

# School Governor Health and Safety Responsibilities



**Guidance and Information produced by the  
KCC Health and Safety Team**



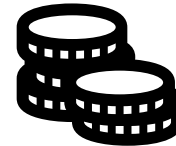
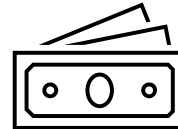
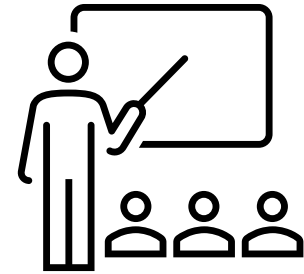
# What will be covered?

- Governor's role and responsibilities
- Headteacher health and safety responsibilities
- Health and safety legislation / Approved Codes of Practice (ACoP)
- How is health and safety law enforced?
- Accident investigations - case studies
- Sensible and proportionate risk management



# Governor's role and responsibilities

- Ensuring clarity of vision, good culture and strategic direction
- Holding school leaders to account
- Understanding legislative compliance
- Understanding risk management
- Overseeing financial performance



Governors are not responsible for carrying out operational duties



# Headteacher health and safety responsibilities

- Comprehensive health and safety policy relevant to school
- Ensuring statutory and legislative compliance with:
  - Accident/incident reporting and investigations
  - Suitable and sufficient risk assessments
  - Health and safety training
  - Premises inspections

This list is not exhaustive



# Health and Safety Legislation / Approved Codes of Practice (ACoP)

## Legislation

The Health and Safety at Work Act 1974

The Management of Health and Safety at Work Regulations 1999



## Health and safety topics to be monitored to ensure statutory compliance include:

- Control of **Asbestos** Regulations 2012
- The Control of **Legionella** Bacteria in Water Systems ACoP L8
- Regulatory Reform (**Fire Safety**) Order 2005
- **Electricity** at Work Regulations 1989
- **Display Screen Equipment** 1992 (amended 2002)
- **Working at Height** Regulations 2005
- Provision and use of **Work Equipment** Regulations 1998
- **Manual Handling** Operation Regulations 1992
- The **Workplace** (Health, Safety & Welfare) Regulations 1992
- **Control of Substances** Hazardous to Health Regulations 2002
- Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013 (**RIDDOR**)

This list is not exhaustive



# How is health and safety law enforced?



- Material breach of health and safety law:
  - notification of contravention
  - improvement notice
  - prohibition notice
- Fee for intervention (FFI) cost as of 1<sup>st</sup> April 2024 - £174 per hour (rates will regularly update) refer to HSE website to check the hourly rate.

## Other enforcement authorities:



Borough and District Council  
Environmental Health Officers (EHOs)



# HSE investigation – case study 1

## Work at height incident

Caretaker fell from a ladder whilst cleaning the guttering  
Findings:

- No clear planning
- No risk assessment
- No formal training



## Fee for intervention issued by HSE and paid by KCC £496

The fee will include the costs covering the time of the entire original visit. The total amount recovered will be based on the amount of time it takes HSE to identify the breach and help you put things right (including associated office work), multiplied by the hourly rate.



## \* HSE investigation – case study 2

### PE incident

Serious head injury to pupil hit by a shot putt in a multi sports PE activity

Findings:

- Risk assessments not sufficient or reviewed
- Insufficient planning
- Industry guidance not followed

**Resulted in a prosecution with a fine of £10,125, legal costs of £1,375 and a victim surcharge of £120**

\* incident occurred prior to HSE fee for intervention



# HSE investigation – case study 3

## Asbestos exposure

Environmental Health Officer noted a suspected asbestos rope hanging down from a disused flue pipe - prohibition notice issued

## Findings:

- Unauthorised removal and alleged exposure of asbestos containing materials
- Failing to ensure appropriate people at the school had received information, instruction and training

Resulted in KCC prosecution with a fine of £230,000



# Sensible and proportionate risk management

## The Health and Safety Executive states:

“The governing body have a key part to play in tackling risk aversion, helping to provide a wider sense of perspective and helping the school to get the balance right on managing risk”



## Example ‘snapshot’ of a suitable and sufficient risk assessment

Activity / operation/ event: Use of playground and outside play equipment				Assessment date: 28 July 2020			
Establishment: example school				Review date: 28 July 2021			
Step 1	Step 2	Step 3	Risk rating	Step 4	Action required	Step 5 Action and review Responsible person	Date completed
Identify the hazards	Who might be harmed and how?	What are you doing already?	Trivial / low medium / high stop	Is anything further needed?			
Broken/faulty playground equipment	Pupils - risk of harm/injury from falling or cutting themselves on a sharp object.	Play equipment is inspected annually by an independent competent specialist; any faults are actioned, or equipment is removed.	Medium	Yes	<p>Site Manager to visually inspect and record all outside equipment on a weekly basis as a minimum.</p> <p>Site Manager/Office Manager to set up defect reporting system to ensure equipment is repaired or taken out of service.</p>	<p>Headteacher</p> <p>Headteacher</p>	<p>Ongoing</p> <p>24 August 2020</p>
Assessor name(s): A N Other				Job title: School Business Manager			
Signature:				Review date:			



# Summary



- Keep up to date with health and safety legislation
- Health and safety should be a standing item on meeting agendas
- Supporting the review of health and safety policy
- Periodic monitoring of health and safety management system
- Accompany school employees on an inspection and ask to see all action plan reports



# Thank you for listening

If you have a health and safety question, or would like to provide feedback on the presentation content please email:

[healthandsafety@kent.gov.uk](mailto:healthandsafety@kent.gov.uk)

Health and safety guidance is available via:

Kent Education Learning for Schools Information (KELSI)  
[kelsi.org.uk/policies-and-guidance/health-and-safety-guidance](https://kelsi.org.uk/policies-and-guidance/health-and-safety-guidance)