

Darwen Aldridge  
Community Academy



# Health and Safety Policy

**The vision of the sponsor is that Darwen Aldridge Community Academy will maintain the highest standards of Health and Safety.**

## INTRODUCTION:

This Statement of Safety Policy is produced in respect of The Darwen Aldridge Community Academy only and forms the basis of future planning and implementation of Health and Safety matters within the Academy. In line with the Vision and Core Values, the Darwen Aldridge Community Academy will promote a health and safety culture that engages all who work or use the premises. It is our aim to set standards beyond what is required under Health and Safety law and to create a learning environment that is safe and healthy for all.

The Academy Health and Safety Policy should be read in conjunction with:

The Health & Safety at Work etc Act 1974 and other Statutory Regulations  
Codes of Practice/HSE/CLEAPSS

The policy comprises four sections

- ≈ Governors' Statement of Intent
- ≈ General Statement of Health & Safety
- ≈ Organisation for Managing Health and Safety within the Academy
- ≈ Monitoring Arrangements

# SECTION ONE

## GOVERNORS' STATEMENT OF INTENT

## 1.0 STATEMENT OF INTENT

The Governing Body of Darwen Aldridge Community Academy, will so far as is reasonably practicable, ensure that all activities under its control are carried out in accordance with the Health and Safety at Work etc Act 1974; relevant regulations; approved codes of practice; guidance notes, and with due regard to advice and information provided by the Academy's advisors.

We will therefore do what is reasonably practicable to meet and where possible exceed the minimum requirements within the resources that are available. The Governing Body will also ensure that systems are in place, which allow the Academy to maintain, monitor and where necessary carry out risk assessments that will allow us to improve safety performance.

In the case of lettings arranged by the Governing Body, they will ensure that appropriate health and safety arrangements are in place.

In return, the Governing Body expects all employees to meet and where possible exceed their minimum legal duties, which are stipulated later in the Health and Safety Policy. Included in this is the co-operation of all employees to assist the Governing Body in carrying out their obligations as required.

This policy will be reviewed annually or when necessary in order to meet changes in circumstances.

Any necessary changes will be brought to the attention of all employees to assist in improving safety performance.

The Governors will ensure that:

- ≈ the Health and Safety policies and any Codes of Practice are fully implemented and are monitored on a regular basis;
- ≈ the Academy produces its own Health and Safety policy and that the policy is annually reviewed;
- ≈ establish an Academy Safety Committee if a formal request is made ;
- ≈ all policies and procedures relating to Health and Safety will be brought to the notice of all relevant employees;
- ≈ the academy has considered its health and safety obligations and has made provision for meeting those obligations;



## **SECTION TWO**

# **GENERAL STATEMENT OF HEALTH AND SAFETY**

## **2.0 HEALTH AND SAFETY DUTIES**

### **2.1 STATUTORY DUTIES**

The Health and Safety at Work etc. Act 1974 places duties on employers to safeguard, as far as it is reasonably practicable, the health, safety and welfare of their employees and the health and safety of persons not employed such as pupils and visitors but who may be affected by work activities. Employers also have additional duties under other health and safety legislation such as the Control of Substances Hazardous to Health Regulations.

In Academies, the employer is the Governing Body.

Persons who have Control of Premises have duties to take reasonable measures to ensure, so far as is reasonably practicable, that premises and equipment are safe for people using them who are not their employees, e.g. pupils, and visitors and those using premises on a lettings basis.

Employees have duties to take reasonable care to ensure that they work in ways that are safe and without risk to health to themselves and other staff, pupils and visitors. They must also co-operate so that employers can comply with their statutory duties.

## 2.2 EMPLOYEES' RESPONSIBILITIES

All employees have a general duty under the Health and Safety at Work etc Act 1974 to:

- ≈ **take reasonable care of their own safety** and that of other persons;
- ≈ co-operate with the employer on health and safety matters to enable the employer to carry out their own responsibilities successfully;
- ≈ use correctly any equipment provided for their safety;
- ≈ report any defective equipment to their supervisor or other appropriate person, i.e. Safety Representative;
- ≈ report accidents or dangerous occurrences at the earliest possible opportunity;
- ≈ be familiar with and observe at all times all safety policies and procedures;
- ≈ take reasonable precautions to ensure the safety of all persons in their charge.

## **SECTION THREE**

# **ORGANISATION FOR MANAGING HEALTH AND SAFETY WITHIN THE ACADEMY**

### **3.0 ORGANISATION FOR MANAGING HEALTH AND SAFETY WITHIN THE ACADEMY**

The Principal is responsible for the day-to-day implementation and management of health, safety and welfare within the academy.

Staff holding positions of responsibility have a general responsibility for the application of the Academy's Health and Safety Policies within their own area of work and are directly responsible to the Principal for the application of all health, safety and welfare measures and procedures within their own department/area of work.

Staff whose duties include the supervision of students have responsibilities for the safety of students in their charge.

All employees have a responsibility to take reasonable care of their own health, safety and welfare and that of other persons who may be affected by their acts or omissions while at work. They also have a responsibility to co-operate so that employers can comply with their statutory duties.

More detailed lists of the responsibilities of the Principal, staff, and all employees are set out below.

The Principal may wish to delegate some functions to other staff or to re-allocate duties to match the staffing structure of the academy, but this will not affect the Principal's overall responsibility for health, safety and welfare within the academy.

#### **3.1 GOVERNORS**

The Governors recognise the need to identify organisational arrangements in Darwen Aldridge Community Academy for monitoring and reviewing Health and Safety matters.

The Governors must also ensure that Darwen Aldridge Community Academy's budget reflects the finance necessary to implement Health and Safety matters.

The Governors have an oversight of the Health and Safety matters affecting the Academy.

A summary of the individual duties including reporting arrangements and hence, the organisation and accountability are as follows:

### **3.2 THE GOVERNORS' BUSINESS COMMITTEE**

The Governors' Business Committee has delegated responsibility from the full Governing Body for monitoring and reviewing Health and Safety matters.

To do this effectively, the committee will:-

- ≈ receive regular reports on Health and safety matters from the Principal and/or his/her delegated representatives;
- ≈ monitor Health and Safety compliance with legislation and guidance;
- ≈ refer matters to the full Governing Body as required

### **3.3 THE PRINCIPAL**

The Principal is responsible and accountable to the Governors for implementing the Darwen Aldridge Community Academy Health and Safety Policy and for all matters relating to Health and Safety within the establishment.

The day-to-day management of Health and Safety matters are delegated to the Assistant Principal - Director of Finance and Business Management

The Governors require the Principal or the Assistant Principal - Director of Finance and Business Management to ensure that Darwen Aldridge Community Academy's safety policy is understood by employees and implemented effectively all levels. The policy must be monitored regularly, controlled effectively and revised as necessary.

### **3.4 THE ASSISTANT PRINCIPAL - DIRECTOR OF FINANCE AND BUSINESS MANAGEMENT:**

- ≈ is responsible for ensuring the compliance of all Academy staff and contractors with Health and Safety requirements;
- ≈ is responsible for ensuring that an adequate programme of risk assessment and risk management is in place across the Academy;
- ≈ should ensure that competent contractors are employed and to oversee the safe execution of any commissioned work at the Academy;
- ≈ must ensure that the agreed procedure for reporting all defects, hazards and problems regarding Health and Safety matters functions efficiently and effectively;

- ≈ shall seek advice, where necessary, from outside agencies that are able to offer expert opinions;
- ≈ shall have the right to stop what are considered unsafe practices, or the use of any plant, tools equipment, machinery etc., that are considered to be unsafe;
- ≈ shall make arrangements for improvement to premises (with appropriate members of staff), plant, tools and equipment that are the responsibility of the organisation;
- ≈ shall review from time to time (at least once per year):
  - the provision of First Aid
  - fire and evacuation procedures
  - all other safety policies and procedures
- ≈ shall ensure that appropriate training has been or will be given to staff to enable them to fulfil their responsibilities. This must include new appointments and transfer of staff within the organisation to other functions;
- ≈ shall ensure that in all schemes of work for students, including work experience arrangements, are in place regarding the adequate Information, Instruction, Training and supervision for Health and Safety matters and
- ≈ shall consult with approved Trades Union representatives on all Health and Safety matters and co-operate with them in the execution of the Safety Representative's functions.

### **3.5 PREMISES MANAGER**

The Premises Manager is responsible for co-ordinating all contractual work and maintenance carried out on The Darwen Aldridge Community Academy premises, and for liaising with appropriate Academy staff and contractors to ensure safety procedures and policy agreements are adhered to. The Premises Manager will ensure:-

- ≈ that strict procedures are laid down for building work such as roofing, excavation and drainage, alterations to building structures, refurbishment and renovations or remodelling schemes;
- ≈ that effective communication exists within Darwen Aldridge Community Academy in relation to the reporting and management of health and safety issues;
- ≈ the maintenance of a positive and effective safety culture throughout the organisation;

The Premises Manager will have specific responsibility for:-

- ≈ Health and Safety matters regarding Service Contracts;

- ≈ compilation of a 'Buildings Register' identifying known hazardous substances and materials (e.g. asbestos, lead, flammable substances etc.);
- ≈ implementation of emergency procedures, bomb warnings and evacuation of Darwen Aldridge Community Academy premises;
- ≈ ensuring that competent person(s) or specialists are consulted as necessary to advise on Health and Safety matters. Areas of concern are likely to be technical issues, sampling, monitoring and auditing requirements;
- ≈ responsibility for ensuring that a property survey of the Darwen Aldridge Community Academy site is carried out;
- ≈ responsibility for ensuring that a weekly health and safety inspection of the site is undertaken.

### **3.6 STAFF WITH LINE MANAGEMENT RESPONSIBILITIES**

Line managers are responsible and accountable to the Principal for all matters relating to Health and Safety within their departments.

In the exercise of this responsibility, line managers must ensure that:-

- ≈ all staff under their management receive information and instruction in their duties, regarding Health and Safety matters;
- ≈ all staff under their management are trained adequately to carry out their duties efficiently and effectively and are supervised adequately according to the level of competence;
- ≈ all staff make themselves aware of regulations, codes of practice and guidance notes appropriate to their specialist areas;
- ≈ they produce Faculty/department Area safety policy, defining safe working arrangements and bringing it to the attention of members of staff including new colleagues/supply teachers etc
- ≈ all statutory notices, placards, regulations and safety signs are displayed as appropriate to their workplace. This shall include arrangements for facilities such as first aid equipment, personal protective equipment (PPE), registers, logbooks etc.
- ≈ everything received from suppliers - machinery, equipment, substances etc. - is accompanied by adequate information and instruction prior to use;
- ≈ they report to the Principal or The Assistant Principal - Director of Finance and Business Management all problems, defects and hazards;
- ≈ copy of the Fire Drill regulations and details of all assembly points are displayed prominently in all rooms and areas for which they are responsible;

- ≈ ensure that regular safety inspections of the Faculty/Department Areas are carried out. Priority must be given to plant, machinery, equipment, electrical appliances and risk assessments and
- ≈ Risk Assessment is carried out in line with the guidance contained within the Darwen Aldridge Community Academy 'Health and Safety Manual' and guidance from appropriate professional bodies, for example:
- ≈ British Association of Advisors and Lecturers in Physical Education (BAALPE)
- ≈ Design and Technology Association (DATA)
- ≈ Consortium of Local Education Authorities for the provision of Science Services (CLEAPSS),
- ≈ etc.

### **3.7 SAFETY REPRESENTATIVE(S)**

If appointed, Safety Representatives at the Darwen Aldridge Community Academy should represent staff on safety matters. In their role, they:-

- ≈ shall be encouraged by the Principal to fulfil their functions as well as being released for any appropriate training. The Principal shall also consult regularly with the Safety Representative on Health and Safety matters;
- ≈ are entitled to inspect Darwen Aldridge Community Academy as agreed. (The time scales for such inspection, monitoring and auditing procedures shall be defined and arranged through The Darwen Aldridge Community Academy's Health and Safety Committee);
- ≈ have the right to receive any reports regarding accidents, injuries and any inspections carried out by the HSE or other authoritative bodies.

### **3.8 STAFF WITH RESPONSIBILITY FOR STUDENTS**

Staff in charge of classes or other groups of students shall:

- ≈ ensure the safety of pupils in their charge;
- ≈ undertake full risk assessment of all relevant activities;
- ≈ be aware of and adopt safety measures within their own teaching areas;
- ≈ follow safe working procedures personally;
- ≈ request protective clothing, guards, special safe working procedures etc where necessary and ensure they are used;

- ≈ make recommendations to Line Managers on safety equipment or additions or improvements to plant, tools, equipment or machinery which is dangerous or potentially so;
- ≈ be aware of Academy emergency procedures in respect of fire, bomb alert, accident, first aid, etc and to carry them out.
- ≈ Be aware of any appropriate Academy Codes of Practice which relate to their area(s) of work.

### **3.9 ALL STAFF**

All staff must make themselves familiar with the Health and Safety Policy and any local or relevant job specific procedures operating within The Darwen Aldridge Community Academy. They must ensure that all students under their control receive appropriate instruction and are provided with suitable training to enable them to operate in a safe and efficient manner.

All employees have responsibilities under the Health and Safety at Work etc. Act, 1974 including working in a safe manner and not putting others at risk. All employees are required to report any possible hazards or defects to the Principal or Estates Manager.

All staff or employees shall be given access to The Darwen Aldridge Community Academy Health and Safety Policy and are required to make themselves familiar with all documents relating to Health and Safety in The Darwen Aldridge Community Academy. They must pay particular attention to sections of the Darwen Aldridge Community Academy 'Health and Safety Manual' as it relates to their particular work activities.

The 'Health and Safety Manual' is available in reception, from the Assistant Principal Business and Finance and the Premises Manager.

### **3.10 ROLE OF SPECIALIST ADVISORS**

The Governors recognise that there may be occasions when The Darwen Aldridge Community Academy requires specialist advice. The procedures to be adopted and recommendations for outside advice will be decided and clarified at Darwen Aldridge Community Academy's Health and Safety Committee level.

### **3.11 ACADEMY SAFETY COMMITTEE**

Under the Health and Safety at Work etc Act 1974, an employer is required to establish a Safety Committee if requested to do so in writing by at least two Safety Representatives.

To establish a Safety Committee there must be consultation with the Safety Representatives who make the request and with representatives of recognised trade unions whose members work in the workplace where the Committee will function. The Committee should be established within three months of the request.

**SECTION FOUR**

**MONITORING**

**ARRANGEMENTS**

## 4.0 MONITORING ARRANGEMENTS

The Governing Body has primary responsibilities as employer in respect of the Health and Safety at Work Act 1974,

In order to assist the Principal to manage his responsibilities, Health and Safety Monitoring must take place on a regular basis and a Monitoring Report must be submitted to the Governing Body annually.

The Monitoring and Safety Audit reports will form part of the arrangements for the development, monitoring and review of health and safety policies, along with information from Safety Inspections, matters raised at the safety Committee, Accident Reports, and returns and information from any other sources.

The audit shall include a review of:

- ≈ all accidents reported on site. Included in this will be reports on accidents investigated together with any preventative measures that have been put into place;
- ≈ compliance with all statutory and recommended regulations
- ≈ the Health and Safety policy to ensure that it is working effectively;
- ≈ employment data that is used for analysing the accident statistics;
- ≈ emergency procedures, including fire precautions and first aid;
- ≈ the effectiveness of the inspection process and
- ≈ The Darwen Aldridge Community Academy risk assessment process.

The Governors with the Principal shall identify, from the report, strengths and weaknesses in the conduct of Faculty/Department Area inspections, in order to remedy situations and to plan successfully future objectives regarding Health and Safety matters.

**HEALTH AND SAFETY - THE LEGAL POSITION OF GOVERNORS,  
PRINCIPALS AND ASSISTANT PRINCIPAL/RESOURCES**

**Introduction**

The relevant legislation is the Health and Safety at Work etc. Act, 1974. This sets out the general duty of every employer (e.g. Governors) to ensure the Health and Safety of employees and others, e.g. students, so far as reasonably practicable.

This duty includes:

- ≈ Provision of systems of work that are without risk to health
- ≈ Provision of information, instruction, training and supervision
- ≈ A safe and healthy place of work and working environment.

Employees have to take reasonable care for the safety of themselves and others who may be affected by their actions or omissions at work. They must also co-operate with their employers regarding statutory obligations.

This means that it is the governing body that are primarily responsible for ensuring the Health and Safety of Education Establishment staff and the Health and Safety of pupils and visitors to The Darwen Aldridge Community Academy.

In practice, it will usually be the role of the Principal or Estates Manager to ensure the safe day-to-day running of the Academy and that the governors' policy is maintained.

The duty to provide a safe working environment is a qualified one, i.e. so far as is reasonably practicable. This means that resources (or the lack of them) can be taken into account. However, this should only be used in extreme cases where everything has reasonably been done to ensure a safe working environment.

**Responsibilities**

The main actions employers must take under the Health and Safety at Work etc. Act, 1974 are to:

- ≈ Prepare a written Health and Safety Management Policy
- ≈ Make sure that staff are aware of the policy and their responsibilities within that policy
- ≈ Make sure that appropriate safety measures are in place
- ≈ Make sure that staff are properly trained and receive guidance on their responsibilities as employees.

Damaging anything used for safety purposes may also be a criminal offence. This applies just as much to students (those over the age of 10) as to adults.

The Academy must have a Health and Safety Policy and this must be kept up to date. This policy shall normally provide that the Principal or Assistant Principal – Resources is the person with overall responsibility for Health and Safety within the Academy. This means that the Principal or Estates Manager could be seen as the most obvious person to prosecute for any breach of Health and Safety requirements.

The Management of Health and Safety at Work Regulations, 1999 require employers to:

- ≈ Make an assessment of the risks of activities
- ≈ Introduce measures to control these risks
- ≈ Tell their employees about these measures.

The Health and Safety Executive is responsible for enforcing Health and Safety legislation.

## **Students**

The employer is legally responsible for Health and Safety matters. However, Principals/Assistant Principals - Resources and teachers have a duty of care towards the students in their care as they are acting in loco parentis.

It is the responsibility of the employer to make sure that safety measures cover the needs of all students at The Darwen Aldridge Community Academy. This may mean making special arrangements for particular pupils, e.g. those with special or medical needs.

## **Curricular Health and Safety**

The Governors must do all they can to ensure the Health and Safety of students in laboratories, studios and workshops as anywhere else in the Academy. The duty of care also extends to all Academy sporting and other activities, whether on or off Academy premises.

## **Enforcement of Health and Safety Law**

The Health and Safety Executive enforces Health and Safety law relating to the activities of The Darwen Aldridge Community Academy.

HSE Inspectors have the power to prosecute organizations or individuals breaking Health and Safety law.

If the Inspectors identify a problem, they may issue formal notices requiring improvements or prohibiting activities or the use of equipment. Recipients of such notices can appeal to an industrial tribunal.

The HSE will normally take action against the employer who is responsible for Health and Safety in the workplace and on work activities.

In some circumstances, e.g. where an employee has failed to take notice of the employer's policy or directions in respect of Health and Safety, the HSE may take action against the employee as well as, or instead of, the employer.

In practice, employers may delegate specific Health and Safety tasks to individuals. However, the employer retains the ultimate responsibility no matter who carries out the tasks. The employer must therefore make it very clear who is doing what and confirm that these tasks are being carried out.

## **Personal liability of Governors**

There is no clear statement of law establishing when or whether individual Governors can be held personally accountable for what happens at The Darwen Aldridge Community Academy. There is a limited statutory protection in that the Governors of an Education Establishment are not liable for anything done in good faith in the purported exercise of their powers in connection with a delegated budget.

Generally speaking, the only liability that Governors would have under common law is a duty to act honestly and in good faith. A Governor would not automatically be personally liable for The Academy's contractual obligations or other legal liabilities. There has to be an element of personal wrong-doing that is either negligent or fraudulent.

In terms of Health and Safety responsibilities, this means that governing bodies must take all measures within their power to ensure that the premises are safe and not hazardous to staff, pupils or visitors. The governing body must make sure that there are procedures for carrying out the Health and Safety Policy. The procedures must be reviewed regularly.

A negligent Governor may be held liable for loss that arises. The negligence has to be significant and there has to be clear carelessness or recklessness in the way a decision was made.

Fraudulent Governors will be held liable.

All governing bodies should have insurance cover against personal liability claims. However, it is not possible to obtain insurance cover for criminal actions.

## APPENDIX B

### PROPOSED CONTENTS OF HEALTH AND SAFETY MANUAL

1.	Accident / Incident Reporting Procedures
2.	Administration of Medicines
3.	Alcohol and Drugs
4.	Asbestos Awareness
5.	Car Park Safety
6.	Contractors on Site
7.	Display Screen Equipment
8.	Driving on Academy Business
9.	Educational Visits
10.	Electrical Safety and the Use of Portable Electrical Appliances
11.	Event Management
12.	Fire Prevention
13.	Fire Evacuation Procedures
14.	Fire Wardens
15.	First Aid Arrangements
16.	Hazardous Substances and COSHH
17.	Induction of New Employees
18.	Legionella
19.	Lettings

20.	Lone Workers
21.	Machinery Safety
22.	Maintenance of Plant and Equipment
23.	Manual Handling
24.	Minibus Use
25.	Outdoor Workers
26.	Personal Protective Equipment (PPE)
27.	Playing Fields and Sports Areas
28.	Playground Equipment
29.	Pregnant and Nursing Mothers
30.	Pressure Systems
31.	Risk Assessment
32.	Safeguarding of Young People
33.	Security of Premises
34.	Smoking Policy
35.	Stress
36.	Training Arrangements for Health and Safety
37.	Working at Height