



Department
for Education

Guidance

Health and safety: responsibilities and duties for schools

Updated 5 April 2022

Applies to England

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1. Responsibilities

Pupils should be safe in school and when undertaking out of school activities. The risk management to keep them safe should be proportionate to the nature of the activities.

Teachers should be able to take pupils on exciting school trips that broaden their horizons. Pupils should be able to play freely in the playground and be able to take part in sports. The Health and Safety Executive (HSE) has guidance on [promoting a balanced approach to children's play and leisure](http://www.hse.gov.uk/entertainment/childs-play-statement.htm) (<http://www.hse.gov.uk/entertainment/childs-play-statement.htm>).

The employer or, in the case of independent schools, the proprietor, is accountable for the health and safety of school staff and pupils. The day-to-day running of the school is usually delegated to the headteacher and the school management team. In most cases, they are responsible for ensuring that risks are managed effectively. This includes health and safety matters.

Schools must appoint a competent person to ensure they meet their health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to give sensible guidance about managing the health and safety risks at the school.

This can be someone appointed directly by the school, one or more of its staff, or the employer can arrange support from outside the school. In most schools, the senior leadership team can manage risks. HSE's guidance on [sensible health and safety management in schools](#)

<https://www.hse.gov.uk/education/sensible-leadership/index.htm>) has more information.

The Association for Physical Education (AfPE) (<http://www.afpe.org.uk/>) can offer advice on insurance for PE teachers.

As COVID-19 becomes a virus that the country learns to live with, the government is moving away from stringent restrictions on everyone's day-to-day lives towards advising people on how to protect themselves and others, alongside targeted interventions to reduce risk.

Therefore, while the government will continue to manage the risk of serious illness from the spread of the virus, schools should consider COVID-19 as one risk amongst others in relation to health and safety risk assessments and managing risk.

2. Leadership

Commitment from senior management is essential for effective health and safety management. Strong leadership is also vital. HSE provides information on leading health and safety at work (<http://www.hse.gov.uk/leadership/>).

Schools must have a health and safety policy in place. This should be an integral part of the school's culture, values and performance standards.

The key elements of the policy should:

- set out the roles and responsibilities within risk management processes
- the mechanisms to control risk
- specific control measures that need to be implemented

In most schools, the headteacher is responsible for implementing this. Based on a thorough risk assessment, they should update it to reduce and reflect new risks. The risk assessment must cover the risks to the health and safety of employees and of persons (including pupils) who are not employees of the school.

Review the assessment if:

- there is any reason to suspect that it is no longer valid
- there has been a significant change in related matters

Schools are obliged to record significant findings of the assessment. They must identify any group of employees identified by it as being especially at risk.

HSE has information on leading sensible health and safety management in schools (<https://www.hse.gov.uk/education/sensible-leadership/sensible.htm>) and how to appoint a competent person (<https://www.hse.gov.uk/simple-health-safety/gettinghelp/index.htm>).

If senior leaders or teachers feel the process is inappropriate, they should discuss this with their employer. Examples may include processes which are too bureaucratic or which do not mitigate risk sufficiently. All staff can request that procedures be reviewed.

3. Elements of a health and safety policy

Every health and safety policy is separated into 4 elements:

- Plan – leaders should set the direction for effective health and safety management
- Do – introduce management systems and practices that ensure risks are dealt with sensibly, responsibly and proportionately
- Check – monitoring and reporting
- Act – a formal management review of health and safety performance

HSE explains the elements in more detail in its guidance on leading health and safety at work (<http://www.hse.gov.uk/leadership/>) and leading sensible health and safety management in schools (<https://www.hse.gov.uk/education/sensible-leadership/sensible.htm>).

As outlined in the guidance, the policy should include:

- a general statement of the policy
- who is responsible for what (delegation of tasks)
- arrangements for risk assessments and the practical control measures to reduce risk
- how the school will establish, monitor and review its measures to meet satisfactory health and safety standards

The policy should be proportionate and relevant to the school. The elected competent person in the school should work with the employer and its health and safety advisers to create the policy.

The following list gives examples that schools could include their health and safety policy. This list is not exhaustive and the content of the policy will be determined by the school. Schools could include:

- proportionate control measures for health infections
- line management responsibilities
- arrangements for periodic site inspections
- arrangements for managing health and safety (<https://www.hse.gov.uk/managing/index.htm>)
- staff health and safety training, including managing risks and risk assessment at work (<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>)
- recording and reporting accidents to staff, pupils and visitors – including Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) (<http://www.hse.gov.uk/riddor/>)
- policies and procedures for health and safety on educational visits (<https://www.gov.uk/government/publications/health-and-safety-on-educational-visits>), including residential visits and any school-led adventure activities
- how to deal with emergency procedures (<https://www.hse.gov.uk/workplace-health/emergency-procedures.htm>), including procedures and contacts
- first aid (<http://www.hse.gov.uk/firstaid/index.htm>)
- occupational health services
- how to investigate accidents and incidents to understand causes
- how to monitor and report performance and effectiveness of the health and safety policy

4. Assessing and managing risks

Risk assessments identify measures to control risks during school activities. Health and safety law requires the school to assess risks and put in place proportionate control measures. The law also requires it to record details of risk assessments, the measures taken to reduce these risks and expected outcomes.

Schools need to record significant findings of the assessment by identifying:

- the hazards
- how people might be harmed by them
- what they have in place to control risk

Records of the assessment should be simple and focused on controls. Outcomes should explain to others what they are required to do and help staff with planning and monitoring.

Risk assessments consider what measures you need to protect the health and safety of all:

- staff
- pupils
- visitors
- contractors

Schools will need to think about the risks that may arise in the course of the school day. This could include anything related to the school premises or delivery of its curriculum, whether on or off site.

Factors included in risk assessments will vary between schools, although some will appear in most schools. HSE provides guidance on managing risks and risk assessment at work (<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>).

5. Preparation for public health incidents

Schools must comply with health and safety law and put in place proportionate control measures. Schools must regularly review and update their risk assessments, treating them as 'living documents', as the circumstances in your school and the public health advice changes. This includes having active arrangements in place to monitor whether the controls are effective and working as planned.

Schools must therefore make sure that a risk assessment has been undertaken to identify the measures needed to reduce the risks from public health incidents so far as is reasonably practicable. General information on how to make a workplace secure is provided by the Health and Safety Executive's (HSE) guidance on health and safety at work (<https://www.hse.gov.uk/guidance/index.htm>).

5.1 Approach to risk estimation and management of public health incidents

Some types of control are more effective at reducing infection risks than others. Risk reduction measures should be assessed in order of priority as set out below. Schools should not simply adopt the easiest control measure to implement.

Schools should work through the following steps to address their risks, considering for each risk whether there are measures in each step they can adopt before moving onto the next step.

1. Elimination: stop an activity that is not considered essential if there are risks attached.
2. Substitution: replace the activity with another that reduces the risk. Care is required to avoid introducing new hazards due to the substitution.
3. Engineering controls: design measures that help control or mitigate risk.
4. Administrative controls: identify and implement the procedures to improve safety (for example, markings on the floor, signage).
5. Having gone through this process, personal protective equipment (PPE) should be used in line with UK Health Security Agency guidance.

The UK Health Security Agency guidance on health protection in children and young people settings, including education (<https://www.gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities>) has information on the management of infectious diseases in schools and other childcare settings.

6. Support for schools

Schools can adopt or modify the guidance below to suit their circumstances:

- CLEAPSS (<https://science.cleapss.org.uk/>)
- Outdoor Education Advisers' Panel guidance for school trips (<https://oeapng.info/guidance-documents/>)
- Managing asbestos in your school or college (<https://www.gov.uk/government/publications/asbestos-management-in-schools-2>)
- Emergency planning and response for education, childcare, and children's social care settings (<https://www.gov.uk/emergencies-and-severe-weather-schools-and-early-years-settings>)
- The Association for Science Education (ASE) - health and safety resources (<http://www.ase.org.uk/resources/health-and-safety-resources>)

- The Design and Technology Association - health and safety
(<https://www.data.org.uk/for-education/health-and-safety>)
- Safe practice in physical education, school sport & physical activity
(<http://www.afpe.org.uk/physical-education/safe-practice-in-physical-education-school-sport-physical-activity-2016/>)

7. Other areas and activities to consider

The list of guidance below provides sources of further help on health and safety related risks:

- work at height (<http://www.hse.gov.uk/work-at-height/index.htm>)
- site safety (<http://www.hse.gov.uk/workplacetransport/sitelayout.htm>)
- control of hazardous substances (<http://www.hse.gov.uk/coshh/>)
- using contractors (<http://www.hse.gov.uk/pubns/indg368.htm>)
- good estate management for schools (<https://www.gov.uk/guidance/good-estate-management-for-schools>)
- school and further education college design and construction
(<https://www.gov.uk/government/collections/school-building-design-and-maintenance>) (and where necessary examination and testing)
- manual handling at work (<https://www.hse.gov.uk/msd/manual-handling/index.htm>)
- stress and mental health at work (<http://www.hse.gov.uk/stress/>)
- ventilation in the workplace (<https://www.hse.gov.uk/ventilation/index.htm>)

8. School security and emergency preparation

All schools should have plans in place to enable them to manage and respond to incidents related to school security. The guidance on school and college security (<https://www.gov.uk/government/publications/school-and-college-security>) has more information.

Schools should also have procedures for controlling access and barring individuals from school premises
(<https://www.gov.uk/government/publications/controlling-access-to-school-premises>).

Schools can decide whether to include this within their school security plan or deal with the issue when it arises in another plan or procedure.

The DfE recommends guidance on helping schools with accessing and barring of individuals from premises.

Health and safety emergency procedures schools should consider include:

- serious injury to a pupil or member of staff (for example, transport accident)
- significant damage to school property (for example, fire)
- criminal activity (for example, bomb threat)
- severe weather (for example, flooding)
- public health incidents (for example, flu pandemic)
- the effects of a disaster in the local community

DfE provides emergency planning and response for education, childcare, and children's social care settings (<https://www.gov.uk/guidance/emergencies-and-severe-weather-schools-and-early-years-settings>).

9. Additional powers of local authorities as employers

Under section 29(5) of the Education Act 2002, local authorities have powers to direct health and safety matters relating to school premises or school activities taking place elsewhere in the following types of school:

- community schools
- voluntary controlled schools
- community special schools
- maintained nursery schools
- pupil referral units

Local authorities should only use these powers when a school's health and safety arrangements are inadequate.

10. Staff training

Schools must ensure that staff receive information and training about health and safety. This includes:

- how to assess risks specific for their job
- how to meet their roles and responsibilities identified within the health and safety policy

They can do this in different ways depending on individual or specific need. For example, providing staff with written guidance may be appropriate in some cases, while attending a training course may be more appropriate for others.

Staff whose work involves a greater element of risk will need extra or specific training. The HSE risk management guidance (<http://www.hse.gov.uk/risk/index.htm>) provides information about when staff require specific training in, for example:

- using industrial machinery
- managing asbestos
- having responsibility for the storage and accountability for potentially hazardous materials in their buildings

DfE also provide information about the safe storage and disposal of hazardous materials (<https://www.gov.uk/government/publications/storing-and-disposing-of-hazardous-chemicals-in-schools>).

11. Duties on employees

The law requires employees to:

- take reasonable care of their own health and safety and that of others who may be affected by what they do at work
- co-operate with their employers on health and safety matters
- do their work in accordance with training and instructions
- inform the employer of any work situation representing a serious and immediate danger, so that remedial action can be taken

Employees should follow health and safety procedures put in place by their employer.

Teachers and other staff in schools have a common law duty when in charge of pupils to take the same care of them as they would as a parent.

12. Recording and reporting injuries and accidents

Certain work-related injuries to a member of staff or a child must, by law, be recorded and reported.

The employer or proprietor is responsible for this, but staff may be asked to prepare the report. HSE explain when, how, where and when to report incidents in their education information sheet: [incident reporting in schools](http://www.hse.gov.uk/pubns/edis1.htm) (<http://www.hse.gov.uk/pubns/edis1.htm>).

13. Review and evaluation

All schools should regularly monitor and review their health and safety policies to ensure they are reducing risks. As part of this monitoring, schools should investigate incidents to ensure that:

- they are taking appropriate corrective action
- they are sharing learning
- necessary improvements are put in place

Generally, schools should regularly (at least annually) consider how they measure their performance. They should set up an effective monitoring system, backed up with sensible performance measures.

However, as the country learns to live with COVID-19, schools must regularly review and update risk assessments - treating them as 'living documents', as the circumstances in your school and the public health advice changes.

Where there is a health and safety incident at the school, the competent person and others with health and safety responsibilities, should assess the effectiveness of the school's procedures and its response. They should make necessary changes to policies and procedures.

14. The Law

The Health and Safety at Work etc. Act 1974

(<http://www.legislation.gov.uk/ukpga/1974/37/contents>) determines British health and safety law. The Health and Safety Executive (HSE), with local authorities, enforce this Act.

The Management of Health and Safety at Work Regulations 1999

(<http://www.legislation.gov.uk/uksi/1999/3242/contents/made>) supports the Act.

Schools should make sure they are familiar with both of these documents.



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