



## Health And Safety Policy

<b>Person responsible</b>	Bursar
<b>Last update</b>	September 2018
<b>Frequency of Review</b>	Bi-annual
<b>Date of last review</b>	January 2018
<b>Date of next review</b>	December 2018

**This policy applies equally to the Foundation Stage (Reception Class), Key Stage 1 and Key Stage 2 as taught at Bute House**

## Introduction

The Policy incorporates

- The Statement of Intent – a commitment to the health, safety and welfare of employees and of other users of the premises
- Its Organisation
- Its Arrangements

The Governors of Bute House School recognise and accept their responsibility in providing a safe and healthy environment for the staff employed in the School, for the children attending the School and for other users of it.

All reasonable steps will be taken to fulfil these responsibilities within the framework of the Health and Safety at Work etc Act 1974 and Regulations made under this legislation.

Each and every member of staff must recognise that there is a personal and collective responsibility under the Act and under this Health and Safety Policy statement.

The organisation and arrangements through which Governors of the School aim to fulfil the requirements are set out in the following pages.

The school has regard to the DfEs guidance: Health & Safety: Responsibilities and Powers.

## Organisation of Health and Safety

Key Manager	Bursar
Key Local Contact	Head Caretaker
Health and Safety Adviser	Ford Risk Management

**A** Health and Safety will be a standing item on the agenda of Staff Management and Governors' meetings.

**B** Full Annual Inspections will be undertaken by the Health and Safety Adviser.

**Written reports, with summary and a recommended prioritisation schedule, will be submitted after all inspections and made available to all members of staff in so far as they affect their health, safety and welfare and as required under the Health and Safety (Consultation with Employees) Regulations 1996.**

## Information on Health and Safety

**This is available on the staffroom noticeboard, from the Bursar and the Health and Safety representative.**

Advice can be sought from the Health and Safety adviser through the Bursar. All members of staff have the right to seek and to have independent advice on matters which may affect their health, safety or welfare.

New staff will be briefed through the induction programme on health and safety matters.

All staff must inform themselves of the contents of the school's Health and Safety Policy document and familiarise themselves with the arrangements contained therein and especially with those safe systems which advise their daily working activities.

Pupils, and other users of the premises will be given basic instructions and information on health and safety.

Contractors will be given a copy of the school's "Code of Practice for Contractors on Site" and will be expected to familiarise themselves with its requirements and implement them.

## The Purpose of the Health and Safety Committee

The aim of these will be the promotion of co-operation between Governors, Management and all employees at the school in achieving and maintaining a safe and healthy workplace for all users of the premises. To this end a Health & Safety Committee will meet termly. (See separately held Terms of Reference).

Within that aim there will be considered certain specific matters:

- Reports of any accidents which have occurred since the previous meeting, and remedial action taken to prevent a recurrence.
- Reports of any fire drills that have taken place.
- Relevant matters arising from the inspection reports.
- Progress on remedying any specific hazards which may have been identified.
- Information on new legislation that has implications for the school.
- Implementation within the school of safety advice issued by the Health and Safety Adviser.
- Governors' endorsement, every second academic year, of the reviewed contents of the school's Health and Safety Policy.
- Management's monitoring of its implementation.

## Duties and Role of the Key Manager

The Key Manager is ultimately responsible to the Governors of the school.

- To pursue the aims of the school in respect of health, safety and welfare.
- To produce, for the school, a written Health and Safety Policy, to ensure its implementation, to ensure that all members of staff are aware of its contents and to revise it as necessary.
- To be available to any member of staff to discuss and to seek to resolve health and safety problems not resolved at a lower level.
- To take appropriate action to remove or reduce potential hazards.
- To report to the Governors those cases where his own authority does not allow him to reduce any hazard to a satisfactory level: in these circumstances to take short term measures including ceasing the activity to maintain health and safety pending rectification.
- To take note of Health and Safety bulletins, instructions, etc., issued from time to time and to ensure that where required these are distributed and to maintain a file of all such material which is readily accessible to all employees.
- To keep an up-to-date list of all safety representatives (ie H&S Committee members) in the school, both teaching and support staff, including catering staff.
- To be readily available to safety representatives and to co-operate with them so far as is reasonable in their efforts to carry out their functions.
- To receive written reports from safety representatives concerning possible hazards and to respond in writing within a reasonable period of time.
- To ensure that all areas for which he is responsible are subject to a health and safety inspection at least once in every term.
- To ensure that materials and equipment purchased for use in areas within his control are safe and without risk to health when properly used.
- To ensure that the circumstances of accidents and incidents are properly examined and recorded in an Accident Book and that all reasonable steps are taken to prevent or reduce the likelihood of a recurrence.
- To ensure that all occupants and visitors, including those who will be undertaking work on the premises, are made aware of any hazards on site and of when and where such work activities may affect those in occupation.
- To carry out duties of a local contact where local contacts have not been appointed.

### **The Role of the Health and Safety Adviser**

- To attend Health and Safety meetings, if required.
- To make inspections of the school and submit a full written report once a year, prioritising the issues identified.
- To carry out an audit of written procedures every two years.

- To provide in-service training when requested.
- To carry out risk assessments on request.
- To review and advise on safe systems of work.
- To help draft and advise on policy.
- To review policy.
- To arbitrate on health and safety matters.
- To provide the school with up-to-date health and safety information.
- To attend pre-contract meetings.
- To inspect and monitor contractors on site. (Site Manager's role)
- To contribute to the curriculum if requested.

## The Duties and Role of Local Contacts

- To take appropriate local action to remove or reduce potential hazards and to avoid ill-health arising from work activities.
- To receive reports of hazards from users of the area and to take steps, so far as reasonably practicable, to remove or reduce them.
- To report to the Key Manager cases where the local contacts' normal executive authority does not allow them to deal effectively with a hazard or where there is a doubt as to the practicality of a proposed solution and where necessary, to take appropriate short term measures to maintain safety pending rectification.
- To ensure that accidents are reported in accordance with instructions when so directed by the Key Manager, to establish the facts of any accident.
- To inspect the area at least once in every term with a view to identifying potential and actual hazards and to assess the effectiveness of the local hazard reporting system and any other arrangements.
- To co-operate with the Key Manager in ensuring that the staff are aware of the content of the local statement and any other information necessary on health and safety issues.
- To ensure the use of protective clothing and equipment where appropriate, and to ensure that this is properly maintained and renewed when necessary.
- To ensure that employees new to the workplace are helped to perform their duties in a safe manner; in particular, to ensure that they have all the necessary information on

health and safety matters, and the opportunity to read and discuss these issues as they wish.

## Role of Safety Representatives

Section 2(6) of the Health and Safety at Work provides:

“It shall be the duty of every employer to consult any such representatives ie safety representatives of recognised trade unions (*and duly elected representatives from the staff*) with a view to the making and maintenance of arrangements which will enable him and his employees to co-operate effectively in promoting and developing measures to ensure the health and safety at work of employees, and in checking the effectiveness of such measures.”

The Regulations on Safety Representatives provide that they shall have the following functions:

- 1 To investigate potential hazards and dangerous occurrences at the workplace (whether or not they are drawn to his/her attention by the employees (s)he represents) and to examine the causes of accidents at the workplace;
- 2 To investigate complaints by any employee he/she represents relating to that employee's health, safety or welfare at work;
- 3 To make representations to the employer about matters arising out of sub-paragraphs (1) and (2) above;
- 4 To make representations to the employer on general matters affecting health, safety or welfare at work of the employees at the workplace;
- 5 To carry out inspections in accordance with the regulations;
- 6 To represent the employees he/she was appointed to represent in consultations at the workplace with Inspectors of the Health and Safety Executive or of any other enforcing authority;
- 7 To receive information from Inspectors in accordance with the Act;
- 8 To attend meetings of safety committees where he/she attends in his/her capacity as a safety representative in connection with any of the above functions.

(“Workplace” in this respect means the place or places where the employees represented by the safety representative work or frequent in the course of their work. There is no legal right of access to premises or parts of premises handed over to contractors for work.)

## Notification of Safety Representative Appointments

Recognised Trade Unions should notify the school of the details of all safety representative appointments and a record of this will be maintained by the school. The Key Manager will be notified of appointments that concern the school.

In accordance with the **Health and Safety (Consultation with Employee) Regulations 1996**, the school management will advise all staff of their right to be consulted on health and safety matters and will enable them to elect staff Health and Safety representatives.

## Time Off and Facilities for Safety Representatives

The school will grant paid time off to enable Safety Representatives to carry out the duties set out above (for example 2 hours per week). It will also grant paid time off to enable Safety Representatives to receive health and safety training.

Reference the **Safety Representatives and Safety Committees Regulations 1977** and the **Health and Safety (Consultation with Employees) Regulations 1996**.

## Duties and Responsibilities of Employees

- Section 7 of the Health and Safety at Work Act places a duty on all employees while at work to take reasonable care of themselves and anyone who may be affected by their acts or omissions. They also have a duty to co-operate with the school management in the interests of health and safety, e.g. fire drills, first aid, etc.
- Breaches of the Act are criminal offences. In the event of prosecution the onus of proving that something was not reasonably practicable in the circumstances is placed on the defence. Failure to comply with Codes of Practice issued under the Act raises a presumption that a related safety requirement was not complied with. The school, employees, suppliers of goods and services and (so far as section 8 is concerned) members of the public are all subject to the Act.
- It is important to note that the degree of care which is reasonable in any circumstances will be greater where persons of more than usual vulnerability are concerned. This must be borne in mind where pupils and employees have disabilities. Where people with disabilities use the premises, consideration must be given to any special requirements they may have, including access and sanitary accommodation. Their possible inability to note and respond to emergency evacuation signals must also be considered and appropriate arrangements made to secure their safety.
- Where people who use the premises do not readily understand English, any information provided to secure their safety (whether oral, written or in the form of safety signs) must be given in an understandable form. If necessary, recourse should be had to translation.

## Emergency Contacts

The key holders to Bute House Preparatory School, Luxemburg Gardens, Hammersmith, London W6 7EA are listed below. In the event of an emergency resulting in either the intruder alarm or the fire alarm sounding they should be contacted in the order listed.

	<i>Name</i>	<i>Address</i>	<i>Telephone No.</i>	<i>Mobile No.</i>
1	Ken Woodison	All; C/O;  Bute House Preparatory School Luxemburg Gardens Hammersmith LONDON W6 7EA	-	07989 343249
2	Liam Byrne	As above	-	07989 343268
3	Sandra Frost	As above.		07957 784192
4.	Derrick Elliston	As above.		07958 475664

## Location of Stop Valves

### Incoming Mains Water Supply

Located on rear wall, left hand side of gym store cylinder cupboard. This will isolate all mains water to the school.

### Kitchen

Valve marked 49 for hot water and 46 for cold water. These are located next to the Gym Storage area. The water tanks that serve the kitchen are located between the access panels above the cylinder cupboard.

### Drinking Water Fountains

The 3 No. fountains to the west side of the building can be isolated from the valve identified with the loft space. The 2 No. fountains to the east side are isolated from a valve under the floor, approximately 300mm away from the northwest corner of the Reception class.

### Science Laboratory

Cold water valve located behind panel under bench to east wall. The panel is removed by taking out 2 fixing screws with the adjacent cupboards. The hot water valve is located under the sink within the teachers' storeroom.

## Classroom (including Design and Technology)

Stop valves located within the sink units.

## Ground Floor Shower

Stop valve located behind access panel in cupboard with adjacent office.

## Toilets

These valves are located behind duct panels.

## **Emergency Mains Supplies Cut-Off Points**

**Only to be used by authorised personnel to avoid a disaster when a key holder cannot be found.**

### Water

Mains Stopcock 1 – inside cupboard in the gym store, turn left and you will see a metal topped tap a quarter of the way up the wall – you may need a torch to see.

Turn clockwise by hand to shut off.

Mains Stopcock 2 – outside front gates, turn right 8 yards in the pavement.

Turn clockwise by hand to shut off.

### Gas

Supply runs into the cupboard on the left of the door to the Caretakers' shed entrance.

Turn the handles clockwise to shut off the supply (there are three handles).

### Electricity

To isolate a floor:

In the event of an emergency you will find the isolation switches in grey boxes in the middle riser cupboard in the classroom corridors. A master key is required to open the cupboards. **PULL THE MAIN SWITCH DOWN.** The main isolation switch will cut out all power on the floor – except emergency lighting.

To shut off electricity for the whole school:

In the basement electrical intake room pull switches to the left. The main isolator will shut off all electricity to the building.

### Central Heating

If there is a radiator leak you can ease the flow of water by shutting down the pumps in the boiler room. To do this **TURN ALL SWITCHES ON THE BOILER TO THE "OFF" POSITION.** Ignore the "Flow Fail" lights and alarm, which will come on as these can be reset later.

## Areas of Responsibility

1	Accident Reporting and Recording	Bursar
2	First Aid	
2.1	Accidents involving blood	Senior First Aider
2.2	Infectious Diseases	Senior First Aider
2.3	Administering Medicines to Pupils	Senior First Aider
2.4	First Aid Training – Defibrillator – serviced annually	Senior First Aider
3	Emergencies	
3.1	Emergency Procedures and Drills	Bursar
3.2	Evacuation Notices and Signs	Bursar
4	Fire Fighting Equipment	
4.1	Checking	Caretaker
4.2	Maintenance and Servicing	Bursar
5	Control of Substances Hazardous to Health (COSHH)	Bursar
6	Electrical Safety	
6.1	Mains	Bursar
6.2	Portable Appliances	Bursar
7	Display Screen Equipment	Bursar
8	Defect and Hazard Reporting	Bursar
9	Health and Safety Information	Bursar
10	Risk Assessments	Bursar
10.1	New and pregnant mothers	HR Manager
11	Clear Passageway	Bursar
12	Gas Safety	Bursar
13	Security	Caretaker
14	Alarm Systems	Bursar
15	Intruders	Caretaker
16	School Journeys and Outings	Educational Visits Co-ordinator
17	Road Safety	Deputy Head
18	Storage	Caretaker

19 Contractors on Site	Bursar
20 Other Users	Bursar
21 Water Quality	Bursar
22 Consultation with Employees	HR Manager
23 Work Experience	HR Manager

## Schedule of Reviews and Record-Keeping

Task	Frequency	Responsible Person	Comments
Review of Health and Safety Policy	Every 2 years and when required	Bursar	New Regulations, Codes of Practice, School Policies etc will be added in the interim as required.
H&S Inspection Reports and Audit	Annually	Bursar	Carried out by Ford Risk Management.
Review of COSHH assessments	Whenever changes occur; 3 sources in school; Kitchen, Cleaners & Science keep substances locked away & inform Bursar of any changes.	Bursar	Central record to be kept by Bursar; All contractors to provide COSHH information in their method statements and risk assessments.
Record of water quality testing, temperature taking	As required by the Water Risk Assessment	Bursar	Training required for Site Management Log book must be kept
<b>Electrical Safety</b>			
Certification of fixed installations	Up to every 5 years as advised on current certificate	Bursar	Completed Summer 2016
Record of Portable Appliance Testing	6 months to 4 years depending on usage and according to Risk Assessment	Bursar	Completed February 2018

<b><u>Fire Safety</u></b>			
Record of nominated persons- "Fire Marshalls"	Keep up to date; caretakers are Fire Marshalls.	Bursar Caretaker	Training done in May 2017
Record of Fire Fighting appliances check	Annually	Bursar	Contractor carries out
Record of Fire Alarm testing	Bi-Weekly	Caretaker	Call points are tested on a rota basis
Record of Fire Alarm maintenance	6 monthly	Bursar	Contractor carries this out
Record of emergency lighting testing	Monthly	Caretaker	
Record of Fire Drills	Half-termly in autumn; termly otherwise.	Bursar	Log time taken, note problems, note reasons
Record of False Alarms	As required	Bursar	

<b><u>First Aid</u></b>			
Record of accidents/injuries	As required	Bursar	These should be tabled at Governors' meetings
Record of number of First Aiders and first aid stock	As required after assessment of needs	Senior First Aider	
Review of provision	As required	Senior First Aider	
Record of training of First Aiders	Keep up to date	HR	Training records reviewed at Health and Safety meeting.
Record of Manual Handling training	Keep up to date	HR	
Record of Display Screen Equipment assessments	Keep up to date	HR	
Training			
Record of Staff Health & Safety Representatives	Keep up to date	Bursar	
Record of other Health & Safety training	Keep up to date	HR Manager	See CA Supervisor

Record of school journeys, outings, off-site activities, etc.	On all occasions	Bursar	Full details to be kept Risk Assessments to be made
Record of Risk Assessments	Keep up to date	Bursar	Central record to be kept by Bursar
Risk Register	Reviewed Annually	Bursar	
Review of Risk Assessments	by Governors As required		
<b>Security</b>			
Review of security arrangements	Annually	Bursar	Included as part of IT & Security Policy.
Record of incidents	Keep up to date	Bursar	Police informed as required.
Record of maintenance of equipment	Annually	Bursar	Equipment serviced regularly
Record of all visitors on school premises	Every occasion	Bursar, Receptionist Caretaker Reception	All visitors are logged on the Visitor Access System and are given a pass with their photo's which must be worn whilst they are on the school premises.

## Arrangements for Health and Safety

### Accident Reporting and Recording

See summary at Appendix A.

#### Notifiable Accidents

In the case of a **notifiable** accident, disease, etc, the Health and Safety Advisor should be notified by telephone immediately or (at the earliest possible moment in the case of accidents necessitating absence from work for more than 3 days) by the **Responsible Person or Deputy** so that (s)he can advise. **The Health and Safety Executive (HSE) have to be notified using form F2508 or on the HSE'S website.**

**This is a legal requirement and must be done immediately for a major injury and within 10 days of the accident/incident if more than three days have been lost an accident form must be completed and this can be done on line. For accidents resulting in the over seven day incapacitation of a worker, you must notify the enforcing authority within 15 days of the incident using the appropriate on line form. An Accident Form must also be completed. This is kept in the school office.**

**In October 2013 changes were introduced to RIDDOR to simplify the mandatory reporting of workplace injuries and a summary of these is held in the Bursar's Office and in the School Reception Office.**

#### Reporting Accidents

Details of accidents which must be **reported to the school governors** are kept on the official form in the school office.

#### Recording other injuries treated

All **non-reportable** accidents treated with first aid should be entered in the Accident Record book kept by the first aid box, especially those involving blood.

In the event of an accident or other occurrence (e.g. an epileptic fit) a first aider should be contacted to deal with the situation. The first aider will be responsible for recommending that an ambulance be called, if the need for one is not obvious.

### First Aid

The First Aiders are Christine Adams, Emma Albrecht, Anne Connell, Derrick Elliston, Ana Ferrera, Daniella Ferretti, Claire Hanafin, Karen Feagan, Tania Gordon, Kim Gregory, Bernadette Kettle, Mikaela Krenzer, Rachel Mulloy, Edie Lobo, Debby Lofts, Fiona Maguire, Pat Murphy, Camilla Prewitt, Jacy Reid, Hugo Timbrell, Emily Steel and Cara Thomas.

There are a number of people on site with the two-day paediatric First Aid qualification required for EYFS – Christine Adams, Emma Albrecht, Claire Hanafin, Mikaela Krenzer, Debby Lofts and Kim Gregory. One of these people must be on the premises and on any outings the Reception class undertake.

The School uses an experienced, accredited First Aid trainer to provide First Aid courses on-site in school. On occasion First Aid training may be undertaken off-site on a St John's Ambulance course, a Voluntary Aid Service provider.

Location of the first aid box	Medical Room
Maintenance of first aid box	Senior First Aider
Person responsible for summoning an ambulance	Senior First Aider, Bursar
Person to inform pupils' parents	Pastoral Deputy Head, Senior First Aider
Maintenance of medical room	Senior First Aider

### Accidents Involving Blood

**Please refer to First Aid Policy**

Accidents involving blood, e.g. cuts, nose bleeds, etc carry the danger of Hepatitis B and HIV (AIDS). The procedures described in the School's First Aid Policy should also be followed for the cleaning up of other bodily products.

**A record must be made of the incident.**

### Infectious Diseases

Any suspected infectious disease should be reported to the Pastoral Deputy Head or school secretary who will telephone a parent to come and collect the child.

### Administering Medicines to Pupils

**Please refer to Administration of Medicines Policy.**

## **Emergencies**

### Emergency Procedures and Drills

**Please refer to Emergency Evacuation Procedures and Fire Safety Policy**

All staff, pupils, contractors and visitors are required to evacuate the building on the sounding of the fire alarm.

**A record of all fire drills is kept in the Bursar's Office.**

### Evacuation Notices and Signs

Please refer to Emergency Evacuation Procedures

Evacuation notices will be displayed in all rooms and common areas. These will indicate the quickest route out of the building, the nearest call point (alarm) and the assembly place.

**Emergency exit signs indicating the route out of the building are displayed in each room.**

## **Fire Fighting Equipment**

It is the responsibility of the caretaker to check regularly that fire-fighting equipment (extinguishers, hoses, blankets) have not been, in any way, tampered with or damaged.

The Bursar is responsible for ensuring that the equipment is serviced annually and will keep records of the service checks.

From time to time the Bursar will undertake a review of the changing needs of fire-fighting provision and will instruct an audit of the equipment

## **Control of Substances Hazardous to Health (COSHH)**

**See Guidelines at Appendix B**

No potentially harmful substances are used in the classroom by teachers or pupils.

Where potentially dangerous substances are used COSHH assessments must be carried out – see guidelines on COSHH.

**Where a contractor is the responsible person he must**

- Identify the hazard
- Identify the risk
- Assess it
- Eliminate it or substitute a safer substance
- Introduce control measures to reduce or minimise the risks
- Document them
- Implement them
- Monitor and review them
- Provide any necessary training and supervision.

## **Electrical Safety**

**See summary at Appendix C**

The school complies with the Electricity at Work Regulations 1989. **See also Guidance Note GS.23 Electrical Safety in Schools attached.**

The Bursar will be responsible for the arrangement of the required inspections, testing and certification of mains installations in accordance with the Regulations. The Bursar will also be responsible for the inspection and testing of all portable appliances in accordance with the Regulations and the keeping of records.

## Smoking

**Smoking or the use of e-cigarettes is not allowed in any part of the school as part of our ethos to promote the right role models for children and a clean and healthy environment.**

## Food Allergens

Bute House realises that a small minority of pupils will be allergic to or have an intolerance to certain foods. Once informed of an allergy by the parent or guardian the School will do everything reasonable to meet the duty of care it has towards a child while at school or on an organised school visit.

The School therefore will display menus on the school website with each allergen highlighted so that parents, pupils, staff and visitors can all identify them. Teaching Assistants will be assigned to help children select their choices and Lunchtime Supervisors and other staff at tables will ensure a child has not chosen food they cannot have or share another child's. The staff will be given the information of which children have allergies and relevant staff will attend training where required. All staff are trained in the use of Auto Injectors (epipens).

Allergenic ingredients must be indicated in lists of ingredients with clear reference to name of the substance or product as listed in Annex 11 of the Food Labelling Regulations. Annex 11 of the EU Food Information for Consumers Regulation No. 1169/2011. The Annex 11 outlines the 14 allergens (and products thereof) that must be labelled or indicated as being present in foods are:

- Cereals containing gluten such as wheat, rye, barley, oats, spelt or khorasan
- Crustaceans for example prawns, crabs, lobster, crayfish
- Eggs
- Fish
- Peanuts
- Soybeans
- Milk (including lactose)
- Nuts such as almonds, hazelnuts, walnuts, cashews, pecan nuts, Brazil nuts, pistachio nuts, macadamia (or Queensland) nuts
- Celery (including celeriac)
- Mustard
- Sesame seeds
- Sulphur dioxide (>10mg/kg or 10mg/L)
- Lupin
- Molluscs for example clams, mussels, whelks, oysters, snails and squid

Chartwells Independent are responsible for the catering function in the school and will ensure relevant certificates and training for all kitchen staff are in place and that she keeps herself up to date with legislation and advice. They will ensure that no food will be prepared with any forbidden ingredients and all menus display clearly what is in them and chefs will not deviate from the recipes. They will ensure all information relating to orders from suppliers is retained and

checked. They keep a file with all the relevant information ready for inspection and will review all procedures on a regular basis to ensure compliance with the regulations.

## Nut Allergies

**BUTE HOUSE IS A NUT FREE SCHOOL.** Children and staff are forbidden to bring nuts into school. We acknowledge that most food manufacturers state something like – “this product may contain traces of nuts”. We are vigilant about such products, but accept such items onto the premises as it is felt that to do otherwise would be unworkable for the kitchen staff. It is vital that you disclose full details of any allergies affecting yourself so that we may agree any appropriate strategies to adopt as we do with parents who have children with allergies.

## Display Screen Equipment

**See guidelines at Appendix D**

Users – as described in the criteria – are entitled to an eye/eyesight test. The school will pay an agreed amount towards the cost of corrective appliances if the optician considers they are required for the purpose of display screen work.

## Use of Interactive Electronic Whiteboards

Please note the following common sense measures concerning the use of electronic whiteboards:

- All teachers must ensure that they stand to the side (outside the projector glare) of an electronic whiteboard whenever possible; when standing in front of the board and facing the class move away from the projector glare whenever possible
- If bulky furniture is placed in such a way that it does not allow you to stand at the side of the board it should be moved
- No furniture should be in front of an electronic whiteboard
- When a board is not being used, use the “No Show” or “Black Screen” button on the projector handset to eliminate the bright projector light
- The glare from a projector is significantly reduced if the projector is ceiling mounted; it can be further reduced if pastel colours are used for the background (rather than white) or if dark background colours are used in conjunction with white or fluorescent writing or text
- Pupils using the interactive electronic whiteboards should be supervised at all times

## Defect and Hazard Reporting

It is the responsibility of every employee and other persons using the school to report, immediately, any situation which has the potential for harm so that action can be taken to rectify the problem.

If there is immediate danger, steps should be taken, as required, to reduce the risk whilst help is sought from the caretaker or the Bursar.

## Risk Assessments

Under the **Management of Health and Safety Regulations 1999** any activity identified as a risk must be assessed. Any constituting a **significant** (medium/high level) risk to the health and safety of employees or other users (pupils, contractors, parents, and visitors) should be assessed in writing. Control measures should be devised and implemented – if the activity itself cannot be discontinued or substituted by a safer one. It should be monitored and reviewed.

If the risk is only **minimal** (low level) it should be noted as such, and the activity should be monitored. No documented system is required unless and until some relevant change occurs and alters the level of risk (to **significant**).

A risk assessment must be completed, for each potentially harmful activity, by all persons who are responsible for areas (teaching and non-teaching) where risks can be identified.

The Bursar and for external visits the Educational Visits Co-ordinator attend annual training and are responsible for ensuring that risk assessments are carried out by the appropriate members of staff and reviewed on an annual basis or each time a re-assessment is required.

The Bursar trains staff in the completion for risk assessments for their area. During their induction of new members of staff, Health and Safety training is provided including the requirement to complete risk assessments for their areas.

The help of the Health and Safety Adviser is consulted in risk identification and assessment and carries out departmental reviews for high risk areas such as Drama, Computing, Art and DT, Science and PE.

## School Journeys and Outings (particularly Adventure/Outdoor Activities)

See policy on Educational Visits.

## Road Safety

Whenever children are to be taken out they should be reminded of the need to be careful and to follow instructions when crossing roads, etc.

## New and Pregnant Mothers

See summary at Appendix E. Risk Assessment forms held on HR file.

## Clear Passageway

All access and egress into, out of and through the buildings must be maintained at all times, in corridors and in classrooms – to allow safe evacuation in an emergency and to avoid accidents by tripping.

All doors on escape routes and final exit doors must be kept unlocked during occupation of the buildings.

**This is the responsibility of all staff as well as of the caretaker.**

## Gas Safety

**The requirement for maintenance and servicing will be carried out by contractors and is the responsibility of the Bursar.**

In the event of an emergency involving gas, the relevant part of the Emergency Evacuation Procedures will be put in place.

**See procedures at Appendix D.**

## Security

The caretaker is responsible for ensuring that the school is securely shut up at the end of each day and the intruder alarms set. Additional security/caretaking staff are provided at weekends.

There are key holders who will be called out by the Police in the event of the alarms being set off.

It is every member of staff's responsibility to ensure that he/she takes the necessary measures to make safe the materials and equipment in his/her care.

Doors should be locked when rooms are not in use.

- Keys, bags, passes, etc., should not be left unattended
- Lost keys should be notified to the Bursar immediately
- Any lost or stolen valuables should also be reported immediately to the Bursar
- The Police should be informed of any thefts and the crime number noted
- Found keys or valuables should be handed into the school office
- The Head, Bursar, caretaker or senior member of staff should be notified immediately if anyone is seen acting in a suspicious way.

## Alarm Systems

The Bursar is responsible for making certain that all alarm systems (fire and intruder) are regularly serviced and tested.

The fire alarm is tested on a weekly basis by the caretaker to ensure that the warning systems function properly. If any member of staff finds that an alarm does not sound or does not sound loudly enough, the defect should be reported immediately to the caretaker.

**Records must be kept of all testing and servicing.**

All Health and Safety Inspections Reports are available in the Bursar's office. They will be required to address any issues contained in the report for which they are responsible.

## Intruders

**All incidents have to be recorded.**

In the event of a member of staff encountering a person who has no legitimate reason for being in the school, (s)he should politely and unthreateningly ask that person to leave the premises or come

to the school office where the caretaker will be called. If the intruder is not co-operative help should be sought from the caretaker, Head or Bursar. In the last resort the Police should be called.

**No effort should ever be made to touch or forcibly remove an intruder from the school.**

**It is important that a record of these incidents is kept and information passed on to other local schools if it is thought that the intruder might go there.**

## Storage

**See guidelines at Appendix F.**

Many accidents are caused by unthought-out and haphazard storage arrangements. There is a risk of injury from lifting, tripping, stretching and falling equipment.

## Selecting & Controlling Contractors

The school will select contractors who are competent with the sufficient skills and knowledge to do the job safely and without risks to health & safety. The school will ensure the contractors and sub-contractors are briefed fully so all health and safety arrangements are adhered to.

When working with contractors and sub-contractors the school recognises that all parties will have duties under health and safety regulations. The school will do a risk assessment where appropriate that all parties agree to and will meet regularly to exchange information. The school will co-operate fully with the contractors to ensure the health and safety of everyone at the workplace.

## Contractors on Site

**See Code of Practice “Contractors on Educational Premises” in the Health and Safety file.**

The code addresses the issues of asbestos, noise, stripping of paint, etc. It must be used and a copy of it given to the contractor prior to the work being undertaken. This will normally be done at the pre-contract meeting.

## Management of Asbestos

The use of asbestos was prohibited in 1999. As some of the school was built prior to this date, the school has to manage the possibility of a risk that there may be asbestos on site. The school will comply with the Control of Asbestos at Work Regulations (2002), and (2006), and take reasonable steps to locate any asbestos on our premises.

If found the school will then record the location of the material and its condition so it is not disturbed. The school will implement a plan to prevent disturbance of the material and will seek specialist advice if required.

## Other Users

Other users of the premises will have a copy of this policy and are required to co-operate with the arrangements contained therein insofar as they affect their health, safety and welfare and that of the occupants of the school. Other users sign a service agreement which includes the requirement to comply with the schools Health and Safety policy.

## **Water Quality**

**See summary of the Approved Code of Practice – Prevention or Control of Legionellosis at Appendix G.**

The Bursar is responsible for the quality control of the water. As required by the approved code of practice, risk assessments are made, and copies of these are available in the Bursar's office.

## **Violence to Staff**

All members of the school community have a right to expect that their school is a safe place in which to work and learn. Violence is unacceptable and constitutes any form of abuse, physical harm or threatening behaviour. All staff are encouraged to raise any such concerns with the Head or with their line manager.

## **Slips and Trips**

The Management of Health & Safety at Work Act 1999 requires employers to ensure the Health & Safety of all employees and anyone who may be affected by their work. The school requires all its major contractors to submit their method statements and risk assessments prior to working on site.

The school will ensure that good working practices are carried out by staff and contractors to minimise any risks from possible slips or trips.

Employees must also take responsibility for not endangering themselves or others and must use equipment as directed.

## **Manual Handling**

The school has a responsibility to ensure its staff are appropriately trained for their work and given suitable protective equipment. Staff should avoid hazardous manual handling; they should assess the risk of injury from such handling and reduce the likely risks as far as is practicable. Staff should also follow safe systems of work, make proper use of equipment provided for them, co-operate with the school on such matters and ensure their activities do not put others at risk.

## **Occupational Health Services**

The school does not have a formal Occupational Health service arrangement, but if a member of staff needs medical support they can be referred to a doctor employed by the school.

## **Consultation Arrangements with Employees**

The school will consult their employees, contractors and sub-contractors on all Health & Safety matters. Where there are recognised trade unions, consultation will be made through safety representatives appointed by the union.

## Work Related Stress

Under Health & Safety legislation employers have a duty to be aware of stress related issues and undertake risk assessments where needed, and manage activities to reduce the incidence of stress and work. The seven keys to reducing stress, as outlined by the HSE relate to: work demands; control; support; relationships; role clarity; change and cultural issues. At each annual appraisal all staff are asked if they have any concerns or have experienced work related stress. This is logged. Also they are asked a specific question on bullying. NB importance of job descriptions and role descriptions.

## References

- The Health and Safety at Work etc Act 1974
- The Environmental Protection Act 1990
- Construction (Design and Management) Regulations 1994 and Approved Code of Practice
- The Control of Substances Hazardous to Health Regulations 1999
- Prevention or Control of Legionellosis – Approved Code of Practice (COSHH)
- The Electricity at Work Regulations 1989
- Electrical Safety in Schools – Guidance Note 1991
- First Aid at Work Regulations 1981 and Code of Practice (1997)
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- The Management of Health and Safety Regulations 1999 and Approved Code of Practice
- The Workplace (Health, Safety and Welfare) Regulations 1992 and Approved Code of Practice.
- The Manual Handling Operations Regulations 1992 and Guidance
- The Display Screen Equipment Regulations 1992 and Guidance
- The Personal Protective Equipment at Work Regulations 1992 and Guidance
- The Provision and Use of Work Equipment Regulations 1998 and Guidance
- The Safety Representatives and Safety Committees Regulations 1977
- Accidents to Children on Construction Sites 1989
- Health and Safety (Consultation with Employees) Regulations 1996
- Activity Schools (Young Persons' Safety) Act 1995
- The Adventure Activities Licensing Regulations (AALA) 2004
- The Fire Precautions (Workplace) Regulations 1997 (as amended)

## Appendix A

### **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013**

These replace the 1995 Regulations of the same name and the 1989 Amendment and place a statutory duty on employers to report accidents, diseases and dangerous occurrences that arise out of the workplace and its activities. The changes which are most relevant to Education are:

#### Regulation 2 (Interpretation)

- 1 This states that acts of violence to an employee which result in a major injury (defined below) must be reported.
- 2 The “responsible person” (for reporting) is the person “... having control of the premises... at which, or in connection with which, the accident or dangerous occurrence happens.”

#### Regulation 3 (Notification and Reporting)

- 1 Accidents to non-employees, i.e. members of the public, pupils, etc, that result in the injured person being taken straight to hospital must be reported.
- 2 Any of the specified dangerous occurrences (see below) are reportable.
- 3 Where any of these events occur, they must be reported to the enforcing authority (see below) by the quickest practicable means, i.e. telephone, online and then reported within 10 days on the approved form.
- 4 Where a person at work is incapacitated for more than 3 days, excluding the day of the accident but including any non-working days, this should be recorded in the accident book held in the Bursar’s office and must be kept for at least three years.
- 5 Accidents which prevent the injured person from continuing their normal work for more than 7 days (not counting the day of the accident, but including weekends and rest days) must be reported within 15 days of the accident.

#### Regulation 7 (Records)

The responsible person is required to keep records for 3 years from the date the record was made. The information required to be kept for injuries and dangerous occurrences is:

- 1 the date and time of injury or dangerous occurrence
- 2 the name and nature of the injured person (employee and non-employee)
- 3 the occupation of the injured employee or status of the injured non-employee
- 4 the place where the incident occurred and brief details of what happened
- 5 the date the incident was first reported and the way it was reported, i.e. telephone or written notification.

## Schedule 1 (Major Injuries)

- 1 Any fracture, other than to fingers, thumbs or toes
- 2 Any amputation
- 3 Dislocation of the shoulder, hip, knee or spine
- 4 Loss of sight (temporary or permanent)
- 5 A chemical or hot metal burn to the eye or any penetrating injury to the eye
- 6 Any injury from an electric shock or burn leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours
- 7 Any other injury
  - (a) leading to hypothermia, heat-induced illness or to unconsciousness
  - (b) requiring resuscitation
  - (c) requiring admittance to hospital for more than 24 hours
- 8 Loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent
- 9 Either of the following conditions which result from absorption of any substance by inhalation, ingestion or through the skin – (a) acute illness requiring medical treatment (b) loss of consciousness
- 10 Acute illness which requires medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected materials.

There is also a statutory duty to report all deaths on the premises immediately to the HSE.

## Schedule 2 (Dangerous Occurrences)

These include:-

- 1 The collapse or overturning or failure of lifting machines (e.g. Lifts, hoists, mobile powered access platforms)
- 2 The failure of pressure systems (e.g. Boilers)
- 3 Electrical short circuit or overload attended by fire or explosion
- 4 Complete or partial collapse of scaffolding more than 5 metres high
- 5 Collapse of building or structure involving more than 5 tonnes of material and of any floor or wall of any building
- 6 Explosion or fire resulting in the suspension of normal work on the premises for more than 24 hours.

### Schedule 3 (Reportable Diseases)

There are many of these but note should be made of the following activities which might result in notifiable physical conditions.

- 1 Work involving prolonged periods of handwriting, typing or other repetitive movements of the fingers, hands or arms (cramps, repetitive strain injuries)
- 2 Hairdressing products including dyes, shampoos, bleaches and permanent waving solutions (occupational dermatitis)
- 3 Fumes arising from the use of rosin as a soldering flux and dusts from wood (occupational asthma).

The “enforcing authority” for Education is the Health and Safety Executive. It should be noted that an immediate response is required, in the first instance. This is the duty of the responsible person who will be advised by the Health and Safety Adviser.

Notice is drawn particularly to the fact that violence and subsequent non-accidental, major injuries have to be notified immediately as an **investigation might be required**. From October 2013 changes are being made to RIDDOR and this is now awaiting approval from parliament. The idea of the changes is to simplify the classifications and schedules as cited above. When final approval is given this appendix will be updated, but the School in the meantime will check to ensure they are meeting the current requirement. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 can be purchased from HMSO bookshops or good bookshops.

## Appendix B

### **Control of Substances Hazardous to Health (COSHH) 1999**

These regulations require that an assessment be made of the risks involved in using hazardous substances. If there is a risk, a non-hazardous substance should be substituted, if one is available. If not, then a safe system of work should be drawn up and documented. This would indicate, apart from technical details of the substance (e.g. description, level of toxicity) what other substances it should be used with and

- How to store, handle, use it
- What protective clothing to wear
- What to do in case of accident, spillage, etc.

**Everyone who uses these substances must be informed about, as well as instructed and trained in, their use.**

Regular monitoring and review of the arrangements are required.

Where the caretaker has to use hazardous substances, the above-mentioned safe systems of work must be drawn up and made available (e.g. by display) to all who use them.

**If a COSHH assessment is not done and there is an accident to anyone while using a potentially harmful substance, the Governors, Head or responsible person, may be held liable.**

Inflammable substances and compressed gas cylinders must also be correctly stored and used.

## Appendix C

### Electricity at Work Regulations 1989

These Regulations require a safe system of work which will be adopted by the school and which will include having

- All fixed installations tested at least every 5 years or at any interval recommended by the M & E Consultant
- A certificate of the test of fixed installations
- An inventory of all electrical apparatus/appliances
- A record/log of termly inspections and annual tests
- All portable appliances (i.e. Those appliances which are plugged in and out of an electrical socket) vulnerable to damage on account of their being used and moved a great deal (a risk assessment has to be carried out to identify these appliances, e.g. Irons, vacuum cleaners, power tools, etc) tested every year and all other appliances tested by a “competent” person using a portable appliance tester
- A sticker displayed on tested appliances indicating pass or failed
- Stage lighting and switchgear inspected and tested after each alteration to the system, and tested every year
- Any personal equipment brought into the school inspected and tested before use.

Other points to be noted

- Flexible leads will not be longer than 2 metres
- Extension leads will only be used on a very temporary basis and not as fixtures
- Adapters will preferably be of the flat type
- The aggregate input into an adapter will not exceed 13 amps
- Consideration will be given to eliminate the use of adapters and the inadvisable use of extension leads as fixtures
- An assessment of the need for continuity bonding will be made by an electrical engineer
- An assessment of the need for metal computer cabinets to be earthed will be made by an electrical engineer.

Care must be taken to check all plugs to ensure that the correct fuse is used. It is common for 13 amp fuses to be used, mistakenly, instead of 3 or 5 amp fuses, e.g., on lamps, TVs, computers. The coloured wires should not be visible from the outside of the plug.

**If the appropriate inspections and tests are not carried out and logged and there is an accident caused by a defective appliance or system, someone – Governors, Head, teacher or person with a specific responsibility for electrical inspections and testings – may be held liable in law.**

## Appendix D

### Display Screen Equipment Regulations “User” Criteria

It will generally be appropriate to classify the person concerned as a user if most or all of the following criteria apply:

- The individual depends on the use of display screen equipment to do the job as alternative means are not readily available for achieving the same results
- The individual has no discretion as to use or non-use of display screen equipment
- The individual needs significant training and/or particular skills in the use of display screen equipment to do the job
- The individual normally uses display screen equipment for continuous spells of an hour or more at a time
- The individual uses display screen equipment in this way more or less daily
- Fast transfer of information between the user and screen is an important requirement of the job
- The performance requirements of the system demand high levels of attention and concentration by the user, for example, where the consequence of any error may be critical.

## Appendix E

### **The Management of Health and Safety at Work Regulations 1999 – New and Expectant Mothers at Work**

**Here “the persons working in an undertaking include women of child-bearing age and the work is of a kind which could involve risk, by reason of her condition, to the health and safety of a new or expectant mother, or to that of her baby, from any process or working conditions, or physical, biological or chemical agents... the assessments required shall also include an assessment of such a risk”.**

\* i.e. the requirement to carry out risk assessments where hazards or hazardous activities have been identified.

This means that particular account of risks to women of childbearing age must be taken into account when making risk assessments in the workplace. If the assessments reveal particular risks to an identified new or expectant mother that person should be informed that they might be at risk while pregnant or breast-feeding. They have also to be told how the risk will be further reduced.

Risk Assessment entails identifying hazards and hazardous activities, identifying the risks associated with them and eliminating them if possible. If not, control measures/safety procedures must be introduced to minimise or reduce the risks where they are “significant”. These must be documented, implemented and monitored. If, having done this, there is still a significant risk to health and safety of a new or expectant mother and this goes beyond the level of risk to be expected outside the work place, the employer must, on a temporary basis

- Adjust her working conditions and/or hours **or**
- Offer her suitable alternative work, if any is available **or**
- Give her paid leave for as long as necessary to protect her safety or health or that of her child.

These possible actions have to be taken only when the employer has been informed in writing that an employee is pregnant. The employer must request in writing for the pregnancy to be confirmed, i.e. certified by a registered medical practitioner or midwife.

These actions, moreover, are only necessary where, as a result of a risk assessment, there is genuine concern. If there is any doubt professional advice must be sought.

The employer has to keep the risk assessment for new and expectant mothers under review. What are the kinds of hazards or hazardous activities most likely to be encountered in Education and Libraries that might affect new or expectant mothers?

- Manual handling of loads
- Working in very hot conditions
- Fatigue from standing
- Excessive physical or mental pressure

- Working at heights
- Working in restricted space
- Certain activities in Games or PE
- Working with very young children (chicken pox, rubella, etc)
- Lone working, home visits – especially in the dark

Concern will be expressed about working with the word processor. The evidence is that there is no need for pregnant women to stop working. However, it is recommended that because of the anxiety and stress associated with working with potential sources of radiation, pregnant women should be given the opportunity to discuss their concerns with someone adequately informed about this topic.

Each case is likely to be different and it is important that, when the Head is advised that an employee is pregnant, she should consider to what action, if any, may be appropriate. This can be done in consultation with the Health and Safety Adviser.

The following publication is recommended as reference:

**New and Expectant Mothers at Work – A Guide for Employers.**

**ISBN 0 7176 0826 3 (HMSO)**

## Appendix F

### **Storage – Safe System of Work**

- 1 Storerooms, stock cupboards, etc., will be arranged in such a way that any risk of accident, injury or fire is reduced to a minimum, if not eliminated.
- 2 Heavy items will be placed at a height consistent with a person's physical capacity to lift them up or down without risking injury i.e. not too high, or indeed, too low.
- 3 Storage should be planned so that the lightest and smallest (and not the heaviest or most bulky) equipment etc., is in the more out-of-the-way places.
- 4 There will be appropriate means of accessing any high level storage, i.e. kick-stool or stepladders.
- 5 Large or heavy packets can be split up to make carrying easier and safer.
- 6 Stored items will be steady and firm, not precariously balanced or easily knocked over.
- 7 Heavy items will not be stacked on top of each other unless they are very secure and not too high.
- 8 There will be ease of access, i.e. clear passage, to any stored items. Clutter will be cleared and extraneous materials disposed of.
- 9 Stepladders used for accessing storage will be regularly inspected to ensure that they are in good condition. Step ladders must be opened to their fullest extent before use and no-one should stand on the top of a step ladder unless a guarded platform is provided. Never stretch to reach from a step ladder.
- 10 Care will be taken, when lifting, not to strain and run the risk of injury. Anyone who lifts regularly (e.g. the caretaker) will ask for an assessment to be made if it is thought that there is a potential for injury and will have training on the correct methods for lifting.
- 11 All hazardous substances (see COSHH) and potentially dangerous equipment and instruments must be kept out of reach when not in use.
- 12 Inflammable substances will be kept in metal containers and locked when not in use. A record of their whereabouts will be held centrally.
- 13 Gas cylinders will be stored according to requirements.

## Appendix G

### **Legionnaires Disease – the control of Legionella Bacteria in Water Systems**

#### A Summary of the Approved Code of Practice and Guidance

Legionellosis is the term used for infections caused by *Legionella pneumophila* and other bacteria from the family Legionellaceae. Legionnaires' disease is a pneumonia that principally affects those who are susceptible due to age, illness, immunosuppression, smoking etc. and may be fatal. Legionellae can also cause less serious illnesses which are not fatal or permanently debilitating but which can affect people.

Infection is attributed to inhaling legionellae, either in those water droplets which are small enough to penetrate deeply into the lung, or in droplet nuclei (the particles left after the water has evaporated). Legionellae are widespread in natural sources of water. They may enter man-made systems or water services, where they can multiply under certain conditions, and if there is a means of creating and transmitting water droplets, people in the vicinity may be at risk. Most cases and outbreaks of legionellosis have been attributed to water services in buildings, cooling towers and whirlpool spas. Other sources have been identified in foreign outbreaks including a humidification system, industrial coolants and respiratory therapy equipment.

#### Legislation

The Control of Substances Hazardous to Health Regulations (COSHH) relate to the risks from hazardous micro-organisms, including legionella and chemicals such as biocides and chlorine. Under these Regulations risk assessments and the adoption of appropriate precautions are required to be made.

The Approved Code of Practice (ACOP) and Guidance "*The Control of Legionella Bacteria in Water Systems*" sets out further statutory requirements for dealing with this risk. It applies whenever water is stored and used in a way which may create a reasonably foreseeable risk of legionellosis and in particular to the following plant and systems whenever the Health and Safety at Work etc Act 1974 applies:

- Water systems incorporating a cooling tower;
- Water systems incorporating an evaporative condenser;
- Hot and cold water services;
- Humidifiers and air washers which create a spray of water droplets and in which the water temperature is likely to exceed 20c.
- Spa baths and pools in which warm water is deliberately agitated and recirculated.

While this is not an exhaustive list it identifies those systems most likely to cause infection. Other plant and systems containing water which is likely to exceed 20c and which can release a spray or aerosol (a cloud of water droplets and/or particles) during operation or when being maintained may also present a risk.

The Approved Code of Practice (ACOP) places responsibility on employers and others to:

- Identify and assess sources of risk
- Prepare a scheme for preventing or controlling the risk
- Implement and manage precautions
- Keep records of the precautions implemented.

The ACOP also sets out the responsibilities of the manufacturers, importers, suppliers and installers of products and services. It is enforced by Health and Safety Executive inspectors in factories, hospitals, laboratories, education establishments, docks and construction sites. In shops, offices, warehouses, hotels and catering establishments it is enforced by local authorities who also have responsibilities for public health. Recent outbreaks of Legionnaires' disease in the UK have demonstrated the implications for public health.

Duties under the ACOP are qualified by the condition that they must be "reasonably practicable". This means that both the degree of risk and the cost and difficulty of applying control measures should be accounted for in determining what measures should be taken.

## Appendix H

### **Health and Safety (Consultation with Employees) Regulations 1996**

Specific provisions requiring employers to consult with employees on health and safety matters are contained in:

- The Health and Safety at Work Act 1974
- The Safety Representatives and Safety Committees Regulations 1977
- The Management of Health and Safety Regulations 1992
- The Health and Safety (Consultation with Employees) Regulations 1996

**The Health and Safety at Work Act 1974 – Section 2(4)** provided for the Regulations to be made which allowed the appointment of Safety Representatives from **recognised Trade Union** members. **The Safety Representatives and Safety Committees Regulations 1977** implemented this particular provision – detailing the appointment, functions and rights of Trade Union safety representatives.

**The Management of Health and Safety Regulations 1992** requires employers to consult in more detail with safety representatives.

**The Health and Safety (Consultation with Employees) Regulations 1996** closed the gap created by the 1977 Regulations whereby non-unionised workers had no rights of consultation with their employers on health and safety matters. Employers must now consult directly with employees directly or through elected “representatives of employee safety”. This does not affect the roles and functions of union safety representatives.

#### Regulation 3 – duty of the employer to consult

Employers must consult in good time on health and safety matters particularly, with regard to

- Any new measures which may affect health and safety of employees
- The arrangements for appointing/nominating persons to assist the employer in complying with the relevant legislation and to assist in emergency procedures
- The provision of relevant health and safety information
- The planning and organisation of relevant health and safety training
- The health and safety consequences of the introduction of new technologies into the workplace.

#### Regulation 4 – persons to be consulted

Employers may consult directly with their employees or through “employee representatives” elected by a group of employees to represent them. Where consultation is through employee representatives, the employers must inform all employees of

- The names of the representatives
- The groups they represent
- When consultation with the representatives has discontinued