Regulation 14 – Radiation Protection Adviser (RPA)  
Appoint and consult a competent Radiation Protection Adviser (RPA).
  - Regulation 15 – Information, Instruction and Training  
Provisions for employees to receive the appropriate safe information, instruction and training.
- Part 4 – Designated Areas

- Regulation 18 – Local Rules and Radiation Protection Supervisors (RPS)  
Local rules must identify the main working instructions intended to restrict any exposure in the controlled or supervised area.

Appoint one or more competent Radiation Protection Supervisors (RPS) for the purpose of securing compliance with the Regulations.

Science departments in certain institutions within TDET use various low level radioactive sources to teach parts of the National Curriculum in Science and/or GCSE/GCE A-Level Physics. All institutions that use a low level radioactive source will ensure that all work involving its use is subject to the standards of control necessary to prevent, or where this is not possible to significantly minimise risks to human health, safety and the environment.

The Consortium of Local Education Authorities Providers of Scientific Services (CLEAPSS) provides professional services, resources and low cost training, which is specially designed to enable the effective and efficient management of health and safety issues related to the delivery of the practical Science, Technology, Art and Design curriculum. CLEAPSS offer a Radiation Protection Adviser (RPA) scheme through the Local Authority (LA) and in this scheme, the Local Authority (LA) appoints a competent member of staff to act as a Radiation Protection Officer (RPO) for its customers. The Radiation Protection Officer (RPO) will be responsible for the routine monitoring role, by visiting institutions within TDET periodically and checking their records and procedures, and liaise with the TDET Health and Safety Manager, local Radiation Protection Supervisors (RPS) and CLEAPSS (RPA) accordingly to ensure compliance with the Regulations.

- Radiation Protection Supervisors (RPS) – Local (*Statutory Requirement*)
- Radiation Protection Officer (RPO) – Local Educational Authority (CLEAPSS RPA Scheme)
- Radiation Protection Adviser (RPA) – CLEAPSS (*Statutory Requirement*)

The Senior Leadership Teams at each applicable institution will be responsible for ensuring that arrangements are in place for continuous membership on the CLEAPSS RPA scheme and that competent Radiation Protection Supervisors (RPS) are appointed.

The TDET Health and Safety Manager will advise on and monitor the implementation, compliance, and outcomes of the CLEAPSS RPA scheme.

#### **4.31. Driving at Work (TDET Vehicles, Minibuses, Private Vehicles, and Drivers)**

Most people are not aware of the serious impact that driving at work has on health and safety. It has been estimated that up to a third of all road traffic accidents involve someone who is at work at the time of driving. In the UK, this equates to approximately a 1,000 fatalities and up to 13,000 serious injuries every year. Many of these fatalities and serious injuries could have been prevented through sensible and pragmatic risk management systems.

TDET recognises that although its primary responsibility is for the health and safety of its staff engaged in driving at work, it also has a duty of care for others, e.g. passengers (i.e. pupils), other road users, and members of the public, who could be put at risk by work related driving activities. All institutions within TDET and TDET itself will ensure that all employees who drive at work, comply with the following Legislation and Regulations.

- The Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999

- Road Traffic Act 1988
- Transport Act 1985
- The Motor Vehicles (Driving Licences) Regulations 1996

Objectives of this section of the Health and Safety Policy are to ensure the following.

- So far as is reasonably practicable, ensure the health and safety of staff who drive for work, and if applicable their passengers, i.e. pupils.
- That the health and safety of other road users and members of the public are not compromised by members of staff driving at work.
- That all staff driving at work are medically fit, appropriately qualified, licenced, insured, and trained.
- Compliance with all statutory requirements.
  - Competence in the use of a class of motor vehicle, i.e. B, D1, D, D1E, DE.
  - Strictly prohibit the use of mobile communication devices when driving.
  - Strictly prohibit the use of drugs and alcohol when undertaking driving at work activities.
- All vehicles have a valid MOT, serviced, maintained, inspected before use, and fit for purpose

#### **4.31.1. TDET Vehicles, Private Vehicles, and Drivers**

The Senior Leadership Teams at each institution within TDET will be ultimately responsible for ensuring the following.

- That local protocols and procedures are developed, implemented and monitored for driving at work activities, and that they are communicated to all members of staff.
- That systems are in place to maintain TDET vehicles in a roadworthy condition.
- Validate that the TDET has purchased a valid business use motor vehicle insurance cover for all vehicles, including private and personal vehicles.
- Privately owned vehicles are not used for work activities unless they are serviced in line with manufacturers recommendations, insured for business use, and where the vehicle is over three years old, have a valid MOT.

The Senior Leadership Teams at each institution will devolve their responsibilities down to the TDET Facilities and Estates Manager, supported by the TDET Health and Safety Manager.

Members of staff who drive at work are ultimately responsible for ensuring the following.

- Hold the appropriate driving licence entitlement for the class of motor vehicle.
- Declare immediately any driving licence endorsements, i.e. convictions, points, periods of disqualification.
- Validate motor vehicle insurance.
- Medically fit to drive, including eyesight.
- Validate vehicle MOT and servicing.
- Satisfy that the vehicle that they intend to use is roadworthy and fit for its purpose prior to the journey commencing.
- Must drive with due care and attention at all times, taking breaks when signs of fatigue are showing.
- Do not use hand-held mobile communication devices to make or receive calls whilst driving.
- Not to drive when under the influence of drugs and/or alcohol.
- Must wear seatbelts whilst driving and make every effort to enforce the wearing of seatbelts for passengers in their vehicle.

- To not use the vehicle under any circumstances and immediately inform the person in charge of the vehicle, if any faults or issues have been identified that impinge on its roadworthiness.
- Report any accidents or incident that you may be involved in when driving at work.

#### 4.31.2. Minibuses and Driver

Minibuses are a valuable asset to those institutions which are fortunate enough to own or have use of one. They allow pupils access to the many benefits of out of school activities.

However, driving a minibus is not a task to be taken lightly, the safety of pupils and staff should always be the first consideration. Members of staff cannot be required to drive a minibus unless written in the terms of their contract of employment. However, either way if volunteered to do so or in their contract of employment, will be personally responsible for its roadworthiness, and will have to adhere to and comply with TDET's Health and Safety Policy, Procedures for Driving Minibuses, the following legislation, and non-statutory advice from the Department for Education/Transport for driving minibuses.

- Road Traffic Act 1988, Part III, Licensing of Drivers of Vehicles.  
Article 87 cites that all drivers of motor vehicles must have valid driving licences.
  - It is a statutory requirement that all drivers must have valid driving licences for the category of motor vehicles, for example,
    - **Minibus** having a *maximum 16 passengers and not including the driver*.
      - Drivers towing a trailer must have valid **category D1E** authorisation on their driving licence. Drivers that do not have valid category D1E authorisation on their driving licence are not permitted to tow trailers with a small minibus.
    - **Minibus** having *18 or more passengers and not including the driver*.
      - Drivers driving a large minibus must have valid **category D** authorisation on their driving licence. Drivers that do not have valid category D authorisation on their driving licence are not permitted to drive a large minibus.
      - Drivers towing a trailer with a large minibus must have valid **DE** authorisation on their driving licence. Drivers that do not have valid category DE authorisation on their driving licence are not permitted to tow trailers with a large minibus.
- The Motor Vehicles (Driving Licences) Regulations 1996, Part II, Licences.  
Article 6, paragraph (8), cites the following competence to drive classes of vehicle.
  - A person who,
    - is the holder of a full licence authorising the driving of vehicles of a class included in Category B (except a licence authorising only the driving of vehicles in sub-category B1 or B1 Invalid Carriages),
    - has held that licence for an aggregate period of not less than 2 years,
    - is aged 21 or over, and
    - **receives no payment** or consideration for so doing, other than out-of-pocket expenses,
 may drive, on behalf of a **non-commercial** body for **social purposes** but not for **hire and reward**, a vehicle of a class included in sub-category D1 which has **no trailer attached** and has a maximum authorised mass,
    - **not exceeding 3.5 tonnes**, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of

- disabled passengers, and
    - not exceeding 4.25 tonnes otherwise,
 unless by that licence he is authorised to drive only vehicles having automatic transmission, in which case he shall be deemed competent to drive only vehicles of classes included in sub-category D1 having automatic transmission.
- Transport Act 1985
  - Section 19, permits in relation to use of buses by educational and other bodies.
  - Section 22, community bus permits.
- Non-statutory advice jointly produced by the Department for Education (DfE), the Department for Transport (DfT), and the Association of Chief Police Officers (ACPO) on driving entitlements when driving a school minibus, 2013.

TDET considers **social purposes** to mean non-commercial activities, e.g. school trips and travel to sporting fixtures within the school day or as an extra-curricular activity.

A vehicle which is operated for **hire and reward** is one where payment is made, in cash or in kind, for the carrying of passengers, or matters which include the carrying of passengers, irrespective of the person to whom the payment is made. This includes direct payments such as a fare or an indirect payment which gives a person an opportunity to travel. It does not matter whether or not the operator is a profit-making entity. A minibus is used for hire or reward if there is a clear and logical link between payment and the transport provided and that link is not too remote. An example of when a minibus is not being used for hire or reward, is where the pupils are not obliged to pay in exchange for the right to be passengers, i.e. where pupils do not pay for their transport.

**Out-of-pocket** expenses are remuneration for any fuel costs, parking fees, toll fees or similar expenses incurred as part of the trip. The driver should not receive no other payment for driving the minibus.

TDET's interpretations on the term driving on a **voluntary basis** is, if the terms and conditions of a teacher's contract of employment state that driving minibuses is part of their duties, or if a teacher is paid an additional sum specifically for driving the minibus (other than a sum to reimburse the teacher for out of pocket expenses on a cost recovery basis), such staff would be deemed as receiving payment for driving a minibus and would NOT be driving the minibus on a voluntary basis. In these cases, a full D1 licence (or a full D licence) would be needed. However, if a teacher's contract of employment does not state that driving minibuses is part of their duties and they receive no additional payment for driving a minibus to take pupils on trips or to social sporting events (except for reimbursement for out-of-pocket expenses), they will be driving on an extra-contractual, voluntary basis. In this case, the category B licence would suffice (assuming the conditions are met), even if the school reimburses the teacher for fuel, parking and tolls.

Institutions within TDET that may for whatever reasons provides transport on a **not-for-profit** basis, i.e. without a view to profit, can apply for permits under Section 19 or Section 22 of the Transport Act 1985. These permits will allow the institution in concern to operate a transport service for hire or reward (i.e. when payment in cash or kind are taken which gives a person the right to be carried on the vehicle regardless of whether or not that right is exercised) without the need for a full Public Service Vehicle (PSV) Operator's licence. Normally, an organisation that accepts any sort of payment for providing transport to passengers must hold either a Public Service Vehicle (PSV) Operator's licence or a Private Hire Vehicle licence. Any institution within the Trust who for whatever reasons provides transport on a not-for-profit

basis must adhere to and comply with the requirements of the permit. Category B and Category D1 (not for hire or reward) licence holders are entitled to drive minibuses that are operated for hire or reward in accordance with a Section 19/22 permit.

In short, the following tables below shoes the criteria that will determine the eligibility of a member of staff to drive (and tow a trailer) with either a small or large minibus.

<b>Category D1</b> – Minibus having a maximum 16 passengers and not including the driver, no trailer attached, not exceed load weight of 3.5 tonnes (4.25 including specialist equipment for disabled passengers)	
<p><b>Non-commercial, social purpose, not for hire and reward, voluntary basis, driver receives no payment.</b></p> <ul style="list-style-type: none"> <li>• Motor Vehicle Licence obtained before 1<sup>st</sup> January 1997 <ul style="list-style-type: none"> <li>○ Drivers who obtained their motor vehicle licence (i.e. full car – category B) before 1<sup>st</sup> January 1997 are entitled to drive a small minibus in category D1. Such drivers will obviously be older than 21 years, which is the minimum age for driving a minibus.</li> </ul> </li> <li>• Motor Vehicle Licence obtained after 1<sup>st</sup> January 1997 <ul style="list-style-type: none"> <li>○ Must be over the age of 21 and under the age of 70.</li> <li>○ Held a full category B motor vehicle licence for over 2 years</li> </ul> </li> <li>• If the driver receives payment for his duties, then a valid category D1 licence is required.</li> </ul>	<p><b>Not-for-profit, hire and reward.</b></p> <ul style="list-style-type: none"> <li>• Apply for permits under Section 19 or Section 22 of the Transport Act 1985.</li> <li>• Must adhere to and comply with the requirements of the permit</li> <li>• Category B and Category D1 (not for hire or reward) licence holders are entitled to drive minibuses that are operated for hire or reward in accordance with a Section 19/22 permit.</li> <li>• If the driver receives payment for his duties, then a valid category D1 licence is required.</li> </ul>
<b>Category D1E</b> – Minibus having a maximum 16 passengers and not including the driver, trailer attached, not exceed load weight of 3.5 tonnes (4.25 including specialist equipment for disabled passengers)	
<p><b>Non-commercial, social purpose, not for hire and reward.</b></p> <ul style="list-style-type: none"> <li>• Require a valid category D1E licence.</li> </ul>	<p><b>Not-for-profit, hire and reward.</b></p> <ul style="list-style-type: none"> <li>• Apply for permits under Section 19 or Section 22 of the Transport Act 1985.</li> <li>• Must adhere to and comply with the requirements of the permit</li> <li>• Require a valid category D1E licence.</li> </ul>
<b>Category D</b> – Minibus having 18 or more passengers and not including the driver, no trailer attached.	
<p><b>Non-commercial, social purpose, not for hire and reward.</b></p> <ul style="list-style-type: none"> <li>• Require a valid category D licence.</li> </ul>	<p><b>Not-for-profit, hire and reward.</b></p> <ul style="list-style-type: none"> <li>• Apply for permits under Section 19 or Section 22 of the Transport Act 1985.</li> <li>• Must adhere to and comply with the requirements of the permit</li> <li>• Require a valid category D licence.</li> </ul>

<b>Category DE</b> – Minibus having 18 or more passengers and not including the driver, trailer attached.	
<b>Non-commercial, social purpose, not for hire and reward.</b> <ul style="list-style-type: none"> <li>Require a valid category DE licence.</li> </ul>	<b>Not-for-profit, hire and reward.</b> <ul style="list-style-type: none"> <li>Apply for permits under Section 19 or Section 22 of the Transport Act 1985.</li> <li>Must adhere to and comply with the requirements of the permit</li> <li>Require a valid category DE licence.</li> </ul>

Any member of staff driving a minibus will be ultimately responsible for its roadworthiness at the time of use. It is therefore imperative that all members of staff follow protocols, procedures, peruse and complete thorough safety checks on the minibus before use, including suitable and sufficient motor vehicle insurance. If any defects are found or even if an uninsured minibus is identified by the Police, it will be the responsible driver at the time that will be fined, have points put on their licence, or even be prosecuted.

MiDAS is the Minibus Driver Awareness scheme, overseen by the Community Transport Association U.K. (CTA) which promotes a nationally recognised standard for the assessment and training of minibus drivers. It is a membership based scheme that is designed to enhance safe minibus driving standards and promote the safer operation of minibuses. This training is highly recommended for school staff driving on a category B licence. However, this training is not a statutory requirement or mandatory, and only at the discretion of the Senior Leadership Team can this training be approved.

The Senior Leadership Teams at each institution within TDET will be responsible for ensuring that arrangements are in place for developing, implementing, maintaining, and monitoring procedures for 'The Request and Use of Minibuses'. This responsibility will be devolved down to the institutions Educational Visits Co-ordinator/Administrator, supported jointly by TDET's Facilities and Estates Manager and Health and Safety Manager.

The following items are things that must be considered in the procedures for 'The Request and Use of Minibuses'.

- Protocols to be followed when requesting and approving a minibus to be released for use.
- Validation of driver's licence, checks on its validity/endorsements, and checks on driver's competence to drive class of vehicle.
- Validation of the health and safety of the driver and all passengers, i.e. any health conditions or safety concerns.
- Validation of motor vehicle insurance.
- Validation of MOT and motor vehicle service.
- Minibus Driver Safety Checklist.
- Minibus Driver Role and Responsibility Information.
- Minibus Driver Useful Information.
  - Emergency contact names and numbers.
    - Principals (or Vice/Deputy), reception, Educational Visits Co-ordinator (EVC).
    - Minibus lease company.
  - What to do in the event of a breakdown.
    - Roadside assistance and recovery insurance.
  - What to do in the event of a road traffic accident.
    - Motor vehicle insurance.

Each institution within TDET will have its own Critical Incident Management Team responsible for the immediate and swift response to any unforeseen sudden and unexpected event or sequence of events during educational visits which cause trauma within the community of that establishment and overwhelms its normal coping mechanisms. The role of the Critical Incident Management Team is to co-ordinate all necessary remedial actions, control and organise all communication, co-ordinate necessary response, and provide support to those directly or indirectly involved. It is not possible to prepare in detail for every potential critical incident that may occur during an educational visit however, the Trust does recognise that it is essential to have a general plan/procedure to hand which outlines the steps that need to be taken by the Critical Incident Management Team. Study has shown that institutions which have robust critical incident management plans/procedures in place will handle the situation much better when it occurs. They provide the best support to students, staff and families and return to normality sooner while continuing to be alert to the vulnerability of all concerned.

#### **4.32. Letting School Premises**

Institutions within TDET have a range of educational, recreational, and sporting facilities that are used to meet the variety of needs of the pupils attending. These facilities are also a great asset to the local communities. Community, parental, and family involvement in schools brings a range of benefits and can have a positive impact on the educational achievement of children and young people. TDET is therefore committed to building stronger links between schools and the communities they serve, and therefore highly recommends that such facilities within their institutions should be offered to parents, families, and the local communities outside of school hours.

A letting may be defined as ‘any use of the school premises by either a community group or a commercial organisation’, regardless of whether a hiring fee is charged. The letting of premises must not interfere with the primary activity of the institution, which is to provide a high standard of education for all its pupils.

Institutions within TDET will not under any circumstances engage in any activity that might interfere with its duty to promote high standards of educational achievement.

The potential benefits that can be achieved include, but are not limited to the following.

- Improved learning and achievement.
- A more positive attitude to learning.
- Stronger social networks and strengthening relationships between institutions and their communities.
- Healthier and fitter communities.
- Less vandalism directed at the institution and even within the community.
- Potential for reduction in crime rates and anti-social behaviour within the community.
- Financial rewards for the institutions.

Section 6.11.2 (Use of Premises for Extended Activities and Community Services) from the Governance Handbook (For Academies, Multi-Academy Trusts, and Maintained Schools) published by the Department for Education (DfE) in January 2017, cite the following.

- Schools can accommodate extended and community services, for example, after-school clubs, adult education, out-of-school childcare (including breakfast clubs and holiday care), and sport and youth clubs. Some schools offer or rent out their facilities to voluntary organisation.



- These arrangements can benefit schools, their pupils and parents, and their local communities. Schools offering extended services may benefit from improved behaviour and attendance. These arrangements can also enable schools to make the best of their facilities, which may otherwise be underused before and after the school day and in school holidays.
- Boards may not use their delegated budget shares for anything other than the purposes of the school. The term 'purposes of the school' would normally be interpreted as including all activities that bring an educational benefit to pupils at the school.
- Boards can charge for the provision of extended and community services.
- An academy trust's articles of association set out the powers that the trust may exercise in pursuit of its charitable object. The current model article allows the academy trust 'to provide educational facilities and services to students of all ages and the wider community for the public benefit'.
- Academies should also consult their funding agreement. The current model funding agreement says that the academy 'will be at the heart of its community, promoting community cohesion and sharing facilities with other schools and the wider community'.

The Senior Leadership Teams at each institution within the Trust will be responsible for ensuring that arrangements are in place for developing, implementing, maintaining, and monitoring procedures for 'Letting School Premises'.

This responsibility will be devolved down to the TDET Facilities and Estates Manager and supported by the TDET Health and Safety Manager.

The following items are things that must be considered in the procedures for 'Letting School Premises'.

- Suitability assessment of the premises for the purpose of hire.
- Terms, conditions and restrictions of hire.
- Pricing and cancellation.
- Security matters.
- Indemnity insurance, i.e. Employers liability (£10M) and Public liability (£5M).
- Health and safety, including public safety.
- Disclosure Barring Service checks.
- Licences and permissions.
- The hirer's responsibility.
- Process for applying to enter into a hire agreement for letting of school premises, including application form, checklist etc.

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## **APPENDICES**

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## Appendix 1 – Executive Summary (Scheme of Delegation)

Section	Subject Focus	TDET Board / Finance Committee	Executive Group	TDET Health and Safety Manager	TDET Facilities and Estates Manager	TDET Catering Manager	Senior Leadership Team
1.	Develop, approve and implement a robust Health and Safety Policy for TDET.	Approve	Approve and Implement	Develop and Implement	Implement	Implement	Implement
2.							
3.							
4.							
4.1.	Display Health and Safety Executives (HSEs) statutory 'What You Need To Know' Health and Safety Poster in a prominent area.			Implement	Implement		
4.2.	Appoint a Representative of Employee Safety (RoES).		Implement	Implement			Implement
	Establish a Health and Safety Committee that meets the criteria laid out in the Health and Safety Policy.		Implement	Implement			
4.3.	Completion of a Site Security Risk Assessment.			Develop and Implement	Develop and Implement		
	Develop and implement a robust and effective Site Security Plan/Procedure.			Develop and Implement	Develop and Implement		
4.4.	Develop and implement a site specific Critical Incident Management Plan.		Approve	Develop and Implement	Develop and Implement		Develop and Implement
4.5.	Develop and implement site specific Emergency Evacuation Procedures, including PEEP's and any Joint Responsibilities with other Employers sharing same premises.		Approve	Develop and Implement	Develop and Implement		Develop and Implement
4.6.	Develop and implement a site specific Lockdown Procedure, including PEEP's and any Joint Responsibilities with other Employers sharing same premises.		Approve	Develop and Implement	Develop and Implement		Develop and Implement
4.7.	Develop and implement a process for monitoring physical aspects of the working environment, i.e. Safety Observation Check List.			Develop and Implement	Develop and Implement		Develop and Implement
4.8.	Develop and implement a well-defined procedure for the closure of an institution during inclement weather.		Approve	Develop and Implement	Develop and Implement		Develop and Implement
4.9.	Develop and implement a well-defined procedure for Educational Visits.			Develop and Implement			Develop and Implement
4.10.	Develop and implement a site specific procedure for the management of all Visitors.			Develop and Implement	Develop and Implement		
	Develop and implement a site specific procedure for the management of all Contractors.			Develop and Implement	Develop and Implement		
4.11.	Develop and implement a programme for delivering Health and Safety Training to the workforce, i.e. who, when, and how.		Approve	Develop and Implement			

4.12.	Develop and implement procedures to monitor, measure, and log data that can be used to measure the performance of various aspects of the Health and Safety Management System.			Develop and Implement			
	Collate data, ensure quality assurance (i.e. QA) of data, and present information in the Health and Safety Report to the Executive Group, preferably every quarter.			Develop and Implement			
4.13.	Develop and implement a procedure to monitor, log, investigate, and quality assurance (QA) all workplace incidents, i.e. Accidents and Near Misses.			Develop and Implement			
4.14.	Complete an assessment for First Aid needs.			Develop and Implement			Develop and Implement
	Develop, implement and communicate a First Aid Provisions Procedure.			Develop and Implement			Develop and Implement
4.15.	Develop, implement and maintain well-defined procedures for Emergency Healthcare Plans that include Managing Medication(s) for Pupil's.			Develop and Implement			Develop and Implement
4.16.	Develop, implement and maintain a Risk Assessment and Safe Working Procedure Register of all tasks that have significant hazards and risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.		Approve	Develop and Implement			Develop and Implement
	Review all current risk assessments templates, and if required develop and implement new risk assessment templates to be used within TDET.		Approve	Develop and Implement			
	Develop and implement a programme to deliver in-house Risk Assessment Training to all nominated Risk Assessors.		Approve	Develop and Implement			
	Advise, guide and direct all institutions within TDET with compliance and facilitate the Risk Assessment and Safe System of Work process.			Develop and Implement			
4.17.	Ensure that arrangements are in place for the following. <ul style="list-style-type: none"> <li>• Provisions for Personal Protective Equipment (PPE)</li> <li>• Complete a suitability and compatibility assessment.</li> <li>• Provisions for maintenance.</li> <li>• Provisions for appropriate accommodation to store and protect PPE.</li> </ul>			Develop and Implement			Develop and Implement

	<ul style="list-style-type: none"> <li>Provisions for safe information, instruction and training.</li> <li>Provisions for reporting damage or defects.</li> </ul>						
4.18.	Develop, implement and maintain a well-defined Food Safety Management System/Plan/Procedure.			Develop and Implement		Develop and Implement	
4.19.	Develop, implement and maintain a well-defined Fire Safety Code of Practice.			Develop and Implement	Develop and Implement		
4.20.	Develop, implement and maintain a well-defined Electrical Safety Management System/Plan/Procedure.			Develop and Implement	Develop and Implement		
4.21.	Develop and implement procedures for purchasing, risk assessing, labelling, logging, storing, using, and handling of all chemical agents.			Develop and Implement			Develop and Implement
	Develop and implement well-defined and effective procedures for controlling exposure with the use of Local Exhaust Ventilation (LEV) Systems, including maintenance.			Develop and Implement	Develop and Implement		
	Develop, implement and maintain well-defined and effective procedures for the Control of Legionella Bacteria.			Develop and Implement	Develop and Implement		
4.22.	Develop, implement and maintain a well-defined and effective procedure for the Control of Asbestos.			Develop and Implement	Develop and Implement		
4.23.	Develop, implement and maintain a well-defined and effective plan for Gas Safety.			Develop and Implement	Develop and Implement		
4.24.	Develop, implement and maintain a well-defined and effective procedure for the Purchase and Use of Pressurised Systems and Equipment.			Develop and Implement	Develop and Implement		
4.25.	Develop, implement and maintain a well-defined and effective procedure for all Lifting Operations that use lifting equipment and their associated accessories..			Develop and Implement	Develop and Implement		Develop and Implement
4.26.	Develop, implement and maintain a well-defined and effective procedure for the Safe Use of Display Screen Equipment (DSE).			Develop and Implement			Develop and Implement
4.27.	Develop, implement and maintain a Manual Handling Risk Assessment and Safe Working Procedure Register of all task that have significant manual handling risks associated with them, who is responsible for conducting them, when they were completed, and when they are to be reviewed.			Develop and Implement			Develop and Implement
	Develop and deliver in-house Manual Handling Risk Assessment training to all			Develop and Implement			

	nominated Manual Handling Risk Assessors.						
	Develop and deliver in-house Manual Handling Best Practice Training.			Develop and Implement			
	Advise, guide and direct with compliance and facilitate the Manual Handling Risk Assessment and Safe System of Work process.			Develop and Implement			
4.28.	Develop and implement procedures for the Safe Working at Heights.			Develop and Implement			Develop and Implement
4.29.	Develop and implement procedures for the Safe Use of Work Equipment that include the following. <ul style="list-style-type: none"> <li>• Suitability assessment for Purchasing New Work Equipment.</li> <li>• Inventory of all Work Equipment.</li> <li>• Plan for Periodic Inspection, Testing and Maintenance.</li> <li>• Procedures for reporting damage and defects.</li> </ul>			Develop and Implement	Develop and Implement	Develop and Implement	Develop and Implement
4.30.	Develop and implement procedures for the Safe Use of a Radiation Source that include the use of the following. <ul style="list-style-type: none"> <li>• Radiation Protection Supervisor (RPS).</li> <li>• Radiation Protection Officer (RPO).</li> <li>• Radiation Protection Advisor (RPA).</li> </ul>			Develop and Implement			Develop and Implement
4.31.	Develop and implement procedures for the Safe Use of TDET Vehicles, Private Vehicles, and the Competence and Suitability to Drive a Vehicle.			Develop and Implement	Develop and Implement		
4.32.	Develop and implement procedures for Letting School Premises.			Develop and Implement	Develop and Implement		