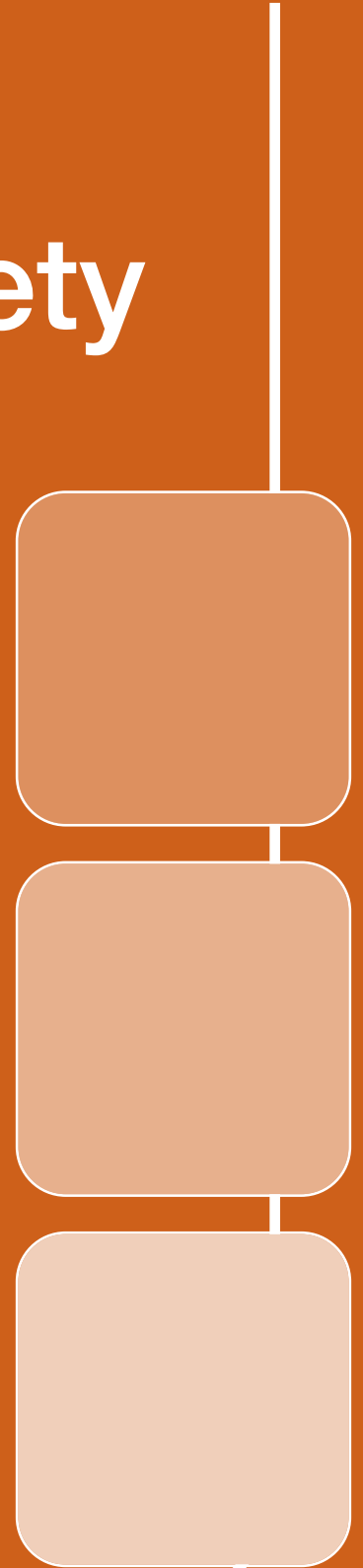




Scotland

Health and Safety

Representatives' Handbook



health&safety
at work

Health and Safety Calendar

Events	Dates		
Health and safety inspections			
Meetings of school/college Health and Safety Committee			
NASUWT training courses			
NASUWT and other briefings			

This handbook, issued to all NASUWT Health and Safety Representatives, gives an overview of a range of health and safety topics and should be read in conjunction with other sources listed in the margins and the Health and Safety section of the NASUWT website.

From the General Secretary



Dear Colleague

The NASUWT approach to health, safety and welfare at work stems from the view that health is a positive state of wellbeing, not simply the absence of injury or disease, and that work should enhance the health of workers and not undermine it.

In the workplace, the NASUWT Health and Safety Representative is central to the work of the Union team. By working in partnership with the NASUWT Workplace Representative and other members active in the NASUWT, including your Local Association Secretary and your Health and Safety Co-ordinator, you can make a significant difference to the working environment.

Improving the working environment in schools and colleges is a key responsibility for the NASUWT Health and Safety Representative. Organising around health and safety activity is an ideal way to engage NASUWT members in this activity and demonstrate the value of union membership. Research shows that a well-organised and unionised workplace is more likely to be safer and healthier.

I hope that you will find this handbook useful.

The first section contains basic information about the role and functions of Health and Safety Representatives and outlines the support that you can expect from the Union, including training opportunities.

The second, alphabetised, section contains information on a range of health, safety and welfare issues. Marginal references provide links to further information.

The third section contains useful sources of information. Materials published by the NASUWT are available to you free of charge.

To obtain the NASUWT publications, you can either visit the Union's website, www.nasuwt.org.uk, or contact:

Despatch Team
NASUWT
Hillscourt Education Centre
Rose Hill, Rednal
Birmingham B45 8RS
Tel: 03330 145550
E-mail: despatch@mail.nasuwt.org.uk

Thank you for taking on this important role in support of your members. I wish you luck in your work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Roach'. The signature is fluid and cursive.

Dr Patrick Roach
General Secretary

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The Health and Safety Representative

Role and Functions

A Health and Safety Representative (H&S Rep):

- is elected by fellow members of a recognised trade union to represent them on matters of health, safety and welfare at work;
- can be elected to represent members of each trade union within the workplace by agreement;
- may represent members of other recognised unions (not only teachers) if so requested;
- is not liable in law for any duties beyond those common to all employees (see 'Duties: Employees' on page 12);
- has rights established in law;
- is not 'appointed' by the headteacher.

A person appointed by the headteacher to oversee health and safety, commonly known as the school or college health and safety officer, or competent person, has quite a different role and is responsible in law for the way in which he/she carries it out. Union Health and Safety Representatives cannot be held legally liable for failing to carry out their functions. An NASUWT Health and Safety Representative is indemnified by the Union.

Teachers seek legal and professional protection from a teachers' union. They often overlook the role that the NASUWT plays in the protection of their health, safety and welfare. It is important to ensure that all staff are involved in and made aware of the work done in their interests by the NASUWT Health and Safety Representative. Non-members should be encouraged to join and receive the full benefits of NASUWT membership.

Under the Safety Representatives and Safety Committees Regulations 1977 (SRSC), the Health and Safety Representative's functions are defined as:

- representing NASUWT members' health and safety interests in consultation with the senior management;
- investigating potential hazards and dangerous occurrences;
- examining the causes of accidents at work;
- investigating complaints from the people you represent;
- occasionally meeting a Health and Safety Inspector;
- carrying out safety inspections of the workplace;
- attending meetings of the Health and Safety Committee;
- reading health and safety information provided by an inspector, your employer and the NASUWT.

Safety Representatives and Safety Committees Regulations 1977:
www.hse.gov.uk/pubns/books/L146.htm

Rights

A Health and Safety Representative has the right to:

- investigate potential and actual hazards and dangerous occurrences – it is important to establish the facts and gather evidence, especially if the Local Association is likely to become involved;
- investigate colleagues' complaints;
- present colleagues' concerns to management;
- carry out workplace inspections (use the standard employer, local authority (LA) form if there is one; otherwise, a model inspection report form is provided on page 79);
- as much time off with pay as is necessary to carry out those functions, and reasonable facilities and assistance;
- paid time off for training as long as the training is reasonable (the ten-day TUC course is accepted as 'reasonable' by the Employment/Industrial Tribunal);
- receive information relevant to any matter that might impact upon the health, safety and welfare at work of the people that he/she represents;
- be consulted by management on any matter as above, including the appointment of 'competent persons',* and arrangements for health and safety training;
- be consulted by the employer in good time with regard to the introduction of any measure at the workplace which may substantially affect the health and safety of employees;
- require the setting up of a safety committee if one other Health and Safety Representative also requests it;
- protection in law against being victimised for carrying out their functions.

**see 'Risk Assessment' on page 18*

Support

- In school/college, the Health and Safety Representative should work in co-operation with:
 - the NASUWT Representative (health and safety matters will frequently have a bearing on members' conditions of service);
 - representatives of other unions – if possible.
- Outside the school/college:
 - their Local Association or Federation Health and Safety Co-ordinator, who can call on expert help from Headquarters;
 - their Local Association Secretary; or if unavailable
 - their National Executive Member.

Where can I get information on health and safety issues?

- local channels – Health and Safety Co-ordinator, who can access health and safety information from Headquarters;
- Local Association Secretary;
- NASUWT Scotland Centre (see page 76);
- NASUWT website;
- other websites and search engines (see Useful Sources section in this handbook);
- by attending an NASUWT training course.

It is essential that Health and Safety Representatives receive at least Stage 1 training (see next page).

Note here the name and number of your NASUWT Health and Safety Co-ordinator:

and your Local Association Secretary:

and your National Executive Member:

and your NASUWT Centre (see page 76 for details):

**NASUWT website:
www.nasuwt.org.uk**

Training

The NASUWT believes that a trained Health and Safety Representative is a vital member of the Union team within a school or college. A safe, inclusive and healthy working environment is crucial to safeguarding the wellbeing of NASUWT members and in achieving key Union policies such as a satisfactory work/life balance.

The Union's training courses are progressive, with Stage 1 and Stage 2 courses aimed at school or college representatives, and a Stage 3 course aimed at senior Health and Safety Representatives such as Co-ordinators and Local Association Health and Safety Officers.

Additionally, there is an annual briefing held for Health and Safety Training Officers and Co-ordinators at Hillscourt Education Centre, with a mix of NASUWT and external speakers and an opportunity to discuss developments and guidance in the field of health and safety.

HEALTH AND SAFETY REPRESENTATIVES (STAGE 1)

The NASUWT Health and Safety Representative in schools is an essential part of the NASUWT team working to improve the working lives of teachers. This course provides the NASUWT Health and Safety Representative with the knowledge and skills needed to tackle the physical and mental-health hazards faced by members.

In addition, participants will gain an understanding of the legal duties of employers, managers and employees in respect of health and safety. The course is in two parts of one day each.

This course is offered at all NASUWT Centres.

Those who are, or are about to become, NASUWT Health and Safety Representatives are eligible to apply for places on these courses.

HEALTH AND SAFETY REPRESENTATIVES (STAGE 2)

The Health and Safety (Stage 2) course builds on the knowledge and skills acquired at Stage 1 and enables trained representatives to extend their knowledge of health and safety law and practice in the company of skilled tutors.

The course focuses upon the processes of risk assessment and allows a detailed examination of health and safety problems in schools.

The course is offered on a residential basis at Hillscourt Education Centre and on a non-residential basis at many NASUWT Centres.

Those who have completed the Stage 1 course are eligible to apply for a place on this course.

For further details, or to book your place on a course, refer to the current courses programme booklet, visit the NASUWT website at: www.nasuwt.org.uk

HEALTH AND SAFETY (STAGE 3): ORGANISING

This is a course for the more experienced representatives involved in health and safety, including the 'roving' representative or those with responsibility for more than their own school or college.

Focused on using health and safety to enable successful organising within the workplace and on developing the NASUWT's effectiveness, the course covers the following topics: Organising around health and safety; Identifying and developing Safety Representatives; Working constructively with the employer; Safety Committees; Extending Safety Representatives' rights; Promoting equality within health and safety; and Action planning.

The target audience for this course is Local Association Health and Safety Officers, Health and Safety Training Officers and Health and Safety Co-ordinators.

HEALTH AND SAFETY MANAGEMENT

Senior managers in schools and colleges carry responsibility for the effective management of health and safety. If teachers, other employees and pupils are to be safe and healthy whilst in schools and colleges, senior managers need to develop and implement appropriate management strategies.

This one-day course familiarises those NASUWT members with senior management responsibility with the knowledge and skills needed in this important area. The course is built around the Health and Safety Executive (HSE) 'Managing for Health and Safety' principles.

Who pays for training?

- The NASUWT health and safety courses are free to NASUWT Health and Safety Representatives and their travel expenses are reimbursed.
- It is the school/college's responsibility to provide cover.
- If you have any difficulty in being released, contact your Local Association Secretary immediately.
- **Health and Safety Representatives have a legal right to time off for training.**

Managing for health and safety (HSE):
www.hse.gov.uk/pubns/books/hsg65.htm

Five Steps to Risk Assessment (HSE):
www.hse.gov.uk

NASUWT Advice Leaflet: 'Time Off for Training'

Health and Safety Duties

Employers

Under the Health and Safety at Work (HASAW) Act 1974, an employer carries the major responsibility 'to ensure, as far as is reasonably practicable, the health, safety and welfare of his employees'. The Act requires consultation and co-operation with Health and Safety Representatives in order to achieve this. The HASAW Act is the basis of all health and safety legislation and is summarised in the 'Legislation' section of this handbook. Although health and safety tasks may be delegated to employees who are competent to carry them out, the responsibility itself cannot be shifted.

In state schools, the employer is the local authority (LA). In independent schools throughout the UK, the employer may be the trustees or the proprietor.

Those who 'have to any extent control of premises' (such as headteachers) have the responsibility of managing health and safety on a day-to-day basis.

Headteachers

It is important to be well aware of the duties imposed upon the management of schools and colleges in order to satisfy the general requirements of the Act and to ensure that their legal obligations towards you and the Health and Safety Representative are fulfilled.

The Management of Health and Safety at Work Regulations 1999 sets out these duties:

Regulation 4: The employer has a responsibility to make a suitable and sufficient assessment of risks and take action to prevent exposure to risks. (See 'Risk Assessment' on page 18.) The Approved Code of Practice calls for the establishment of a 'positive health and safety culture'.

Regulation 5: To make arrangements for the effective planning, organisation, control, monitoring and review of the preventative and protective measures; organisations must include effective means of communication and consultation with employees and their representatives.

Regulation 6: To provide health surveillance as is appropriate, having regard to the health and safety risks identified by risk assessment.

Health and Safety at Work Leaflet: 'Health and Safety Duties' (NASUWT)

*Health and Safety at Work etc. Act 1974 Chapter 37:
www.hse.gov.uk/legislation/hswa.htm*

Health and Safety at Work Leaflet: 'The Management of Health and Safety Regulations' (NASUWT)

*Management of Health and Safety at Work Regulations 1999:
www.legislation.gov.uk*

Regulation 7: To appoint ‘competent persons’ to assist in this duty; such persons must have sufficient training and experience or knowledge.

Regulations 8 and 9: To adopt procedures to deal with serious and imminent danger and for contacts with emergency services.

Regulation 12: To ensure that contractors and those providing extended services are provided with information, including risks to health and safety and measures taken by the employer to comply with health and safety requirements.

Regulation 13: To provide appropriate health and safety training for employees in working time.

Regulation 15: To provide comprehensive information on health surveillance, any occupational qualifications and skills required to work safely, and the measures taken to avoid risk.

Regulation 16: To carry out specific assessments, if there are women of child-bearing age employed, of risks to new and expectant mothers.

Regulation 19: To protect young persons, under the age of 18, in the workplace (e.g. on work experience) from risks due to their lack of experience or absence of awareness of existing or potential risks.

The employer’s obligations in respect of safety representatives are outlined in the **Safety Representatives and Safety Committees Regulations 1977 3rd edition 1996** (The ‘Brown Book’ – see ‘Legislation’ on page 14). Note especially that employers must accord Health and Safety Representatives the facilities and assistance that they need in order to carry out their functions and must consult Health and Safety Representatives with a view to establishing co-operation in ensuring a safe and healthy workplace.

Employees must:

- take reasonable care of themselves and others;
- co-operate with the employer in matters of health and safety;
- not damage or misuse safety equipment (HASAW Act, sections 7,8);
- use work equipment or machinery safely;
- draw the employer’s attention to any deficiencies (Management Regulation 14, 1999).

The NASUWT Health and Safety Representatives should: have no management-imposed duties beyond those of any other employee, but they have rights as set out on page 7.

Safety Representatives and Safety Committees

Regulations 1977:
www.hse.gov.uk/pubns/books/L146.htm

The ‘Safety Representatives and Safety Committees Regulations’ are the essential guide to the functions and rights of the Health and Safety Representative.

The Health and Safety Executive (HSE) in Scotland

- the HSE, together with local authorities, is the main agency for the enforcement of health and safety legislation in Scotland;
- there are memorandums of understanding between the HSE and the Scottish Executive, which set out the understanding of the UK Government and the administration of Scotland of the principles and practices that will underlie relations between them;
- the HSE inspectors have extensive powers, including the power to issue improvement and prohibition notices;
- the chances of an inspector making a routine visit to a school/college are small;
- an inspector should never be called in to resolve a problem until all local procedures have been exhausted;
- in such a case, the inspectorate should be approached only through the NASUWT Health and Safety Co-ordinator or Local Secretary;
- the HSE may be contacted for information via its website at www.hse.gov.uk; and
- the HSE produces a range of booklets and leaflets, some of which are free to download from their websites. Priced publications can be ordered from the websites or HSE Books.

*HSE information via website:
www.hse.gov.uk*

Legislation

A brief outline of health and safety law

The Health and Safety at Work etc Act 1974 (HASAW)

Part 1, section 2, of the Act sets out the general duties of the employer: 'to ensure as far as is reasonably practicable, the health, safety and welfare at work of all his employees.'

- Within this duty are included matters such as:
 - plant and systems of work;
 - handling, storage and transport of articles and substances;
 - information, instruction and training for employees;
 - means of access and egress to and from the workplace;
 - a safe and healthy working environment with adequate facilities for welfare.
- The 'general duties' go on to require:
 - a written policy statement;
 - consultation with union Health and Safety Representatives;
 - setting up of a safety committee if requested by Health and Safety Representatives.

Manufacturers and suppliers have responsibility for the safety of their products and must provide information to ensure safe use.

- Employees must:
 - take reasonable care of themselves and others;
 - co-operate with the employer in matters of health and safety;
 - not interfere with, or misuse, any safety equipment.

The HASAW Act is an enabling act: it does not lay down specific standards. Such details are dealt with in further regulations and codes of practice, which include the following:

The Safety Representatives and Safety Committees Regulations 1977 (3rd edition 1996)

- the appointment, rights and functions of Health and Safety Representatives and the setting up and functions of safety committees (known as the 'Brown Book'). They are essential reading for the Health and Safety Representative.

The Management of Health and Safety at Work Regulations (revised 1999)

- these set out in further detail responsibilities of employers and managers which include risk assessment, policies and a requirement to consult Health and Safety Representatives;

*Health and Safety at Work etc Act 1974
Chapter 37:
www.hse.gov.uk/legislation/hswa.htm*

*Safety Representatives and Safety Committees
Regulations 1977:
www.hse.gov.uk/pubns/books/L146.htm*

Health and Safety at Work Leaflet: 'The Management of Health and Safety Regulations' (NASUWT)

- employees are further required:
 - to act in accordance with their employers' safety procedures and training;
 - to inform their employers of any dangers or deficiencies.

The Workplace (Health, Safety and Welfare) Regulations 1992

- requirements and standards in respect of specific areas of health and safety;
- note that the minimum space requirements for workplaces do not apply to classrooms.

The Manual Handling Operations Regulations 1992

- requirements to avoid, so far as reasonably practicable, the need for employees to undertake manual handling operations at work which involve a risk of their being injured.

The Health and Safety (Display Screen Equipment) Regulations 1992 (DSER)

- requirements to carry out risk assessments on individual work stations used by users or operators.

The Personal Protective Equipment at Work Regulations 1992

- requirements to provide personal protective equipment (PPE) and to take necessary action to protect employees' health and safety. Charging employees for the provision or use of such PPE is not allowed.

Control of Asbestos Regulations 2012

- requirements on duty holders to manage asbestos within the buildings for which they are responsible.

The Regulatory Reform (Fire Safety) Order 2005 and the Fire Safety (Scotland) Regulations 2006

- nomination of persons responsible for arrangements for fire safety and risk assessment.

The Control of Substances Hazardous to Health Regulations 2002 (COSHH)

- require the employer to risk assess and manage substances potentially injurious to health.

The Control of Noise at Work Regulations 2005

- requirements to prevent or reduce risks to health and safety from exposure to noise at work and legal limits on noise exposure.

The School Premises (General Requirement and Standards) (Scotland) Regulations 1967

- standards specific to schools (for example, washrooms, staff accommodation, acoustics, lighting, heating, ventilation, and water supplies).

In addition, a clear, comprehensive and concise guide is produced annually by the Labour Research Department (LRD) called Health and Safety Law.

Management of Health and Safety at Work Regulations 1999:
www.legislation.gov.uk

The Workplace (Health, Safety and Welfare) Regulations 1992:
www.legislation.gov.uk

Most legislation is available at either:
www.legislation.gov.uk;
HSE.

*Health and Safety Law,
Labour Research
Department (LRD),
78 Blackfriars Road,
London
SE1 8HF
www.lrd.org.uk/
020 7928 3649*

Policies

The Health and Safety at Work etc Act of 1974 (HASAW), section 2(3), sets out the employer's duty to prepare a written statement of its health and safety policy.

In local authority (LA) schools/colleges, the LA will set out a policy framework on which the school/college must base its own policy.

The degree of prescription of the LA document and the extent to which the school/college develops its own will depend on the terms of the local scheme.

Although the employer will, in practice, hand over functions to the headteacher, the ultimate responsibility for health and safety cannot be delegated.

A safety policy should have three elements:

- statement of intention;
- organisation (for example, who is responsible for what);
- arrangements – for example, in respect of:
 - consultation with Health and Safety Representatives;
 - information and training for employees;
 - procedures for specific aspects of safety such as fire, security, first aid and contractors; and
 - monitoring of procedures.

The policy must be:

- subject to consultation with Health and Safety Representatives;
- reviewed regularly and kept up to date;
- communicated clearly to employees; and
- compliant with the duties placed on public bodies to promote:
 - race equality;
 - gender equality;
 - disability equality; and
 - community cohesion.

See 'Safety Policy Check List' (pages 77-78).

Health and Safety at Work etc Act 1974 Chapter 37 section 2(3): www.hse.gov.uk/legislation/hswa.htm

www.hse.gov.uk/simple-health-safety/write.htm

Education: health and safety in schools, further and higher education: www.hse.gov.uk/services/education

Action point! Check your policy document:

- Signed?
- Dated?
- Statement of intent?
- Organisation?
- Information?
- Training?
- Procedures?
- Review?
- Display?
- Circulation?
- Consultation?

RIDDOR

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 specifies that certain types of 'injuries', 'diseases' and 'dangerous occurrences' affecting staff or self-employed people working on the premises must be reported to the HSE. The employer is responsible for this.

The headteacher, on behalf of the employer, must notify the HSE immediately by the quickest practicable means and follow this up, within ten days of the accident, with a written report, using the appropriate form.

The simplest way to do this is to contact the Incident Contact Centre. This can be done by:

- completing and submitting the appropriate form online at www.hse.gov.uk/riddor;
- reporting fatalities and major injuries **only** by telephoning: 0845 300 9923 Mon-Fri 08.30-17.00 (a printed version will be sent back for the school/college's records).

Space does not allow a full list of reportable incidents to be reproduced here, but it may be useful to note that the list includes:

- any injury resulting in absence from work for more than seven days, excluding the day of the incident but including weekends and public holidays;
- any injury requiring admittance to hospital for more than 24 hours.

It should also be noted that:

- the definition of 'accident' includes an act of violence to an employee.

Health and Safety Representatives should ensure that relevant 'accidents' are reported by school/college managers so that such information may be taken into account when the HSE compiles its statistical analysis at the end of each year.

Accidents to pupils or visitors must be reported if the person involved is killed or taken to hospital and the incident arises out of or in connection with the work of the school/college.

A full list of what is reportable is available from the HSE on their website at www.hse.gov.uk.

Reporting accidents and injuries at work (HSE):

www.hse.gov.uk/pubns/indg453.htm

RIDDOR website:

www.hse.gov.uk/riddor

For a list of what is reportable, visit:

www.hse.gov.uk

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013:
www.legislation.gov.uk

Risk Assessment

The Management of Health and Safety at Work Regulations 1999 require the employer to go out into the workplace and actively seek out hazards, then carry out a 'suitable and sufficient' risk assessment (Regulation 3[1]). The employer is then required to remove or control the hazard(s) by measures proportional to the extent of the risks they pose.

The process of risk assessment

- Hazards may be physical, may be connected with work processes, or may be related to the general work environment. A fire risk assessment must be used in order to determine what fire precaution arrangements are necessary;
- Risk can be measured in terms of the likelihood of the hazard actually causing injury, the number of people likely to be affected and the degree of injury likely to occur; and
- Control measures are steps taken by the employer to protect employees and others from the identified risks. The most acceptable control measure is to remove the hazard altogether, so that the risk level becomes zero. If this is not reasonably practicable, the employer must take whatever reasonably practicable steps are necessary to reduce the level of risk to the minimum. Where there are statutory standards, the employer's minimal response must be to meet these standards, although sometimes further action may be necessary. The employer must write down the results of the risk assessment and the control measures which have been adopted, and make the written record available to employees.

Employers

In state schools the employer is the local authority (LA). In independent schools throughout the UK, the employer may be the governing body, the trustees or the proprietor.

Those who 'have to any extent control of premises' (such as headteachers or governing bodies) have the responsibility of managing health and safety on a day-to-day basis.

- can conduct the risk assessment themselves, or employ others to carry out the task for them. 'Others' may be outside consultants or existing employees. In either case, they must be 'competent' by dint of training, experience or aptitude and knowledge of the workplace. The employer is solely responsible for ensuring the competence of those to whom the task has been delegated;
- have a statutory duty to 'consult safety representatives in good time with regard to the arrangements for the appointment or nomination of competent persons' (SRSC Regs 4A(1)[b]).

'Take the Risk Out!'
DVD-ROM risk
assessment training
pack (NASUWT)

*Sensible Health and
Safety Management in
Schools (HSE):*
[www.hse.gov.uk/
services/education/
sensible-leadership](http://www.hse.gov.uk/services/education/sensible-leadership)

*Management of Health
and Safety at Work
Regulations 1999:*
www.legislation.gov.uk

*A Step by Step Guide
to COSHH Assessment:*
[www.hse.gov.uk/pubns
/books/hsg97.htm](http://www.hse.gov.uk/pubns/books/hsg97.htm)

*Scottish Schools
Education Research
Centre (SSERC)*
2 Pitreavie Court
South Pitreavie
Business Park
Dunfermline
KY11 8UU
www.sserc.org.uk

*Risk Assessment: A
brief guide to controlling
risks in the workplace
(HSE):*
[www.hse.gov.uk/risk/
controlling-risks.htm](http://www.hse.gov.uk/risk/controlling-risks.htm)

Headteachers in LA schools and colleges

Headteachers in LA schools and colleges have a duty to abide by the terms of the LA safety policy and to ensure that risk assessments have been carried out.

Teachers

Whilst heads of department and class teachers have statutory and contractual obligations to co-operate with their employers with regard to matters concerned with health and safety, no teacher should take on any health and safety task which they believe to be beyond the limit of their competence. Teachers can discharge a contractual obligation to carry out a risk assessment by identifying and bringing to the attention of the employer those areas where they do not believe themselves to be competent to carry out the assessment.

The Health and Safety Representative

The Health and Safety Representative:

- has a statutory right to be consulted on arrangements for the appointment or nomination of a 'competent' person, and on the provision of health and safety training;
- has a right to be consulted on arrangements for delegating the task of risk assessment, and on the level of training offered;
- should request that risk assessments be carried out on any known hazards and exercise their right of access to the written risk assessments and control measures;
- should advise members asked to undertake the task of risk assessment, and who feel themselves lacking in competence in any area, to make this known to the headteacher. They should ask for 'suitable and sufficient' training, and enter a caveat on any risk assessment submitted, pointing to lack of competence in any area;
- should exercise their statutory right to be consulted on the conduct of risk assessments to ensure that gaps in the process caused by delegation of risk assessment are addressed. It may be in areas such as stress and violence that expert help will be required;
- should insist that adequate time and other resources are made available to those called upon to carry out the task of risk assessment;
- should remember that the NASUWT is opposed to the use of generic risk assessments, except in those cases where circumstances are demonstrably common to all schools/colleges.

In all aspects of health and safety, the use of gender stereotyping, such as exaggerating differences between men and women, should be avoided. The NASUWT supports the gender-neutral approach which considers issues sensitively and in context.

Consulting workers on health and safety:
www.hse.gov.uk/pubns/indg232.pdf

Risk assessment in education:
<http://europe.osha.eu.int/>

See 'Health and Safety Duties' (page 11).

The NASUWT has produced an interactive resource called 'Take the Risk Out', which explains the key aspects of risk assessment, including the management of health and safety and the risk assessment process. This resource forms an important part of the NASUWT Health and Safety Stage 2 course and includes relevant legislation and guidance.

Safety Committees

The Health and Safety at Work etc Act 1974, section 2(6), assumes that management and employees will co-operate in the promotion of health and safety and requires management to consult Health and Safety Representatives. A properly set-up safety committee can be an effective means of achieving such co-operation.

Setting up:

A safety committee must be set up if at least two Health and Safety Representatives request it in writing:

- it must be established within three months of the request;
- Health and Safety Representatives must be consulted on its composition and role;
- employees must be informed, by written notice, who the members are;
- the committee must have its own distinct identity;
- it should be charged with the consideration of all aspects of health, safety and welfare in the workplace.

Functions might include:

Consideration and advice to management in respect of:

- accident/sickness statistics;
- safety audit reports;
- Health and Safety Representatives' inspection reports;
- progress of risk assessments;
- development of health and safety procedures.

The committee cannot take away the responsibilities of employer or management.

Membership of the committee should:

- be determined in consultation between management and Health and Safety Representatives;
- comprise both management representatives and employees;
- include trade union Health and Safety Representatives.

Safety Representatives and safety committees guidance states that management representatives should not outnumber employees and should have sufficient authority to get things done.

Meetings should:

- take place as often as is necessary;
- be planned and listed in the yearly calendar;
- keep agreed minutes.

The NASUWT Health and Safety Representative should:

- use the safety committee to articulate the Union's policy and to raise the issues and concerns of members. This reinforces the link between member and representative and ensures that the NASUWT organises around matters which are of direct interest to members.

Regulation 9: Safety Representatives and Safety Committees Regulations 1977:
www.hse.gov.uk/pubns/books/L146.htm
 01787 881165

Regulation 9: Safety Representatives and Safety Committees Regulations 1979

Action point!

Agree dates on the school/college calendar for:

- * inspections;
- * staff safety training;
- * meetings of the safety committee.

Record these key dates at the front of this handbook.

Accidents

Whenever a member suffers an accident or act of violence at work, the NASUWT will seek:

- to provide counselling and support;
- to secure any available compensation for the member; and
- to ensure that appropriate action is taken to prevent such an incident happening again.

Action:

- the victim should be referred to his/her general practitioner (or hospital casualty department) for examination and recording of the nature of any injuries;
- the Health and Safety Representative should ensure that all the circumstances are noted and that management takes appropriate action;
- the Health and Safety Representative has the right to conduct his/her own investigation: photographs, sketch plans, measurements and witness statements could be useful; and
- where a member suffers any injury, the Health and Safety Representative should advise the member to telephone the NASUWT free Legal Advice Line: 0808 100 2221.

Reporting:

- the circumstances should be fully recorded in the school/college's accident book (one kept specifically for staff) and kept for three years. Health and Safety Representatives are entitled to such data. Personal information can also be disclosed if the individual has consented;
- the injured party should ensure that an entry is made in the school/college accident book and submit a BI100A form to the local Benefits/Social Security/Jobcentre Plus office to ensure that it is recorded as a workplace injury. It can also be done via the Department for Work and Pensions (DWP) website at www.dwp.gov.uk;
- a BI100A form should be used to make a claim for benefit if the injury or disease:
 - requires hospital admittance for 24 hours;
 - requires absence from work for more than seven days; or
 - is otherwise designated under RIDDOR.
- if further steps must be taken, refer to 'RIDDOR' on page 17.

Note that the definition of 'accident' in RIDDOR includes an act of violence to an employee.

Accident reduction is a key focus of HSE targets for improving health and safety.

Employers are required to keep records of accidents for at least three years.

Health and Safety at Work Leaflet: 'Reporting Accidents' (NASUWT)

Department for Work and Pensions: www.dwp.gov.uk

'Incident Reporting in Schools (accidents, diseases and dangerous occurrences)': www.hse.gov.uk/pubns/edis1.htm

See 'Violence' (page 68) and 'RIDDOR' (page 17).

Regulation 12(2) of both the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 require records of accidents to be kept for at least three years.

Asbestos

Asbestos is a naturally occurring mineral. There were three types commonly used in the past, described on the basis of their colour when freshly mined: white asbestos (chrysotile), blue asbestos (crocidolite) and brown asbestos (amosite).

The importation and use of all types are now banned in the UK. However, many schools/colleges were built or renovated between 1945 and 1980 when asbestos was extensively used, so many schools contain substantial amounts of asbestos products.

Recognising asbestos in the workplace

Asbestos is difficult to recognise because it is frequently mixed with other materials during manufacture and it is often painted.

Vinyl floors, lining materials to improve fire resistance, doors and soffits, insulation boards for internal partitions, lagging, fire blankets, asbestos cement sheeting, roof tiles, gutters, electrical goods, asphalts, certain textured paints, oven gloves, ironing board pads and heaters, ceiling panels, underfloor ducting and tiles all commonly contain asbestos.

The dangers of asbestos

As long as the surfaces of asbestos products are properly sealed, they should be safe. It is when fibres are released through deterioration or damage that the substance becomes dangerous. Fibres can be disturbed as a result of: flaking caused by ageing, abrasion by children hitting panels, repairs to the fabric of buildings, vandalism and even the use of drawing pins.

The 'Duty to Manage' asbestos

The Control of Asbestos Regulations 2012 require employers and those in control of premises to locate – and keep an up-to-date record of – materials likely to contain asbestos, monitor their condition and assess and control any risk. **They must assume that any material contains asbestos unless there is evidence to the contrary.** The asbestos register or plan must be available for any contractor before they start any work that could disturb asbestos. The NASUWT Health and Safety Representatives should check all these points on their regular safety inspections.

If you suspect the presence of asbestos in your school/college, you should report the matter to the headteacher in order that checks can be made by a 'competent person' on the condition of the material. Checks will then need to be made on a regular basis.

If asbestos is found to be in a poor and unsealed condition, the affected area must be sealed off by a properly trained competent person. A licence is required from the HSE for almost all work with asbestos-containing materials (ACMs). The NASUWT strongly recommends that only specially licensed contractors are brought in to either seal or remove it, and you should recommend this to the person responsible for ensuring the work is completed.

Health and Safety at Work Leaflet: 'Asbestos'

Health and Safety at Work Leaflet: 'Reporting Accidents' (NASUWT)

The Control of Asbestos Regulations 2012:
www.legislation.gov.uk

Managing asbestos in buildings: A brief guide:
www.hse.gov.uk/pubns/lindg223.pdf

HSE asbestos website:
www.hse.gov.uk/asbestos

The Asbestos Hazards Handbook (London Hazards Centre) all-round guidance and information:
www.lhc.org.uk

Detailed work plans must be made before commencing any work likely to involve asbestos. These plans should be made available to all staff and to the NASUWT Workplace Representatives, especially before any major renovation work, such as under the Priority Schools Building Programme, is undertaken.

Removal is generally to be preferred but carries its own risk of disturbing fibres. You should ascertain via the headteacher what action the employer intends to take. If there is either resistance to carrying out checks or an unsatisfactory response to the carrying out of the necessary action, you should immediately refer the matter to the NASUWT School Representative, who should in turn contact the Local Secretary.

The Local Secretary, NASUWT Health and Safety Co-ordinator, or National Executive Member will then contact the NASUWT for them to report it to the HSE. All statements to the press should come only from Union officials.

There are no safe levels of exposure

Damaged ACMs must be sealed or enclosed effectively or removed. Although removal is generally to be preferred, the work activity itself may be more hazardous than having the material sealed. Health and Safety Representatives must be consulted on any plans to deal with asbestos.

Exposed asbestos

If asbestos is exposed, the area should be sealed off immediately and a check made by a properly trained competent person, or preferably an expert, of the levels of asbestos fibres in the air. **A licence must be obtained from the HSE before any work is undertaken where there is a danger of high levels of asbestos fibre being released.**

Particular dangers

Warm air cabinet heaters

Warm air cabinet heaters which blow warm air out of grilles are often lined with asbestos insulation boards and have been shown to emit fibres during normal operation. The NASUWT Health and Safety Representative should ensure that if this type of heater is present, checks are carried out by professional asbestos consultants to ascertain whether they contain asbestos. If they do, the heaters must be made safe, preferably by the removal of the asbestos.

Gas masks

World War II and some post-war gas masks are potentially dangerous as they can emit fibres. They must be assumed to contain asbestos unless proven otherwise, and consequently must never be worn. The canvas bags can also be contaminated and must not be handled.

For a list of accredited asbestos testing laboratories: UK Accreditation Service www.ukas.org.uk

Medical advice

Members should be advised to contact their doctor if they suspect that they have been exposed to asbestos fibres. This will ensure that the incident will be recorded in their medical file. You should advise members to make an entry in the school accident book and submit a B195 form to the local Benefits/Social Security/Jobcentre Plus office to ensure that it is recorded as an industrial disease (see the NASUWT Health and Safety at Work leaflet 'Reporting Workplace Accidents' for more details). Any member wishing to pursue a legal claim for an employment-related industrial disease should telephone the Union's expert solicitors on **0808 100 2221**.

Refusal to work

If a member suspects that their teaching/work area contains asbestos dust in the atmosphere, you should insist on alternative accommodation. If this request is refused, you and/or the NASUWT Workplace Representative should alert the Local Secretary as a matter of urgency. If it is necessary to issue an instruction not to teach in a potentially contaminated area, then the proper procedures will be initiated by your National Executive Member.

The NASUWT Health and Safety Representative should:

- contact their Local Association Negotiating Secretary, who has received a briefing on the specific issue of asbestos fibre release in Consortium of Local Authority Special Programme (CLASP) system built schools;
- campaign for labelling and frequent monitoring of ACMs; and
- on regular inspections visually check for flaking caused by ageing and wear and tear by children roughly treating corridor panels, partitions and ceiling tiles and breaking surface sealants.

Bullying

Employers have a duty of care under the Health and Safety at Work (HASAW) Act 1974 which includes the welfare of employees. Workplace bullying, widely acknowledged as a serious issue for teachers, is a proper concern of the NASUWT Health and Safety Representative if he/she knows or suspects that a member is a victim.

Legislation forbids harassment on the grounds of age, race, sex, sexual orientation, disability and religion or belief.

The Protection from Harassment Act 1997 makes harassment both a civil tort and a criminal offence. The Act prohibits a course of conduct by a person which amounts to harassment and which the harasser knows or ought to know amounts to harassment of another person.

Definition of 'bullying'

The Advisory, Conciliation, Arbitration Service (ACAS) defines workplace bullying as *'offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate, or injure the victim.'*

Examples of bullying

Examples of bullying may include:

- setting unrealistic deadlines and unmanageable workloads;
- constant criticism and 'nit picking';
- using sarcasm, jokes, insults and innuendo to mock, demean or humiliate;
- undermining behaviour and overruling decisions;
- continually taking credit for another person's work;
- deskilling someone and replacing their work with menial tasks;
- using or threatening to use formal procedures;
- excluding someone, withholding information or ignoring and sidelining them;
- blocking promotion, pay progression or failing to provide training and support;
- verbal abuse, shouting, aggression and physical abuse.

Prejudice-related bullying

Bullying can happen in many forms, including face to face, by phone and memos and via 'cyberbullying'. Cyberbullying may take the form of abusive e-mails and misuse of websites and social media, online chatrooms and text messaging.

Prejudice is one of the common motives for bullying. In these cases, the bullying is discriminatory and is usually on the grounds of an individual's gender, ethnic origin, sexual orientation, disability, age, religion or belief. Bullying on grounds of body image/size is also becoming increasingly common. Prejudice-related bullying takes the form of stereotyping individuals and can go as far as personal harassment.

www.nasuwat.org.uk/advice/bullying

'Tackling Bullying and Harassment at Work – a trade unionist's guide'

Labour Research Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk
020 7928 3649

Bullying and harassment at work: advice for employees: ACAS

Education Support Partnership UK wide: 08000 562 561. For advice and counselling www.educationsupportpartnership.org.uk

Health and Safety at Work etc Act 1974 Chapter 37 www.hse.gov.uk/legislation/hswa.htm

The Protection from Harassment Act 1997: www.legislation.gov.uk

Signs of bullying

Apart from being told directly, how will the school or college representative recognise that a member is being bullied? Signs could include:

- unusual behaviour;
- an apparent failure to cope with the job;
- patterns of illness; and/or
- time off.

Illness caused by bullying

Where incident(s) lead to illness requiring sick leave, a member should complete and submit form BI95 'Accident at work – what to do about it'. See the 'Accidents' section of this handbook, on page 21, for further information.

Employers' duty to promote and monitor equality

Obligations are placed on employers to promote and monitor equality and to eliminate discrimination. These obligations and duties can be found in the Equality Act 2010.

The types of activities which employers are expected to undertake would be monitoring of career progression and access to training for employees, and also the number of grievances taken by different groups and the number of disciplinary proceedings taken against different groups.

The NASUWT Health and Safety Representative should:

- keep a record of all incidents and advise members to do so with dates, times, witnesses, and feelings experienced. Many incidents may appear trivial in isolation and it is important to establish a pattern over time to quantify the problem;
- support the bullied member;
- alert the Local Association;
- expose the bullying activity – consult the member first;
- mount a collective defence;
- publicise the general issue;
- seek to ensure that 'aggravated offences' (hate crimes) are reported to the police. This can include harassment; assault; grievous bodily harm; criminal damages; and the use of threatening, abusive or insulting language or behaviour in order to stir up hatred, on the basis of race, ethnic origin, disability, or sexual orientation; and
- press for a whole-school/college policy.

See 'Violence' (page 68) and 'Accidents' (page 21).

*Equality Act 2010
Public Order Act 1986
Crime and Disorder
Act 1998*

Working Assertively Course

The NASUWT offers a practical course which addresses assertiveness skills in the context of schools, colleges and trade unions.

Class Size in Practical Subjects

Overcrowding in any lesson, and in particular a practical subject, is a potential hazard. Management should assess the risk to health and safety by taking account of the:

- age of pupils;
- aptitude and ability of pupils;
- layout of the room;
- nature of the activity;

and adjust the pupil number accordingly.

In Scotland, the Scottish Negotiating Committee for Teachers (SNCT) incorporates changes to class size maxima arising from the Education (Lower Primary Class Sizes) (Scotland) Regulations 1999 into the SNCT Handbook. This is available on the SNCT website at www.snct.org.uk. However, individual councils may set their own procedures and class size maxima that should be adhered to.

The Health and Safety Representative should take up the matter with management and demand that a risk assessment be carried out.

The advice of the National Association of Advisers in Design and Technology (NAAIDT) is that 20 pupils should be a maximum. Individual circumstances must be taken into account and may indicate that a safe limit for a particular lesson is less than 20.

A teacher should not accept responsibility for practical work involving, for example, specialist tools and equipment, unless he/she has received appropriate and sufficient training in the use of the equipment and in teaching its correct and safe usage.

The advice of the Association for Physical Education (afPE) is that the size of a teaching group should always be appropriate to the activity.

www.nasuwt.org.uk/advice/in-the-classroom/class-sizes.html

Education (Lower Primary Class Sizes) (Scotland) Regulations 1999:

www.legislation.gov.uk

National Association of Advisors and Inspectors in Design and Technology:
www.naaidt.org.uk

Association for physical education
www.afpe.org.uk

www.sserc.org.uk

BS 4163:2014 'Health and safety for design and technology in schools and similar establishments. Code of practice' (2007). Purchase from
www.bsi-global.com

Association for Science Education:
www.ase.org.uk
'SNCT Handbook' (SNCT):
www.snct.org.uk

Contractors on Site

The conduct of maintenance, refurbishment and construction work on site will create potentially hazardous situations.

The Health and Safety Representative should:

Before a contract is awarded:

request that management:

- check that the contractor has a properly constituted health and safety policy;
- check the safety record of the potential contractor;
- check that contractors are fully briefed in respect of asbestos plans before starting work.

When the contract is awarded:

- discuss with management the potential hazards that might be caused by the work, such as materials, machinery, noise, dust and traffic;
- request that risk assessments be carried out;
- if possible, contact the person responsible for health and safety and the safety representative.

During the contract:

- inspect and report on any hazards caused by the workers on site, including unsafe working practices, which present a risk to staff/pupils;
- if adequate control measures are not taken, the matter should be taken up with the NASUWT Health and Safety Co-ordinator or Local Secretary.

On completion of the contract:

- conduct a full inspection of the area where work has been done to ensure that it is free from hazards;
- request to see any official inspection reports.

The Health and Safety Representative should:

- be consulted and kept fully informed at all stages in accordance with Regulations detailed in the margin.

Section 4 Health and Safety at Work etc Act 1974 Chapter 37:
www.hse.gov.uk/legislation/hswa.htm

Regulations 9 and 10 Management of Health and Safety at Work Regulations 1999:
www.legislation.gov.uk

Construction (Design and Management) Regulations 2007:
www.legislation.gov.uk

Use of Contractors: A brief guide (HSE):
www.hse.gov.uk/pubns/indg368.pdf

COSHH

The employer is legally responsible for compliance with:

- the Control of Substances Hazardous to Health Regulations 2002.

This means conducting an assessment of all substances hazardous to health and then either removing them or providing employees with the equipment, instruction and training to use them without risk.

Schools and colleges use many substances which are potentially dangerous, not only in laboratories but also in workshops, offices and storerooms. Some are toxic and others are harmful in other ways (such as dust).

An assessment involves 'classifying the risk of any substance causing harm in the actual circumstances of its use or production (the risk) and then, in the light of that, determining the control measures that are needed' (HSE).

Members asked to undertake assessments should request suitable and sufficient training and insist on adequate time and resources, including access to information and advice, to carry them out.

General assessments can be used, provided they are valid in the actual circumstances of the school or college.

A useful guideline is that the packaging of any hazardous chemical must carry an appropriate hazard warning sign and information relating to the nature of the hazard, or be accompanied by a supplier's 'safety data sheet'.

Control equipment such as fume cupboards should be thoroughly checked by the employer at least every 14 months, preferably more frequently. Visual checks should be made at regular intervals.

The NASUWT Health and Safety Representative should:

- report any concerns about the operation of COSHH to the school/college management.

Health and Safety at Work Leaflet: 'Hazardous Chemicals'

The Control of Substances Hazardous to Health Regulations 2002:
www.legislation.gov.uk

HSE Brief Guide to the Regulations:
www.hse.gov.uk/pubns/indg136.pdf
Guidance on COSHH procedures:
www.coshh-essentials.org.uk

www.sserc.org.uk

Hazardous Substances at Work
Labour Research Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk/
020 7928 3649

Disability

The Management of Health and Safety at Work Regulations 1999 requires employers to take account of particular groups of workers, such as those who are disabled when assessing workplace risks.

This duty is expanded in the Equality Act 2010, which aims to prevent discrimination in the workplace and in the provision of goods and services.

Under the Act, employers:

- must not discriminate against current employees or job applicants on the grounds of disability;
- may have to make 'reasonable adjustments' to premises or working practices to ensure that an employee is not disadvantaged because of their disability;
- must not discriminate against people with disabilities when providing services to the public, such as letting premises.

'Reasonableness' would be determined by weighing potential benefits against the difficulty and cost of making adjustments.

The school/college health and safety policy and risk assessments should take account of disability issues. As well as a positive duty to promote disability equality placed on schools and colleges, schools and colleges are required to have a Disability Equality Scheme in place. This should be drawn up in consultation with trade unions and staff, and must include consultation with those persons who have a disability or impairment. Such a scheme will undoubtedly include elements which will impact on health and safety practices within the school or college.

The Health and Safety Representative should consult with any disabled colleagues on matters relating to premises access and working practices in relation to such matters as:

- car parking, pathways, lighting, steps, kerbs, doors and doorways;
- stairs, passageways, floors, doors and toilet/washroom facilities;
- working arrangements, for example:
 - location of teaching room;
 - room changes (if any);
 - allocation of duties and timetabling;
 - fire and emergency evacuation procedures.

The NASUWT Health and Safety Representative should:

- contact the NASUWT if any disabled member is experiencing difficulty in obtaining appropriate adjustments.

Health and Safety at Work Leaflets: 'Disability' and 'Disability: Access' (all NASUWT)

Management of Health and Safety at Work Regulations 1999: www.legislation.gov.uk

Tackling Disability Discrimination Labour Research Department (LRD) 78 Blackfriars Road London SE1 8HF www.lrd.org.uk/ 020 7928 3649

The Special Educational Needs and Disability Act 2001: www.legislation.gov.uk

Equality Act 2010

Display Screen Equipment

Under the Health and Safety (Display Screen Equipment) Regulations 1992, a worker is defined as a 'user' if he/she does a significant amount of work with display screen equipment (DSE). Health and Safety Representatives should argue for all staff using equipment provided for their work to be acknowledged as users. A user is entitled to eyesight testing and the provision of spectacles, if needed for such work, at the employer's expense.

Such workers can develop upper limb pain and discomfort which can lead to Repetitive Strain Injury (RSI) due to poor posture, intensive use of mouse or keyboard and general fatigue and stress. Workstation ergonomics must comply with the Regulations for all employees irrespective of whether they are considered users. The NASUWT advises that whatever best standards are available should be sought in all schools and colleges for teachers. Prolonged DSE use may also create particular problems for pregnant women.

Laptop computers, used more and more by teachers, should not be used on a lap but in appropriate workstations with proper regard to posture. Laptops can be heavy and the need to carry them should also be risk assessed in line with the policy on lifting/carrying.

Whiteboards

Guidance should also emphasise the need for staff and pupils to be very careful to avoid looking into the beam of a projector. A laser pointer can be used to ensure this. Room layout and equipment should be arranged accordingly. A risk assessment may be required where staff or pupils suffer from photo-sensitive epilepsy.

Employers:

- must provide training on the correct use of the equipment;
- should provide information about accessibility to free eyesight tests and spectacles; and
- should take steps to minimise the risk of musculo-skeletal disorders such as RSI arising from poorly designed workstations.

The NASUWT Health and Safety Representative should:

- be consulted on all matters concerning these Regulations;
- make him/herself aware of the standards that apply to the workstation environment; and
- include DSE and staff that use it in the health and safety inspection.

Working Safely with VDUs

*Labour Research Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk
020 7928 3649*

*Health and Safety
(Display Screen Equipment)
Regulations 1992:
www.legislation.gov.uk*

*'Working with display screen equipment (DSE)':
www.hse.gov.uk/pubns/indg36.pdf*

Dust

The duty of employers under the COSHH Regulations (see the section on COSHH on page 29 of this handbook) is, as far as is reasonably practicable, to prevent the exposure of employees and others to hazardous substances. They should:

- avoid processes or materials which cause hazardous dust;
- apply adequate control measures (such as using effective local exhaust ventilation in a workshop);
- as a last resort, issue respiratory protective equipment (appropriate CE-marked respirators). If respiratory protective equipment (RPE) is supplied, there must be:
 - training in its use;
 - regular testing to check that it fits the wearer properly.

Dust can cause damage to:

- lungs (asthma, bronchitis, emphysema, cancer);
- nose and throat, leading to respiratory problems, infections, or even nasal cancer;
- skin, leading to dermatitis, ulcers, skin cancer; and
- eyes (irritation and inflammation).

Dust can also pose an explosion risk.

HSE sets out maximum exposure limits in respect of hazardous substances. Any risk assessment should take account of these.

Examples of particular concerns for schools and colleges are:

- wood dust in craft areas (wood dust is a recognised carcinogen; medium density fibreboard (MDF) may be especially hazardous as it produces very fine particles when worked and may also release formaldehyde, used in a bonding agent and known to be hazardous);
- pottery clay dust containing silica, extremely dangerous if inhaled;
- nuisance dust, in teaching areas, which may cause unacceptable discomfort or even make individuals asthmatic. Once a person has become sensitised to asthma, the condition is permanent: later exposures can cause further reactions; and
- inadequate or unsuitable cleaning methods. Hazardous dusts must not be dry swept but should be wet cleaned or vacuumed using special high-efficiency equipment.

It is best to assume that no kind of dust is safe.

'Selecting respiratory protective equipment for wood dust'
www.hse.gov.uk/pubns/wis14.pdf

'Wood dust: Controlling the risks':
www.hse.gov.uk/pubns/wis23.pdf (HSE)

**European Standard*
European Commission
<http://ec.europa.eu/>

The Control of Substances Hazardous to Health Regulations 2002:
www.legislation.gov.uk

See 'COSHH' (page 29)

Educational Visits and Learning Outside the Classroom

Because of the great personal and professional risks involved, members should consider carefully whether or not to participate in non-contractual educational visits. If members undertake educational visits, then every effort should be made to minimise the risk.

Although there is no legal requirement to have an Educational Visits Coordinator (EVC), it is best practice to have a person who is effectively trained in order to ensure educational visits are run correctly. The role of the EVC does not require the skills of a qualified teacher. If there is no EVC, then this duty falls to the headteacher. Educational visits should be subject to appropriate risk assessments, which should be undertaken by appropriately qualified and experienced officers of the LA, or the competent person of the school.

The EVC should satisfy themselves that the following points have been covered:

- all supervisory duties must be carried out with the greatest of rigour. Courts expect teachers to exercise a **greater** degree of care than would be expected of a careful parent and take the view that the teachers accompanying the school/college party carry ultimate responsibility;
- EVCs must be confident that their own training, qualifications and experience are adequate to meet the varied demands of the proposed visit;
- EVCs must be able to demonstrate that an adequate risk assessment, in advance of the proposed activity, has been carried out and all reasonable steps to eliminate foreseeable dangers have been taken;
- EVCs must ensure, in advance, that they have written confirmation that they are conducting the activity on behalf of the employer and that the employer carries sufficient insurance to cover the team leader and other staff against all claims. Group leaders should satisfy themselves that the terms of such insurance cover have been checked;
- EVCs should follow scrupulously **all** guidance provided by the employer. Anyone who gets involved should strictly follow government guidelines, LA policy and guidance given by the NASUWT;
- EVCs should visit the location of the proposed visit in advance to assess the likely risks;
- EVCs must ensure that the special educational needs (including behavioural problems) and the medical needs of children have been properly taken into account; and
- EVCs must have the final decision on the inclusion of any pupils whose potential behaviour could pose a risk to

Health and Safety on Education Visits: 'Educational Visits and School Trips' (NASUWT)

Minibus Guidance (NASUWT)

Scottish Executive Guidance for Scotland: Health and Safety on Educational Excursions: A Good Practice Guide, Supplement 1: Standards for Local Authorities in Overseeing Educational Excursions;

Supplement 2: Standards for Adventure;

*Supplement 3: A Handbook for Group Leaders.
www.scotland.gov.uk*

See 'Minibuses' (page 50) and 'Sun – exposure' (page 62).

The Outdoor Education Advisers' Panel www.oepa.info

themselves or others or whose medical needs could place an unacceptable burden of responsibility on accompanying staff. Care should be taken to ensure that pupils are not discriminated against unlawfully.

Members need to be aware that such decisions may be subject to provisions within the Special Educational Needs and Disability Act 2001.

- Where children are to be placed in the care of other adults, team leaders must ensure that proper child-protection issues have been addressed, including Criminal Record Bureau checks, by the employer.
- EVCs must satisfy themselves that all adults in the party are fit persons to be in charge of children and that they are fully informed about the roles they are expected to fulfil and have received appropriate training.
- All teachers in a party must remain aware of the potential for allegations of child abuse being made against themselves and others, and must not place themselves in the position of being alone with a child.
- Any member who is not satisfied with the adequacy of the arrangements for a visit with which they are involved should report their misgivings to their Local Association Secretary.
- All educational visits and journeys should be counted against directed time.
- Adequate staff cover should be a precondition of an educational visit or journey taking place.

Use of teachers' own vehicles

Members should be strongly advised that they should not use their own vehicles to transport pupils – for example, to events or for medical treatment. Such practice makes a teacher vulnerable to the risk of:

- an allegation of abuse; and
- serious legal repercussions if, in the event of an accident, their motor insurance does not have the appropriate cover. Only if there is a risk to life and if there is no other alternative should pupils be transported in private vehicles.

*Special Educational
Needs and Disability
Act 2001:*
www.legislation.gov.uk

Electrical Safety

Electricity is a safe source of energy when used with care. All properly designed and maintained electrical equipment, and all properly fitted and maintained electrical installations are safe in normal use.

Areas of concern:

- any area in which electrical apparatus is used is potentially dangerous;
- in primary schools, there may be additional risks associated with the use of audiovisual and computer equipment around small children and where equipment is portable;
- in specialist areas, there may be additional risks such as: design and technology; food technology; textiles; rooms for business study; computers; music with electronic equipment; science laboratories; and
- stages and drama studios associated with lighting control and sound equipment.

The NASUWT Health and Safety Representative should:

- advise members never to meddle with electrical equipment or installations. Such work should be left to a qualified person;
- whenever possible, advise that low voltage is chosen;
- check that circuit-breaking safety devices are used;
- advise all members to comply with school/college and LA guidelines on use of electrical equipment; and
- visually check on a regular basis all electrical equipment, fittings and installations, reporting any faults or damage for immediate action.

Management should inspect:

- fixed installations every five years;
- temporary installations every three months; and
- portable electrical equipment visually each term, with a thorough inspection and test each year.

Management should check the wear and tear and possible abuse to which equipment may be subjected in a school/college environment as part of monitoring and risk assessment.

Health and Safety Representatives should take steps to ensure that members are not exposed to hazards caused by substandard or badly maintained electrical equipment. Pressure on school/college budgets must not be allowed to lead to dangerous cost cutting in this area.

Electromagnetic (EM) fields

EM fields are both naturally occurring (such as the Earth's magnetic field) and artificial, primarily from electrical equipment, and are rarely a cause for concern for most teachers, as the field strengths experienced in schools should be low.

Health and Safety at Work Leaflet: 'Electrical Safety' (NASUWT)

Section 2 Health and Safety at Work etc Act 1974 Chapter 37: www.hse.gov.uk/legislation/hswa.htm

The Electricity at Work Regulations 1989: www.legislation.gov.uk

Electrical Safety at Work (HSE): www.hse.gov.uk/electricity/

Membership of a recognised trade body such as the NICEIC or ECA could be taken to indicate competence.

'Maintaining portable electrical equipment in offices and other low-risk environments': www.hse.gov.uk/pubns/indg236.pdf

The Control of Electromagnetic Fields at Work Regulations 2016 sets out minimum standards regarding workers' exposure to EM fields and categorises certain individuals at particular risk, such as: those with active implanted medical devices (AIMD), such as pacemakers; those with passive implanted medical devices, such as artificial joints; those wearing bodily-worn medical devices, such as external insulin pumps; and also pregnant workers.

If there are employees at particular risk, the employer will need to assess if there are any specific additional risks and address these.

The NASUWT Health and Safety Representative should ensure that risk assessments are carried out where applicable, especially where electrical substations are located within schools, or where high-voltage lines cross overhead.

Fire

The fire service should be called in all outbreaks of fire, or of suspected fire, and the building must be evacuated as quickly and safely as possible. The fire risk assessment/evacuation procedure should state who is responsible for summoning the fire service.

The NASUWT Health and Safety Representative should check that management has undertaken a suitable and sufficient fire risk assessment and accordingly:

- has in place a fire safety policy with the safeguarding of life as its primary aim;
- has nominated and is providing training for a sufficient number of employees to implement fire safety measures (for example, fire wardens) and has consulted on such arrangements;
- holds planned but unannounced fire drills on a regular basis, at least once a term;
- has provided designated escape routes leading to a safe place of assembly;
- has properly instructed all staff and all occupants of the action to be taken in the event of an emergency;
- has prominently displayed clear notices in each room describing the action to be taken; fire control doors are clearly labelled, closed and unlocked, and arrangements in place for visitors to know of evacuation routes;
- has made arrangements, in consultation with trade unions and those affected, for the evacuation of people with disabilities;
- has arrangements for summoning the fire service;
- has designated a predetermined place of assembly at a safe distance from the building which is not on a route, which might be used by the emergency services;
- has in place an accurate and efficient roll-call system which includes arrangements for visitors;
- has provided an effective alarm system which is regularly tested, easily distinguished, audible in every part of the premises, and is never switched off;
- has in place fire-fighting equipment recommended by the Chief Fire Officer which is checked on a regular basis;
- ensures that all heaters have a fireguard, and all electrical services and fittings are regularly maintained; and
- ensures that regulations concerning control and storage of flammable liquids are followed.

The Fire Safety (Scotland) Regulations 2006

Health and Safety at Work Leaflets: 'Fire Safety' (NASUWT) 'How to Combat Arson in Schools' (Fire Safety Advice Centre):
www.firesafe.org.uk

Fire Risk Management in the Workplace (Fire Protection Association):
www.thefpa.co.uk

The NASUWT Health and Safety Representative should advise members:

- to make themselves aware of evacuation procedures in the case of an emergency;
- to close all windows and doors behind them when evacuating the premises, if practicable. **Escape is the priority;**
- to try to avoid panic and ensure an orderly departure;
- to remember that **fire fighting must always be secondary to life safety**. Fire fighting appliances are designed to effect an escape, not fight fire;
- never to re-enter a building, either to search for missing persons, or to retrieve possessions. Only the fire service should effect re-entry;
- to co-operate with all fire prevention measures; for example, to ensure that:
 - exit doors are never obstructed, are kept unlocked and are easily opened from the inside;
 - furniture and equipment does not impede escape routes;
 - rubbish and combustible materials are disposed of as soon as possible.

The NASUWT Health and Safety Representative should be aware that the fire service is the enforcing authority and will **advise** on risk assessment and preventative measures (it will not actually **do** the risk assessment).

Guidance can be found at www.gov.scot

Guidance on catering for those with special needs can be obtained from the Equality and Human Rights Commission at: www.equalityhumanrights.com

First Aid

The employer is responsible for ensuring that a school/college has a health and safety policy that includes procedures for first aid.

The Health and Safety (First Aid) Regulations 1981 and the Approved Code of Practice (ACoP) apply to all employees who work in schools, colleges, central services and other establishments. They set out what the employer must do. Although the Regulations apply to employees, schools and colleges have a duty of care for pupils.

A school/college *must* have:

- a 'sufficient' number of suitably stocked first-aid boxes;
- a suitable first-aid room;
- an 'appointed person' whose duties are:
 - to maintain first-aid boxes;
 - to take charge of an emergency situation;
 - subject to agreement, to administer emergency first aid if trained to do so;
- a system for recording accidents (see the 'Accidents' section of this handbook).

The 'appointed person' must be made available to undertake these duties at all times when people are at work.

A school/college *should* have:

- a 'sufficient' number of first aiders (there is no set number – the appropriate number should be determined on the basis of a risk assessment) at appropriate locations, who must:
 - have received training, preferably approved by the HSE and updated every three years;
 - give immediate help to casualties;
 - be available whenever the need arises and may call an ambulance for professional assistance.

Careful thought should be given to first-aid provision for school/college visits and staff working out of hours.

No teacher is obliged to become a first aider or appointed person.

All employees must be kept informed of the arrangements for first aid provision and know who the appointed persons/first aiders are.

Health and Safety at Work Leaflet: 'First Aid' (NASUWT)

See 'Accidents' (page 21).

*First Aid at Work: Approved Code of Practice 2013 (HSE)
www.hse.gov.uk/pubns/ priced/174.pdf*

*Advice:
www.hse.gov.uk/firstaid
St John Ambulance publications:
St John Supplies,
Freepost,
PO Box 707B,
Friend Street, London
EC1V 7NE
020 7278 7888
www.sja.org.uk*

Head Lice

Head lice are tiny insects that grasp hairs and feed by sucking blood through the skin; 'nits' are their eggs and are attached at the base of the hair. They are caught by head-to-head contact.

Although medical authorities consider head lice to be harmless, infestation can be distressing.

Head lice are killed effectively by the application of a pesticide to the scalp, using Permethrin, Malathion or Carbaryl.

- Occasional treatments are said to be harmless, but regular and frequent treatment is to be discouraged.
- Repeated treatments in which small quantities of the chemicals are absorbed into the scalp may present a risk to health and are, therefore, a health and safety concern.

To deal with the problem effectively, all those affected must be treated simultaneously to avoid a cycle of reinfestation and retreatment.

Alternatively, 'bug busting' may be tried. The hair is washed then conditioner is applied and the hair thoroughly combed while wet, first with a normal comb then with a fine 'nit comb'. This must be repeated every three days for two weeks (NHS advice).

The NASUWT Health and Safety Representative should:

- demand that management write to parents with medical advice and request that whole family treatment be undertaken;
- ask what will be done to monitor the effectiveness of these actions; and
- advise members to consult their own doctors and to avoid head-to-head contact with children.

If there is reinfestation:

- demand that the NHS be contacted to arrange for full head inspections to be conducted and visits to parents undertaken;
- check what further action the school/college is taking; and
- inform the Local Secretary of the situation.

Health and Safety at Work Leaflet: 'Head Lice and Nits' (NASUWT)

Community Hygiene Concern: www.chc.org a UK registered charity

National Health Service (NHS): www.nhs.uk/conditions/head-lice-and-nits

Infectious Diseases

Local authorities (LAs) are responsible for the control of notifiable infectious diseases. They appoint a Consultant in Communicable Disease Control (CCDC) to take charge of this responsibility. The CCDC is concerned with both notifiable and non-notifiable diseases that are of concern in schools and colleges. CCDCs have close links with school/college medical officers, school/college nurses, GPs and Environmental Health Officers.

AIDS (acquired immunodeficiency syndrome) is not a disease; it is a medical condition caused by a breakdown in the body's immune system making the body vulnerable to serious infections. It is caused by HIV (human immunodeficiency virus).

HIV cannot be transmitted through normal social contact. This poses a very low/negligible risk in school environments.

Some of the infectious diseases that may be encountered are:

- **Hepatitis B** – an inflammation condition of the liver, highly infectious through contact with infected blood. Ninety-five per cent of people have a good immune response and make a good recovery. Vaccination is available and the LAs may advise staff in some special schools to be immunised. Any cost must be borne by the LA or other employer.
- **Meningitis** – inflammation of the lining of the brain. May be caused by bacteria or a virus. The bacterial strains are rare but very serious and need urgent treatment with antibiotics. Viral meningitis is more common but less serious and cannot be helped by antibiotic treatment. Only close family contacts are said to be at risk of contracting meningitis.
- **Rubella and measles** – all staff should be informed if there is any case in the school/college. Any pregnant member of staff who may have been in contact with a child with rubella should contact her GP. Precautions should be taken to avoid any such possibility.
- **Tuberculosis (TB)** – children with TB are said to be unlikely to infect other people. Adults may, rarely, infect others via their sputum.
- **Legionnaires' Disease** – a type of pneumonia. Infection is caused by inhaling airborne droplets containing legionella bacteria. Most cases have occurred in hotels or hospitals. The legionella can be found in systems that store water such as shower heads or air conditioning, particularly if the water is kept at temperatures between 20°C and 45°C. Ideally, hot water should be stored at 60°C. However, in schools the temperature at baths and showers must not exceed 43°C. Storage tanks should be subject to regular checking and maintenance.

The medical advice is that pupils should be taught that thorough and frequent hand washing and drying are essential to the control of infection in schools and colleges.

*Meningitis Research
Foundation
Midland Way
Thornbury
Bristol
BS35 2BS*

*24-hour freephone:
0808 8003344
www.meningitis.org.uk
Meningitis Now
0808 8010 388
www.meningitisnow.org*

*Health Protection
Scotland*

*There are many
websites dedicated to
medical subjects.
Simply type a topic into
a search engine such as
www.google.co.uk*

The NASUWT Health and Safety Representative should:

- refer to the LA statement of procedures and advice in respect of dealing with infectious diseases in schools/colleges.

Members who contract an infectious or communicable disease should not return to work until cleared to do so by a qualified medical practitioner. If this was contracted in the school or college, it should be recorded in the accident book in the workplace.

Lifting and Carrying

A significant number of all accidents involving teachers at school are caused by moving heavy objects. This produces serious, long-lasting spine and back-muscle injury.

Teachers cannot be required to lift heavy objects and should be aware of their duty, under the Health and Safety at Work etc Act 1974 (HASAW), to take care of themselves.

Work should be arranged in such a way that the need to lift or carry anything that creates a risk is avoided. Areas of concern remain in schools and colleges, including:

- moving equipment, furniture or materials;
- lifting or carrying pupils following injury, accidents or illness; and
- working practices which can result in Work Related Upper Limb Disorders (WRULDs) such as RSI.

Using low chairs in primary schools and bending or stooping over low tables can cause back problems and lead to RSI. This is a particular hazard for women members, especially if they are pregnant.

Management should:

- ensure that risk assessments of any potential dangers are carried out and take the steps needed to reduce the risk;
- advise employees not to put themselves at risk by lifting and carrying heavy objects;
- review the tasks and working practices which could put teachers at risk (for example, avoid/remove any need to lift or carry at all);
- if this is not possible, provide appropriate mechanical assistance where possible, such as trolleys or carts;
- provide appropriate training where lifting and carrying is shown to be an essential part of the job.

The NASUWT Health and Safety Representative should:

- advise members not to put themselves at risk by lifting and carrying heavy objects;
- monitor the number and type of incidents by regularly checking the accident book;
- be aware of the links with tripping, slipping and falling (see page 67);
- occasionally focus on lifting and carrying practices when carrying out routine inspections; and
- consider the circumstances of the individual and avoid negative prejudicial assumptions or behaviour.

See 'Accidents' (page 21) and 'Tripping, Slipping and Falling' (page 67)

Health and Safety at Work Leaflet: 'Lifting and Carrying' (NASUWT)

*Health and Safety at Work etc Act 1974 Chapter 37
www.hse.gov.uk/legislation/hswa.htm*

*BackCare: the Charity for Healthy Backs:
www.backcare.org.uk*

*HSE Backs:
www.hse.gov.uk/msd/backpain*

*'RSI – a trade unionist's guide'
Labour Research Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk/
020 7928 3649*

*The Manual Handling Operations Regulations 1992:
www.legislation.gov.uk*

Lighting

The most common lighting problems affecting members are:

- dark or unlit areas, particularly near steps or hazards such as machinery;
- lack of natural light because of dirty or badly positioned windows;
- rooms which are partitioned, without any compensation for the resulting loss of light;
- light loss and flicker caused by dirty or poorly maintained fittings and bulbs;
- glare from badly positioned or poorly shaded windows and lights; and
- energy-saving programmes aiming to reduce expenditure by reducing lighting.

Health and Safety Representatives should bear in mind that:

- areas must have levels of lighting appropriate to their normal use;
- there must be a programme of regular cleaning for light fittings; and
- rooms should be lit by natural light if possible. Glare from light sources (the sun) should be eliminated by use of blinds.

The NASUWT Health and Safety Representative should:

- identify potential problem areas;
- ensure emergency lighting systems are checked regularly;
- ask members to report any problems they experience as a result of poor lighting, or if they have symptoms such as headache, eye strain or fatigue;
- check accident reports for any indication that poor lighting may have been a factor;
- get suspected problem sites checked with a light meter. Light levels should be measured when the area is in normal use;
- compare results with relevant standards;
- check level of lighting in corridors, on stairs, in areas of slippery or uneven flooring; and
- check to see if lighting is mentioned in the school/college safety policy.

*The School Premises
(General Requirements
and Standards)
(Scotland) 1967:
www.legislation.gov.uk*

Maternity

New and expectant mothers (women who are pregnant) and who have given birth in the last six months, or who are breast-feeding, have **statutory rights**.

It is important for a pregnant woman to inform her employer as early as possible so that those rights can be implemented.

Entitlements

A specific risk assessment must be carried out and regularly reviewed, and any necessary adjustments made to working conditions. If risks cannot be controlled by work adjustments, the employer must offer suitable alternative work and, if that is not practicable, ultimately suspend the employee on full pay.

Adjustments could be, for example:

- removal of break duty requirement, allocation of more suitable teaching rooms, timetabling to allow rest periods, elimination of the need to carry books and materials;
- as much paid time off as needed for antenatal care;
- a suitable room for resting; and
- protection from discrimination or victimisation.

There is no statutory right to paid time off specifically for fertility treatment but the HSE recommends this, and some major employers have agreements in place.

The HSE recommends that a suitable place be provided to express and store milk.

Maternity leave

Every woman is entitled to 52 weeks' maternity leave, irrespective of length of service. The amount of salary or statutory maternity pay depends on length of service. Full details are given in the relevant NASUWT booklet.*

The NASUWT Health and Safety Representative should:

- use the check list on the following page as a guide to some of the likely workplace hazards that should be addressed by the employer within their risk assessment.

Maternity is also a 'protected characteristic' under the 2010 Equality Act, which makes discrimination on grounds of maternity status illegal.

Management of Health and Safety at Work Regulations 1999:
www.legislation.gov.uk

<http://www.hse.gov.uk/pubns/books/l21.htm>

A Guide for New and Expectant Mothers Who Work (HSE):
<http://www.hse.gov.uk/pubns/indg373.pdf>

**Maternity, Paternity and Adoption Leave and Pay (NASUWT)*

Pregnancy Health and Safety Check List

(to be amended as appropriate to the particular workplace)

	Y/N If yes, describe	Control measures in place	Further control measures recommended
Physical job demands			
Lifting or carrying?			
Bending or standing for long periods?			
A lot of walking?			
Using stairs?			
Need to access limited space?			
Agility/dexterity required?			
Mental job demands			
Challenging deadlines?			
Emotional demands?			
Working conditions			
Toilets easily accessible?			
Able to take toilet breaks when needed?			
Able to take rest breaks when needed?			
Risk of violence or aggression?			
Are classrooms overcrowded?			
Any obstacles to impede fire escape?			
Room temperatures reasonable?			
Ventilation effective?			
Seating – suitable height and support?			
Specific hazards			
Exposure to infectious diseases? rubella, chicken pox, parvovirus			
Use of hazardous chemicals? (see examples of risk phrases below)			

Some examples of risk phrases. (See the labelling or data sheets supplied with chemicals.)
(Refer also to the section on COSHH in this handbook.)

R40: possible risk of irreversible effects

R61: may cause harm to the unborn child

R45: may cause cancer

R63: possible risk of harm to unborn child

R46: may cause heritable genetic damage

R64: may cause harm to breast-fed babies

In all aspects of health and safety, gender stereotyping, such as exaggerating differences between men and women, should be avoided. The NASUWT supports the gender-neutral approach, which considers issues sensitively and in context.

Medication in Schools and Colleges

There is no legal or contractual requirement for any teacher to administer medication to a pupil. **The NASUWT advises members not to do so.**

Health and Safety Representatives should seek to ensure that appropriately trained and qualified support staff are deployed to administer medications to pupils, and/or that the appropriate specialist and external medical support is provided in school. The minimum requirements that should be demanded are:

- clear written guidelines from their employer;
- that they receive appropriate training;
- all necessary facilities for the safe storage of medicines and for record keeping;
- easy access to qualified medical/nursing support when needed;
- that all medicines be kept in a suitably approved, locked drugs cabinet; and
- that an up-to-date and detailed record of drug administration be kept in a designated place.

Health and Safety Representatives working in a special school or unit where the administration of medicines is a frequent occurrence, and where medically vulnerable children are in attendance, should press for the appointment of a qualified community nurse who would take responsibility for the administration of medication to the children.

The NASUWT advises that no employer can reasonably insist upon a teacher taking responsibility for the administration of rectal Valium, or for any invasive medical procedure.

The NASUWT Health and Safety Representative should:

- check to see that the school/college has a well-planned emergency procedure for dealing with situations like asthma attacks.

Health and Safety at Work Leaflet: 'The Administration of Medicines' (NASUWT)

The Administration of Medicines in Schools: www.gov.scot

See 'First Aid' (page 39).

The Menopause

Most women go through the menopause at some time between the ages of 45 and 55. Although legislation compels employers to take account of the needs of new and expectant mothers, health and safety policies rarely acknowledge the problems that can be experienced by women in later life.

Women can be affected in different ways, but workplace factors that can make working life more difficult for menopausal women include:

- high temperatures;
- poor ventilation;
- inadequate toilet provision;
- lack of opportunity or provision for resting;
- intrusive sickness monitoring procedures;
- unsympathetic management: research by the TUC has shown that women suffering from menopausal problems can receive management criticism of menopause-related sick leave and even ridicule and harassment.

Symptoms experienced by women going through the menopause include:

- hot flushes;
- headaches;
- tiredness and lack of energy;
- sweating;
- anxiety attacks;
- aches and pains; and
- short-term memory loss.

The NASUWT Health and Safety Representative should seek to ensure that the Health and Safety Policy:

- incorporates a commitment to a supportive approach (for example, provide for risk assessment and, if necessary, adjustments to working patterns and the working environment);
- recognises that the menopause can be a problem, but is not an illness or a disability;
- takes into account the fact that members may need to undertake treatments, such as Hormone Replacement Therapy (HRT), which may have negative side effects; and
- forbids negative comments or discriminatory behaviour.

*Hazards Campaign:
www.hazards.org/
women*

*National Association
for Premenstrual
Syndrome:
www.pms.org.uk*

*'Women's Health and
Safety – a trade
unionist's guide'*

*Labour Research
Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk/
020 7928 3649*

*NASUWT website:
Managing the
Menopause in the
Workplace*

*NHS website
www.nhs.uk*

Microwave Aerials

Health and Safety Representatives may be approached by members expressing concern about the existence of telecommunication base station aerials on the roofs, or in the vicinity of school/college buildings.

The aerials receive and transmit radio signals in that part of the electromagnetic spectrum referred to as microwave and categorised as non-ionising. The resulting energy fields are quite different from those associated with overhead power lines.

It is acknowledged that close exposure to sufficiently powerful microwave radiation can cause a heating effect in soft tissue (the effect exploited by microwave ovens).

The possibility that this type of radiation may cause cancer is generally discounted by scientists. However, as a result of public concerns, an independent expert group (the Stewart Enquiry) was set up and reported in May 2000. It found no evidence of risk from base stations, as emissions were expected to be small fractions of guidelines. However, it recognised that people did feel uneasy, which could affect their wellbeing.

The Stewart Report did not suggest the removal or prohibition of aerials from schools.*

Planning regulations mean employers should ensure that:

- proposals for masts of 15 metres and below will be subject to the full planning process;
- school/college governors/board members must be consulted by network operators before plans are submitted, and then by local planning authorities on all proposals for new masts on, or near, a school/college.

The DfE advises governors to consult parents about any such proposal. Some LAs have banned base stations from schools.

**The full report of the Stewart Enquiry and a summary are available on the National Archives*

*Office of Communications (Ofcom):
www.ofcom.org.uk*

*International Commission on Non-Ionising Radiation Protection (ICNIRP):
www.icnirp.org
'Possible Effects of Electromagnetic Fields (EMF) on Human Health'; 2007
European Commission:
[http://ec.europa.eu/health/ph_risk/committees/04_scenih/docs/scenih_o_007.pdf](http://ec.europa.eu/health/ph_risk/committees/04_scenih/ docs/scenih_o_007.pdf)*

Minibuses

Health and Safety Representatives should strongly advise members not to drive school/college minibuses. This should not be part of a teacher's contractual duty and carries grave personal and professional risks should something go wrong.

All school/college minibuses require a 'Section 19 Permit' obtainable from LAs, the Community Transport Association UK (CTA) or member organisations, which must be displayed prominently. In the absence of a permit, drivers of minibuses require a Passenger Carrying Vehicle (PCV) licence.

Although school/college minibuses may, by permit, be exempt from full commercial operating requirements in the UK, that status may not be recognised by police in continental Europe. Minibuses driven on the continent of Europe, including the Republic of Ireland, must therefore be PCV licensed, fitted with a tachograph and comply with European driving regulations.

Seat belts must, by law, be fitted to school/college minibuses. Although only lap belts are specified, three-point belts are much preferred. The approved school/college bus logo must be displayed at the rear. The law requires children to wear a seat belt where provided, and if a suitable child seat is provided then this must be used. However, the Department for Transport (DfT) advises that it is highly unlikely that any child seat would safely fit a minibus or coach seat, making it unlikely that a child seat would be classed as 'available', even if provided.

Workforce remodelling provides opportunities for schools to employ dedicated, appropriately trained and qualified support staff to be employed as minibus drivers.

Licence Requirements

There is conflicting advice over whether a B (car) driving licence is sufficient. Therefore, the NASUWT asserts that a full, unrestricted D1 licence is the minimum requirement.

*Minibus Driver Awareness Scheme (MiDAS):
ctauki.org*

'Educational Visits and School Trips' (NASUWT) NASUWT – Advice leaflet website:

See 'Educational Visits and Learning Outside the Classroom' (page 33).

Mould

Mould is the visible growth of fungi. There are many different types of fungus that cause mould to appear. Mould only grows in areas of high moisture, so will thrive in wet/damp conditions, particularly where it is also warm, making damp school buildings particularly suitable for fungal growth.

Moulds are plant-like organisms which do not require light to grow; they instead obtain nutrients through consuming dead matter, such as paper, cardboard and wood.

For mould to grow there must be a source of moisture, such as a leaking roof or pipe, condensation, or high humidity.

Mould usually appears as a grey-black woolly growth on walls and ceilings; however, it is possible for mould to be hidden behind furniture and in wall/ceiling voids. The stuffy, musty smell, which is usually associated with 'damp', is normally due to the growth of mould somewhere in the room, and investigations should take place in order to ascertain the origin of the smell.

Moulds are spread by spores which are considered allergens and can trigger allergic responses, such as hay fever or asthma attacks, as well as the development of upper respiratory tract symptoms such as coughs and wheezing in otherwise healthy people. There is also a potential link between the development of asthma in children and early mould exposure.

*NASUWT Website:
'Mould in Schools'*

Noise and Voice Strain

Exposure to excessive noise can cause damage to the hair cells and nerves of the inner ear, potentially leading to stress and associated circulatory, digestive and psychological problems, loss of concentration and poor performance.

It is possible that noise in schools/colleges will reach levels requiring action under the Regulations, especially in music rooms, workshops and reprographic rooms. However, even lower noise levels can still damage hearing and increase stress levels. Sensible steps to reduce noise should be encouraged, such as carpeting classrooms and corridors and double glazing windows next to sources of noise.

Standards for noise levels are set out in the Acoustic design of Schools: Performance standards. This document sets out acceptable levels of noise in schools and other parameters, such as reverberation times (the length of time an echo can persist for).

The employer:

- must ensure that where excessive noise is identified, an assessment by a competent person is carried out under the Control of Noise at Work Regulations 2005;
- has a duty to reduce the noise level if this is reasonably practicable; and
- must provide ear protectors if the level of noise cannot be reduced.

Voice strain

Voice strain is a common occurrence amongst teachers. Recent research has shown that possible contributory factors are:

- noisy environments;
- poor classroom acoustics;
- over-use of the voice;
- colds and throat infections.

Comforts to which teachers may turn instinctively, such as hot drinks, caffeine, alcohol and spicy foods, can exacerbate vocal problems. Plain, cold water is recommended by experts.

Where classroom design leads to poor acoustics, not only does the teacher's voice suffer, the students themselves do not hear properly. This may result in behaviour problems and have implications for the rights of children with hearing impairments under the Special Educational Needs and Disability Act 2001.

There are a number of companies providing relatively low-cost equipment to counter this problem. An internet search for 'sound field amplification' will bring up examples.

*NASUWT Website
'Noise'*

*The British Voice
Association:
www.britishvoice
association.org.uk*

*The Control of Noise
at Work Regulations
2005:
www.legislation.gov.uk*

*The Special
Educational Needs
and Disability Act
2001:
www.legislation.gov.uk*

*See 'Disability' (page
30)*

If voice strain is still shown to be a problem, management could provide access to voice and vocal hygiene training.

The NASUWT Health and Safety Representative should:

- identify areas where there is excessive noise and request risk assessments; and
- liaise with school/college management to ensure that policies relating to behaviour and classroom management incorporate appropriate strategies that minimise the risk of damage to vocal chords in order to overcome low-level disruption.

Photocopiers and Laser Printers

Photocopiers and laser printers both produce ozone which, if present in high enough concentrations, can cause health problems such as eye, nose and throat irritation, dermatitis, headaches, premature ageing and possible reproductive and cancer hazards. People suffering from respiratory ailments are particularly sensitive to the effects of ozone.

Problems are likely to arise if the machines are:

- badly positioned: the symptoms are likely to be felt by people working in cramped, overcrowded conditions;
- poorly maintained: internal filters, which break down the ozone, and clog up over time, particularly in poorly ventilated offices. They should be changed periodically; and
- used frequently or for lengthy runs.

Proper siting of machines, ventilation and maintenance are therefore essential.

Ozone is a sweet-smelling and highly toxic gas. If you can smell ozone, the level is too high. There are big variations in the amount produced by different machines, and safety representatives should be consulted over the purchase of new models.

Other chemicals associated with photocopiers are:

- selenium and cadmium sulphide, carbon monoxide, and nitrogen oxide; and
- carbon black, contained in toners, which is a nuisance dust that contains possible carcinogens.

Toners must be handled with care and gloves worn. Previous consumer organisation tests have found that toners often release harmful substances.

Noise and ultraviolet light emitted during the copying process are also hazards associated with copiers.

- Where possible, no one should work in the same room as a photocopier.
- If unavoidable, machines should be sited at least three metres away from workers.
- Where possible, laser printers should not be sited on desktops or workstations beside workers.

The NASUWT Health and Safety Representative should:

- check health effects on people by carrying out a survey;
- make sure copiers are regularly serviced and that the filter is replaced on a regular cycle;
- ensure that the area is appropriately ventilated; and
- ensure that, where possible, no one works in the same room as a photocopier.

*The Control of
Substances Hazardous
to Health Regulations
2002:*
www.legislation.gov.uk

Premenstrual Syndrome

Around 90% of menstruating women experience physical and/or psychological changes in the days leading up to their periods.

A third of women say that Premenstrual Syndrome (PMS) significantly affects their lives and five to ten per cent experience severe symptoms that can disrupt their lives in the two weeks leading up to their periods.

The most common PMS symptoms are depression, aggression, mood swings and tiredness, which at work may lead to:

- feeling vulnerable;
- panic attacks;
- loss of energy;
- difficulty in concentration; and
- physical aches and pains.

While teachers should not be exposed to hazardous substances at work, they may commonly be subjected to the demanding and stressful working environment that can exacerbate premenstrual problems.

Safety policies should recognise that PMS-related absences can show up as regular days off sick. Any sickness absence procedure should take this fact into account.

The NASUWT Health and Safety Representative should:

- be alert to inappropriate jokes, comments or dismissive attitudes relating to PMS by management or co-workers;
- ensure that such behaviour is defined as unacceptable in all appropriate workplace policies and viewed as discrimination and harassment, with potential disciplinary consequences; and
- ensure that school/college management fulfil their legal responsibilities under the Gender Equality Duty (advice can be sought from the Local Association Secretary or Equality Officer).

*National Association
for Premenstrual
Syndrome (NAPS):
www.pms.org.uk*

*'Women's Health and
Safety – a trade
unionist's guide'
Labour Research
Department (LRD)
78 Blackfriars Road
London SE1 8HF
www.lrd.org.uk/
020 7928 3649*

*Hazards Campaign
[www.hazards.org/
women/NHS](http://www.hazards.org/women/NHS)
www.nhs.uk*

Security

The employer should declare, within its Health and Safety Policy Statement, a positive commitment to a secure environment. Procedures and guidelines that ensure, as far as is reasonably practicable, the security of all those who use the premises should be clearly set out. Health and Safety Representatives have the right to be consulted on all such matters.

A key element is information and training for all staff, including:

- agreed procedures for reacting to the presence of unauthorised visitors designed so that no-one is placed in a potentially confrontational, or hazardous situation (no 'challenging' of strangers) which should include lockdown procedures; and
- how to respond to incidents.

The safety strategy must be based on a competent risk assessment backed by specialist advice. Every site is different: establishments should carefully weigh up any recommendations of security advisers to be sure that they suit their particular situation. Schools should deal only with firms that are approved by the LA/employer and/or accredited by a trade organisation such as national security inspectorate (NSI), or British Security Industry Association (BSIA). Measures, which do not all have to be expensive to be effective, could include:

- restricting visitors to a single entry point;
- controlled entry system (coded push-button lock);
- staffed reception area;
- visitor badging; and
- panic alarms.

Closed-circuit television (CCTV) surveillance is often thought of as a panacea, but is of little use unless the system:

- is monitored by staff trained in how to respond to an incident;
- has a recording facility; and
- is efficiently serviced (for example, recording media changed systematically).

Special attention should be given to vulnerable groups such as staff working in isolation, off site or after normal hours.

Any intrusion onto the premises by unauthorised parties should be reported to the police. LAs have the power to close or divert rights of way that cross school grounds if these present a security risk, or potential nuisance or disturbance.

A LA/employer or trust can obtain an injunction against trespassers or warn intruders of possible action under Section 547 of the Education Act 1996. This includes LA/employer and independent schools, academies and free schools, non-maintained special schools and LA/employer outdoor centres.

The Protection from Harassment Act 1997 may also be relevant. (See 'Bullying' section on page 25.)

The NASUWT Health and Safety Representative should:

- work with staff governors to ensure that budgetary provision is made to address site security issues.

NASUWT website:
'Lone Working'
'School Lockdown Procedures'
(NASUWT)

See also in this handbook: *'Violence'*, *'Accidents'* and *'RIDDOR'*
Suzy Lamplugh Trust
National Centre for Personal Safety
Tel: 020 7091 0014
www.suzylamplugh.org
info@suzylamplugh.org

NSI: National Security Inspectorate
01628 637512
www.nsi.org.uk

BSIA: the British Security Industry Association
0845 389 3889
www.bsia.co.uk

The Protection from Harassment Act 1997:
www.legislation.gov.uk

Smoking

Smoking is banned in all workplaces and premises open to the public, including schools and colleges throughout the UK.

The smoking ban could lead to members of staff smoking in public areas outside the school/college premises. This would be an extremely unsatisfactory state of affairs for both staff and employers and could have disciplinary implications. Members should be made aware of this.

Caring employers might consider offering some form of cessation support, such as counselling or subsidised nicotine-replacement therapies.

Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006:

www.legislation.gov.uk

Action on Smoking and Health:

www.ash.org.uk

Sports and Playing Fields

Teachers should not take full responsibility for sport or physical education (PE) activities unless they have specialist training. Such teachers, if timetabled to take games lessons, should work closely with qualified specialist colleagues. Even years of participation in a given sport may not be seen by a court of law as an acceptable qualification. Any sporting activity must be:

- authorised by the headteacher; and
- covered by the school/college's public liability insurance.

A teacher is even more vulnerable if thinking about undertaking activities outside normal school hours.

Teachers must never accept responsibility for pupils of the opposite sex when they are changing.

Teachers are strongly advised not to participate with pupils in any game where there is any likelihood of physical contact. A manoeuvre or tackle that is entirely within the rules of the game could be construed by a court as an illegal assault by virtue of the imbalance of size, weight, strength and ability between teacher and pupil.

The Health and Safety Representative has the right to inspect grass or artificial playing areas for safety – at the school or elsewhere – if colleagues need to use them for lessons. Teachers supervising games are responsible for the safety of pupils and should satisfy themselves beforehand that playing areas have been checked by the site manager or responsible person.

Problems to watch out for include:

- dog or cat fouling (a source of serious infections);
- the Education Act 1996 states that it is an offence for a person to cause or permit nuisance on school premises (not necessarily within the school day). Such an individual may be removed by a police officer or a person authorised by the governing body/board to take such action;
- dangerously uneven or slippery surfaces or potholes;
- broken glass, tins, rubbish;
- potential for access by intruders;
- arrangements for 'walking' or 'bussing' pupils to an off-site venue;
- maintenance, safe storage and suitability of equipment;
- supervision of large groups; and
- risk of sunburn and skin cancer implications (see 'Sun – exposure' on page 62).

See 'Sun – exposure' (page 62).

Staff Facilities

Employers are required to provide for the welfare of employees at work. This means:

- the provision of accommodation for both work and social/rest purposes:
 - although there is no direction as to size, decoration or furnishing of a staffroom, facilities must be reasonable, bearing in mind the number of people using it;
 - there must be facilities to eat meals and make a drink, including a washing-up sink and hot water;
 - rest rooms should have sufficient seats with back rests and tables for the number of staff likely to use them during breaks;
 - staff must not be exposed to cigarette smoke;
 - women who are pregnant or nursing must have suitable rest facilities; and
 - nursing mothers should have a suitable place to express and store milk (HSE recommendation);
- the provision of cloakroom facilities whereby each employee has a separate locker or, at least, a peg, a means of drying outdoor clothes and space for changing clothes;
- the provision of an adequate and accessible supply of wholesome drinking water, which should be conspicuously labelled, plus a sufficient number of drinking vessels:
 - drinking water should be drawn from the mains wherever reasonably practicable, but in schools/colleges can be commonly stored in tanks which must be inspected and subject to maintenance schedules designed to avoid diseases such as Weil's or legionnaire's;
- adherence to standards of cleanliness:
 - the premises, furniture and fittings should be kept clean – floors and traffic routes should be cleaned at least once a week, toilets and eating areas daily;
 - rubbish and food waste should be kept covered and spillages cleaned up immediately; and
 - details of cleaning requirements can be found in the cleaning agency's contract specification.

The provision of sanitary facilities and washbasins:

- toilets must be kept clean, well ventilated and lit, have locking doors and be easily accessible;
- there must be separate accommodation for men and women;
- washing facilities must include hot water, soap, a hygienic means of hand drying and be private and safely lit;
- PE teachers should be provided with changing and shower accommodation;
- minimum number of toilets:

The Workplace (Health, Safety and Welfare) Regulations 1992:
www.legislation.gov.uk

The School Premises (General Requirements and Standards) (Scotland) 1967:
www.legislation.gov.uk

no of people at work			no of water closets	no of washstations
1	to	5	1	1
6	to	25	2	2
26	to	50	3	3
51	to	75	4	4
76	to	100	5	5

[The Workplace (Health, Safety and Welfare) Regulations 1992]

- minimum requirements may be insufficient: the Workplace Regulations state that toilet provision should take into account working patterns particular to the workplace: this is especially relevant to schools;
- provision must take into account the needs of pregnant women;
- if the number or location of toilets is unsuitable, the Health and Safety Representative should report to the headteacher and insist on appropriate action to remedy the situation. Call in the help of the NASUWT Health and Safety Co-ordinator (HSC) if necessary;
- may a toilet be used by both staff and pupils?
 - yes, but only if it provides for disabled persons, consists of only one WC/washbasin/shower, is secured from the inside and opens directly onto a circulation space other than stairs.

Employers should also give consideration to the cultural sensitivities and religion/belief of all members of the school/college community. The Employment Equality (Religion and Belief) Regulations 2003 place a specific duty on all employers not to discriminate against their employees on this basis.

The NASUWT Health and Safety Representative should:

- ensure that all members of the school/college workforce are consulted about suitable arrangements within their workplace;
- ensure that school/college management fulfil their legal responsibilities by providing adequate staff facilities.

Stress

'Stress' is defined by the HSE as the adverse reaction people have to excessive pressure or other types of demand placed on them. Excessive pressure can lead to stress which undermines performance, is costly to employers and can make people ill. The HSC and HSE have made work stress a key target area.

Signs of stress in colleagues may be:

- behavioural changes such as irritability, aggression, unwillingness to accept advice or co-operate with others, increased use of cigarettes, coffee, alcohol and other drugs, overworking and difficulty in maintaining concentration.

Particular pressures on teachers include:

- lack of control over workload;
- excessive monitoring;
- excessive workload;
- pupil behaviour;
- frustrating and ineffective meetings;
- ETI inspections;
- major changes in working practices;
- threat of violence;
- management bullying;
- sexual, racial or any other form of harassment;
- lack of career progression; and
- large class sizes.

The NASUWT Health and Safety Representative should:

- treat the issue as a collective problem;
- hold a meeting and organise a short survey to encourage members to discuss the issue, such as the NASUWT wellbeing survey, which your Local Secretary can help you to organise;
- check sickness absence and accident statistics to see if they are related to stress;
- consider suggesting the implementation of a general stress management programme. Argue that stress impairs the performance of the school/college by creating increased and unpredictable sickness absence, high staff turnover, behavioural problems, poor working relationships and less teamwork. It tends to have a domino effect if left unchecked: staff have to cover for colleagues and will themselves be put under greater pressure. Stress costs money;
- work with the NASUWT Representative;
- suggest potential assistance such as programmes of anxiety management, counselling, relaxation and/or assertiveness training if an individual member has problems. The underlying causes must be identified and addressed;
- refer the member to the NASUWT for advice where he/she has suffered extended absence as a result of work-related stress.

NASUWT Mental Health and Work-Related Stress Risk Assessment Toolkit

'Work Stress': The UK National Work Stress Network
www.workstress.net

Managing Occupational Stress: Stress and Mental Health at Work

Managing Occupational Stress: HSE Guidance
www.hse.gov.uk/stress

Support Partnership:
www.educationsupportpartnership.org.uk
08000 562561

Sun – exposure

Whilst all teachers have a duty of care towards the pupils in their charge, Health and Safety Representatives may be approached by staff concerned about risks to their own health if they take part in out-of-doors activities such as sports days and educational visits.

The employer's duty to avoid exposing employees to foreseeable hazards should be taken seriously when considering any out-of-doors event. A risk assessment should be integral to the planning process and should take into account the following facts:

- ultraviolet (UV) radiation is made up of UVA and UVB rays. UVA ages the skin and UVB burns. Both can cause skin cancer;
- skin cancer is one of the most common cancers in the UK and the number of people who get it is increasing;
- over 2,300 people die from skin cancer each year in the UK;
- it is believed that malignant melanomas occur on sun-damaged skin and are caused by short, sharp, excessive exposure to the sun (sunburn);
- non-melanoma skin cancer is believed to be caused by long-term exposure and is thought to be less dangerous;
- people with pale skin are most vulnerable to UV-related skin problems, particularly those with freckles, red hair or a genetic predisposition;
- employees have a duty to take care of themselves and others and should take adequate precautions before engaging in outdoor activities; and
- even on a cloudy day, UV radiation may be damaging.

Best practice is to avoid exposure, but if sunscreens are used they should be those that provide protection against both UVA and UVB rays and have a high protection factor. Their effectiveness can deteriorate over time. Teachers should not apply sunscreen to pupils, who should, where possible, do so themselves, or be kept indoors.

For information, model policy, etc:

*Cancer Research UK:
www.cancerresearchuk.org*

*NHS:
www.nhs.uk*

Swimming Pools

Teachers accompanying pupils to swimming lessons must not supervise or instruct pupils who are in the water, unless they are qualified swimming instructors.

Recommended maxima are: water temperature of children's teaching pools: 29°C; air temperature: one degree above. The acceptable humidity level is regarded as 55-65%.

Higher temperatures cause swimmers to sweat more and increase the growth of harmful microorganisms. Any environment that exceeds these recommendations puts at risk not only the health and safety of the teacher/supervisor, but also their ability to remain vigilant in case of accidents. Such a risk must be assessed and sufficiently controlled before arranging duty spells.

Ventilation systems should ensure at least five air changes per hour. A minimum of 30% fresh air is essential to control the atmospheric contaminants (such as chloramines) that can form when chlorine in disinfectant combines with pollutant proteins from swimmers. These compounds give pools their characteristic smell and can cause eye discomfort. A strict regime of showering before entering the pool will enable minimum amounts of disinfectant to be used and reduce the build-up of chloramines.

An instructor is responsible for pupils' health and safety. He/she should be satisfied that proper water-quality checks have been carried out by a competent person. Water should be tested before each use and every 2/3 hours during use, more frequently if the pool is heavily used. The results should be recorded and kept for five years. Water clarity must be such that the pool bottom can be easily observed.

The recommended 'turnover' (the rate at which the whole body of water is treated) is two-hourly. However, many school/college pools will have been designed to earlier, lower standards. School/college pool treatment systems should therefore be run continuously day and night.

The NASUWT recommends that specialist advice is sought on issues relating to the supervision of pupils, instructors' qualifications and group sizes. The relevant health and safety policy should be referred to. Some sources for information are listed in the margin.

Swimming Teachers' Association
www.sta.co.uk

Swimming and Aquatic Teaching Qualifications
01509 618700
(supervision lifeguard training)
www.britishswimming.org

Temperatures: too cold?

The Workplace (Health, Safety and Welfare) Regulations 1992, which apply to schools and colleges, stipulate that temperatures during working hours shall be 'reasonable', with a minimum of 16°C specified, unless rigorous physical effort takes place, when the temperature can be 15°C.

The School Premises (General Requirements and Standards) (Scotland) Regulations specify the following temperatures:

Type of accommodation	Temperatures
Medical inspection room, changing room, bathroom, water closet and shower room	18.5°C (65°F)
Teaching space, dining room, nursery room, common room and staff room	17°C (62°F)
Assembly area, lecture hall, theatre and cinema	15.5°C (50°F)
Sickroom	14.5°C (58°F)
Cloakroom and corridors	13°C (55°F)
Gymnasia	13°C (55°F)
Games Hall	10°C (50°F)

Should an unacceptable drop in temperature occur, and management is unwilling to come up with a solution that the Health and Safety Representative, in consultation with members, considers reasonable in the particular circumstances, then the advice of the Local Association Secretary should be sought.

The NASUWT Health and Safety Representative should:

- press for maintenance on heating systems to be carried out during the summer; not just when problems occur.

*The Workplace
(Health, Safety and
Welfare) Regulations
1992:*
www.legislation.gov.uk

*Health and Safety at
Work Leaflet: 'Heating
and Ventilation'
(NASUWT)*

*The School Premises
(General Requirements
and Standards)
(Scotland) 1967:*
www.legislation.gov.uk

Temperatures: too hot?

Although there is no maximum temperature specified in law, the Workplace (Health, Safety and Welfare) Regulations 1992 say that all reasonable steps should be taken to achieve a reasonably comfortable temperature.

The World Health Organization recommends 24°C as a maximum temperature for comfortable working. The Chartered Institute of Building Services suggests 22.8°C.

Working in a high temperature can lead to loss of concentration, irritability, headaches, tiredness and discomfort. It can make people more vulnerable to accidents and affect the quality of their work. Research has shown temperatures above 27°C can reduce learning by 20%.

Special consideration must be given to pregnant or menopausal workers and other people who can be particularly susceptible to extremes of temperature, such as people with a disability or impairment. The effects of high temperature can be exacerbated if accompanied by high levels of humidity. These can be measured using a 'wet bulb globe thermometer', or electronic humidity sensor.

A sufficient number of thermometers must be provided so that temperatures may be checked and recorded. Poor air movement and any radiant heat sources also need to be taken into account. 'All occupied areas of the school/college building shall have controllable ventilation'* at a minimum rate of:

- three litres of fresh air per second for each of the usual number of persons the area will accommodate;
- eight litres of fresh air per second for each of the usual number of people in those areas when occupied.

Steps to achieve a reasonable temperature could be:

- increasing natural ventilation;
- providing fans;
- providing air cooling equipment; or
- shading windows.

Schools and colleges should think carefully about planning events out of doors. Apart from discomfort, exposure to the sun's UV rays can cause burning and increased susceptibility to skin cancer, even on an overcast day. Directing teachers to work in such an environment without appropriate safeguards could be held to be in breach of the Health and Safety at Work etc Act 1974. (See 'Sun – exposure' on page 62.)

The NASUWT is committed to campaigning for a maximum working temperature in schools and colleges.

**Health and Safety at Work Leaflet: 'Heating and Ventilation' (NASUWT)*

*Health and Safety at Work etc Act 1974 Chapter 37 section 2(3):
www.hse.gov.uk/legislation/hswa.htm*

*The School Premises (General Requirements and Standards) (Scotland) 1967:
www.legislation.gov.uk*

Traffic On Site

The combination of children, vehicles and visitors, particularly at the peak times that occur in every school/college day, is a serious hazard that requires careful risk management. Health and safety law places clear obligations on employers and those in charge of a site. Traffic on site is a key target area for the HSE.

Regulations* demand that traffic routes around school/college premises be organised so that:

- pedestrians and vehicles may circulate safely;
- routes are 'suitable for the persons or traffic using them, sufficient in number, in suitable positions and of sufficient size';
- pedestrians and vehicles do not endanger people working nearby;
- there is sufficient separation of any traffic route from doors, gates and pedestrian routes that lead onto it;
- timings and arrangements for deliveries and pick-ups minimise potential risk;
- if pedestrians and vehicles have to share the same route, there is sufficient separation between them;
- they are clearly marked; and
- parking arrangements should ensure access for emergency vehicles, and must not impede evacuation routes.

Consideration should be given to:

- the safety of:
 - pedestrians with impaired sight in relation to kerbs, white marking or lighting;
 - wheelchair users;
 - persons with other walking difficulties;
- any steps or ramps (steepness, condition, handrails);
- protecting people from vehicle exhaust fumes; and
- determination and enforcement of sensible speed limits and parking arrangements.

All traffic control measures must be clearly signed so that visitors are in no doubt as to how they must proceed.

Management must ensure that visitors comply with those restrictions imposed for reasons of safety.

The NASUWT Health and Safety Representative should:

- seek to ensure that measures to deal with the problems of traffic are clearly set out in the establishment's health and safety policy. This is also a key consideration in ensuring that the establishment meets its duty to promote disability equality.

**Regulation 17
The Workplace
(Health, Safety and
Welfare) Regulations
1992:
www.legislation.gov.uk*

Tripping, Slipping and Falling

Approximately a quarter of accident cases handled by the NASUWT on behalf of members that involve solicitors and/or counsel are directly due to teachers tripping, slipping or falling.

Whilst trips and falls may occur anywhere, there are specific areas of concern which need particular attention.

- **Wet areas** – PE changing rooms, showers, swimming pools and entrances. Wet surfaces can be especially hazardous to people in bare feet or inappropriate footwear.
- **Wet floors** should be cordoned off.
- **Workroom/laboratories/workshops** – spillage of liquids or tools/implements falling on floors cause special concerns.
- **Walkways** increase the chance of trips, slips or falls. Not drained properly, they can be a hazard when wet or frozen.
- **Certain types of floor surfaces**, indoors or outside, are hazardous if damaged or raised.
- **Staircases** – should have uniform, secure tread and firm handrails, and should be well lit.
- **Corridors and thoroughfares** must be kept clear of obstructions.
- **Stages** – there are often many objects of a temporary nature on a stage, such as furniture or props, etc.
- **Trailing wires** should be avoided if practical to do so: otherwise, they should be secured effectively to prevent trips.

The NASUWT Health and Safety Representative should:

- as part of the regular inspection pattern, check floor surfaces for signs of deterioration, especially secondary floor coverings such as tiles;
- check the accident report book regularly;
- check that the changes on floor levels are clearly identifiable;
- closely observe floors in entrance ways to buildings;
- report for immediate action internal wet or slippery surfaces whether from recent cleaning or leakages/spills of liquid;
- insist that risk assessments are carried out on obviously dangerous areas;
- **advise NASUWT members to report all accidents, however minor or trivial they consider them to be.**

Health and Safety at Work Leaflets: 'Trips, slips and falls' and 'Reporting School Accidents' (NASUWT)

Regulation 12

The Workplace (Health, Safety and Welfare) Regulations 1992:

www.legislation.gov.uk

Preventing Slips, Trips and Falls at Work (HSE):

www.hse.gov.uk/pubns/indg225.pdf

HSE Slips and Trips Hazard Spotting Checklist

www.hse.gov.uk/pubns/ck4.pdf

The Work at Height Regulations 2005:

www.legislation.gov.uk

For advice on reporting, see 'Accidents' (page 21).

Violence

Violence at work includes not only physical assault but also verbal abuse, threats, harassment and malicious damage to property, whether caused by a pupil, student, colleague or member of the public. There is a clear responsibility on employers to protect teachers against violence. A number of LAs/employers have 'Assaults on Staff' procedures, which often contain statements of support and provision for counselling, time off, legal aid and compensation. If your employer does not have an appropriate policy, this should be raised with your Local Association Secretary.

The NASUWT has campaigned for a range of measures to improve school security. In 2007, the Union's suggestion that schools should be able to commission random airport-style security checks to detect and deter offensive weapon-carrying was adopted by the Government.

Despite the growing weapon-carrying culture on the streets, incidents involving weapons in schools are still extremely rare.

There is no requirement for teachers and headteachers to carry out searches themselves. Conducting searches is a job for appropriately trained staff who have site security as part of their role. LAs and the local police should be approached for support and advice.

School/college management should:

- give unequivocal support to staff subjected to violence;
- investigate all reported incidents of violence;
- assess risks and devise strategies for the prevention of violence;
- devise, in consultation with staff, and implement a behaviour management and anti-bullying policy;
- adopt a formal system for reporting and recording all incidents of violence;
- confirm that reporting an incident will not reflect on competence; and
- take into account the fact that women are disproportionately subjected to violence.

The NASUWT Health and Safety Representative should:

- consult members about potential risks and possible control measures which could be put in place;
- check that there is an official form for reporting and recording incidents;
- encourage members to report all incidents of violence;
- find out if the LA/school/college/employer has issued any relevant guidelines;

HSE advice
www.hse.gov.uk/violence

'Protecting Workers from Violence and Abuse' Labour Research Department (LRD): www.lrd.org.uk/
020 7928 3649

See 'Security' (page 56) and 'Risk Assessment' (page 18).

See 'Bullying' (pages 25 and 26) for specific equality duties for reporting incidents

Criminal Injuries Compensation Authority (CICA)
www.cica.gov.uk

- monitor the effectiveness of control measures and keep a record of incidents;
- seek to ensure that 'racially aggravated offences' are reported to the police. This can include: harassment; assault; grievous bodily harm; criminal damages; or the use of threatening, abusive or insulting language or behaviour in order to stir up racial hatred, including distributing racist leaflets;
- insist that all violent attacks are reported to the police;
- if a matter has been reported to the police, advise the member to make a claim to the Criminal Injuries and Compensation Authority (CICA) (forms available from the NASUWT);
- if the member wishes to investigate the possibility of pursuing a legal claim, advise them to telephone the NASUWT free Legal Advice Line: 0808 100 2221; and
- when an assault leads to an illness requiring sick leave, members should be advised to make an entry in the school accident book and submit a BI95* form to the local Benefits/Social Security/Jobcentre Plus office. It can also be done via www.dwp.gov.uk (see the NASUWT Health and Safety at Work leaflet 'Reporting Workplace Accidents' for more details). This will log the incident as work-related in case of any future benefit claim.

Violent attacks are reportable under RIDDOR**. Only National Executive Members can authorise a ballot on refusing to teach a violent and/or abusive pupil.

It is possible that a member who is a victim of violence may face an allegation of wrongdoing arising out of the incident. If police wish to investigate such a matter, the member must contact the NASUWT at the earliest opportunity.

**See 'Accidents' (page 21).*

***See 'RIDDOR' (page 17).*

Windows

Glazing in doors, walls and partitions, where any part is 'at shoulder level or below', and windows, where any part is 'at waist level or below', must be of 'safety' glass or polycarbonate unless of ordinary glass consisting of a minimum thickness:

Nominal thickness	Maximum size
8mm	1.10m x 1.10m
10mm	2.25m x 2.25m
12mm	3.00m x 4.4m
15mm	Any size

[The Workplace (Health, Safety and Welfare) Regulations 1992]

- 'Safety' glass must be marked as such.
- Alternatively, such windows may be protected by some sort of barrier to prevent anyone making contact.
- Windows must be such that they may be operated and cleaned safely.
- Windows should be capable of being opened safely.
- Devices should be fitted to prevent a window opening too far if there is a risk of falling through.
- Windows which open should not pose a risk by projecting into an area where persons are likely to collide with them.
- Transparent panels in doors must be designed so that all people, including a person in a wheelchair, can be seen from the other side.

Anti-glare coatings or other appropriate measures should be applied to windowpanes as needed.

Health and Safety at Work Leaflet: 'Heating and Ventilation' (NASUWT)

*The Workplace (Health, Safety and Welfare) Regulations 1992:
www.legislation.gov.uk*

See 'Lighting' (page 44).

Work/Life Balance

All teachers and headteachers are entitled to enjoy a satisfactory balance between the demands of their professional duties and their personal interests outside work.

- Employers have a general duty under the Health and Safety at Work Act 1974 to ensure the health, safety and welfare of employees.
- The Working Time Regulations 1998 set limits on working time.

Alongside these entitlements, a contractual right to a 35-hour working week exists.

The NASUWT Health and Safety Representative should:

- work with NASUWT Representatives to ensure that they are consulted in order to develop agreed strategies for achieving a reasonable work/life balance. There must be downward pressure on teachers' overall working hours.

*Health and Safety at Work etc Act 1974
Chapter 37:
www.hse.gov.uk/legislation/hswa.htm*

Useful Sources

- **Health and Safety Executive**
www.hse.gov.uk/services/education

European Agency for Safety and Health at Work Publications

- **Prevention of violence to staff in the education sector**
osha.europa.eu/end/tools-and-publications/publications/factsheets/47
- **Prevention of work-related stress in the education sector**
osha.europa.eu/end/tools-and-publications/publications/e-facts/efact31
- **Occupational safety and health and education: a whole-school approach**
osha.europa.eu/sites/default/files/publications/documents/OSH-and-education-whole-school-approach.pdf

Other HSE Guidance

There is a vast amount of advisory literature available from HSE. Most, if not all, is freely downloadable.

Refer also to the marginal notes alongside the specific topics in this handbook.

Other Useful Sources

Organisation	Description, contact details
NASUWT	www.nasuwt.org.uk
TUC Publications	www.tuc.org.uk/h_and_s/ A large number of useful publications. A complete list can be obtained from the TUC at Congress House, Great Russell Street, London WC1B 3LS tel: 020 7636 4030; fax: 020 7636 0632 TUC 'Risks' weekly electronic health and safety newsletter. Sign up to receive it automatically by E-mail (free): www.tuc.org.uk/newsroom/register.cfm or click on the link from the NASUWT website
afPE Association for Physical Education	www.afpe.org.uk University of Worcester, Henwick Grove, Worcester WR2 6AJ
BSI British Standards Institution	www.bsi-global.com Standards and guidance: for example, for design and technology BS 4163 (2000)
DfE Department for Education	www.gov.uk
European Agency for Safety and Health	http://osha.europa.eu/OSHA/ Factsheets on risk assessment, stress, bullying and other topics
Hazards Campaign	www.hazardscampaign.org.uk
Hazards Magazine	www.hazards.org www.hazards.org/safetyreps/ safety representatives' website
Health Protection Scotland	www.hps.scot.nhs.uk
HSE Health and Safety Executive	www.hse.gov.uk
Labour Research Department (LRD)	www.lrd.org.uk A range of publications LRD Publications Ltd, 78 Blackfriars Road, London SE1 8HF. Tel: 020 7928 3649

London Hazards Centre**www.lhc.org.uk**

Handbooks on asbestos and other issues, factsheets and information for safety representatives.

227 Seven Sisters Road, Finsbury Park,

London N4 2DA

Tel: 020 7527 5107 E-mail: mail@lhc.org.uk**Greater Manchester Hazards Centre****www.gmhazards.org.uk**

Windrush Millennium Centre, 70 Alexandra Road,

Manchester M16 7WD

Tel: 0161 636 7557

E-mail: mail@gmhazards.org.uk**NHS Choices online****www.nhs.uk****UK National Stress Network****www.workstress.net**

Use this space to add further sources:
(Let us know about any useful H&S sites that you find)

Contacting the Health and Safety Executive (HSE)

If you think a problem is so serious that it could merit intervention by an HSE inspector, take advice from your Local Association/NASUWT Health and Safety Co-ordinator.

HSE website: www.hse.gov.uk

HSE 'workers' website': www.hse.gov.uk/workers/index.htm

NASUWT Scotland National Centre
for training – advice – support:



35 Young Street North Lane
Edinburgh EH2 4JD
Tel: 0131 226 8480
E-mail: rc-scotland@mail.nasuwt.org.uk

NASUWT website: www.nasuwt.org.uk

Safety Policy Check List

General

Does the policy give a clear and unequivocal commitment to ensuring the health, safety and welfare of employees?

Does the policy acknowledge the responsibility of the employer and line manager to ensure the safety of all persons on site, including children, and are the arrangements clearly explained?

Does the policy comply with relevant equalities legislation, including the duty placed on public bodies to promote equality on the basis of race, gender and disability?

Does the policy comply with the requirement contained within the school/college Disability Equality Scheme?

Does the employer clearly and unequivocally accept responsibility for this?

Does the policy make clear the active involvement of governors in health and safety, and have they discussed and agreed the policy?

Is the policy signed by the senior manager and dated?

Have trade union safety representatives been consulted and have they agreed the policy?

Organisation

Is there a clear system in place for managing health and safety?

Does the policy make clear the division of responsibilities between the LA and the governors?

Are the health and safety responsibilities of managers and other people in the system clearly described, and are they named?

Have they been consulted, received appropriate training, and have they had their responsibilities explained?

Are key safety personnel identified:

- nominated person for emergency evacuations;
- 'competent' persons;
- qualified first aid personnel.

Does the policy make clear the procedure for bringing health and safety matters to the attention of 'management'?

Does the policy make clear the arrangements for the completion of risk assessments (general and manual handling) and are the risk assessments attached?

Does the policy make clear arrangements for the roles of 'competent persons' and does it name them?

Does the policy make clear the arrangements for COSHH, Electricity at Work and VDUs?

Does the policy make clear the arrangements for health and safety training which will be adopted?

Have trade union safety representatives been consulted and strategies agreed?

Arrangements

Is the policy comprehensive, including safety arrangements for:

- emergency evacuation;
- first aid;
- protection of staff against violence;
- reduction of work-related stress;
- educational visits and learning outside the classroom;
- minibuses;

- contractors;
- kitchen/ground/maintenance staff (where appropriate);
- ionising radiation;
- laboratories/workshops/kilns (where appropriate); and
- other statutory and non-statutory standards to be met where appropriate?

Does the policy guarantee adequate welfare facilities for employees (washing, sanitary, shower, cloakroom and staffroom facilities) at least up to statutory standards?

Does the policy make clear arrangements for the recording and reporting of accidents and near misses?

Does the policy recognise the right of trade union safety representatives to investigate accidents and near misses, and have adequate arrangements been made to assist this?

Does the policy make clear the arrangements for management/employer safety inspections?

Does the policy make clear emergency evacuation procedures and name the person responsible for organising them?

Does the policy make clear fire precautions?

Does the policy make clear inspection arrangements (water system and fire extinguishers)?

Does the policy make clear the arrangements for dealing with hazardous waste?

Have trade union safety representatives been consulted and strategies agreed?

Monitoring and Review

Does the policy allow for the monitoring and reviewing of the safety organisation and arrangements, including safety audits, and is there a commitment to regularly update the policy?

Is there a mechanism for the balanced participation of workers in monitoring, reviewing and updating the policy (for example, Safety Committee)?

If there is a Safety Committee, is its remit clearly expressed:

- to review health and safety statistics;
- to review risk assessments and the implementation of control measures;
- to review union inspection reports;
- to discuss changes in the workplace/working practices;
- to discuss the impact and implications of new legislation;
- to discuss health and safety procedures;
- to develop and agree standards; and
- to examine the safety policies of contractors as part of the tendering process?

Does the policy make clear that the governors will have health and safety as an item on their agenda at each meeting? Will they receive reports from Health and Safety Representatives as well as management reports?

Negotiation, Consultation and Information

Does the policy recognise the rights of trade unions in relation to the appointment of safety representatives?

Does the policy clearly state that adequate facilities, including time off, will be given to the safety representative according to law?

Does the policy make clear the arrangements for consultation/negotiation?

Does the policy make clear arrangements for dissemination of information and lines of communication?

NASUWT Health and Safety Representative's Model Inspection Report Form

Name of establishment:				
For completion by safety representative			For completion by person responsible	
Location	Unsafe/unhealthy conditions or practices reported	Action to be taken by person responsible for health and safety	Date of report	Date of action

Inspection carried out in accordance with the Safety Representatives and Safety Committees Regulations 1977 3rd edition 1996. This record does not imply that the conditions are safe and healthy or that the arrangements for welfare at work are satisfactory.

Name of safety representative carrying out inspection:

Date:

Record of receipt of inspection form by the employer or his representative:

Date:

Signature:



Tel: 0131 226 8480

E-mail: rc-scotland@mail.nasuwt.org.uk

Website: www.nasuwt.org.uk