

# **Health & Safety Policy**

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## **Introduction**

The Directorate for Children & Young People (DCYP) Health & Safety Policy supplements the principles, aims and objectives of the Kirklees Council Corporate Health and Safety at Work Policy.

This policy covers all DCYP employees in support services, front line services, schools and other child care settings. It covers children, young people and any other people affected by its activities.

**The Policy** Sets out DCYP policy statement of intent, organisation, arrangements and responsibilities.

This Health & Safety Policy is available through One Hub and the intranet website under DCYP.

Managers are encouraged to further develop local procedures and guidance based on this policy where this would be beneficial and where it would enhance health and safety arrangements.

Guidance notes, further practical advice and generic risk assessments are available through One Hub (schools) and the Intranet (all other settings).

## **Objectives**

The Directorate's objectives are:

To ensure as far as is reasonably practicable the health, safety and welfare of employees, children and young people and others who may be affected by our activities.

To ensure all employees are informed of their health and safety responsibilities, for ensuring their own safety and that of others.

To provide appropriate occupational health surveillance and support to employees who require it.

To strive to continually reduce work related accidents and ill health including stress.

To consult with employees' representatives on matters affecting health and safety using established forums e.g. DCYP Health, Safety and Welfare Committee and Employee Liaison meetings.

To ensure all contractors appointed are competent and, in situations where contractors are appointed directly, provide access to appropriate advice and guidance.

To make arrangements for effective co-ordination and co-operation with others where Directorate employees share premises and facilities in multi-occupied buildings.

To provide adequate resources to implement this policy.

To ensure health and safety is a core management function and has equal ranking with other management responsibilities.

To provide access to competent health and safety training and advice.

To monitor the Directorate's health and safety performance.

## **Kirklees Council**

### **Directorate for Children & Young People**

#### **Health & Safety Policy**

#### **STATEMENT OF INTENT**

The Directorate for Children & Young People (DCYP) is committed to ensuring the health, safety and wellbeing of all its employees, children and young people and others who may be affected by its activities. DCYP fully comply with the minimum legal standards set by national legislation, namely the Health and Safety at Work etc. Act 1974 and its associated regulations.

The Directorate recognises that continual improvements in health and safety performance are achieved primarily through the identification, assessment and management of risk and that this not only reduces accidents and ill-health at work but also contributes to the health and wellbeing of local communities as well as the protection of the environment.

It is the policy of the Directorate to ensure so far as is reasonably practicable:

- The provision and maintenance of safe plant, equipment and systems of work.
- Adequate arrangements for the safe use and handling, storage and transport of people, articles and substances.
- The provision of appropriate health and safety information, instruction, training and supervision.
- The provision and maintenance of a safe working environment including safe access and egress as well as adequate arrangements for welfare.

The Directorate recognises that in order for this policy to work it must have the full support and co-operation of all employees in making the workplace a safer place for all. The Directorate expects and encourages similar support from contractors, partners and volunteers and co-operation from clients, Directorate users and visitors who use our services, facilities or premises.

The Directorate will monitor and review the effectiveness of this policy.

Signed: 

Date: 8<sup>th</sup> December 2015

Printed: Alison O'Sullivan

Director for Children & Young People – Alison O'Sullivan

Signed: \_\_\_\_\_ Date \_\_\_\_\_

Printed: Gill Ellis

Assistant Director Learning and Skills – Gill Ellis

Signed: \_\_\_\_\_ Date \_\_\_\_\_

Printed: Carly Speechley

Assistant Director Family Support and Child Protection – Carly Speechley

## **ORGANISATION – people and responsibilities**

To ensure that this Policy is effectively implemented throughout the Directorate the health and safety responsibilities of management, employees and key stakeholders are specified in this section. Individual service areas and childcare settings may need to provide more detailed responsibilities and arrangements depending on the size and structure and the nature of the work activities and /or services provided.

The following section outlines the roles and responsibilities of:

- Director for Children & Young People.
- Assistant Directors.
- Deputy Assistant Directors, Heads of Service & Childcare Setting Managers e.g. Head Teachers, Nursery Managers, Children's Centres Managers and Unit Managers.
- Management teams & supervisors.
- Teaching Quality Information Officers (TQIs), Off-Site Visits Advisor, Manual Handling Adviser.
- Employees, volunteers, agency workers, and work experience
- Clients, service users, partners and members of the public.
- Corporate Safety Unit.
- Safety Representatives and Trade Union appointed representatives.

## **Director for Children & Young People – responsibilities**

The Director for Children & Young People has ultimate responsibility for health and safety throughout the directorate and leads in setting corporate/directorate policy and strategic direction. The Director's responsibilities are to:

Ensure the provision of an adequate health & safety management system.

Ensure that the objectives of the health and safety policy are achieved as far as is reasonably practicable.

Ensure adequate financial and management resources are made available to enable the directorate to discharge its health and safety responsibilities.

Ensure health safety and welfare is an integral part and a key objective within the overall management culture of the directorate.

Create an effective organisational structure in the directorate through which the policy will be implemented, monitored and reviewed to improve health and safety performance within the directorate.

Ensure Assistant Directors and Heads of Service are aware of their responsibilities and are held accountable for compliance within their respective service areas.

Ensure there is adequate provision and access to competent health and safety advice for the service.

Ensure appropriate attention is given to health and safety when directorate policies are being formulated.

Ensure that staff are trained in their health and safety responsibilities and that those who are delegated health and safety tasks are competent to carry them out.

Ensure health and safety matters are effectively communicated throughout the service.

Make arrangements at directorate level for consulting with employees on health and safety matters i.e. through trade union representatives, employee liaison forums.



## **Assistant Directors - responsibilities**

The Assistant Directors have responsibility for reporting on health and safety matters to the Director and DCYP Senior Management

The Assistant Directors or nominated representative chair the DCYP Managing Health and Safety Strategy Group and the DCYP Health, Safety and Welfare Committee.

Lead the strategic development of the health and safety policy and guidance (including organisation and planning) for the Directorate for Children & Young People.

Ensure that policies/guidance give due consideration to the health, safety and welfare of employees, pupils, young people and others affected by the activities of DCYP so far as is reasonably practicable.

Ensure policies and guidance are monitored and reviewed on a regular basis.

Ensure that arrangements and systems are in place for the effective communication of policy and guidance to those who have responsibility for implementation e.g. heads of service, senior managers, head teachers, Governors, childcare setting managers.

The implications of new and impending legislation are considered and necessary actions are taken.

Inspection and audit systems programmes are in place to monitor schools, child care settings and support services are complying with DCYP health and safety policy.

A health and safety training strategy is developed and its effectiveness monitored.

That reports and statistics relating to significant accidents and incidents and dangerous occurrences are acted upon and appropriate action taken.

If necessary that appropriate working groups are set up to investigate matters or particular aspects of health and safety.

**Deputy Assistant Directors, Heads of Service and Child Care Setting Managers e.g. head teachers, locality managers, nursery managers and unit managers responsibilities**

Heads of Service and child care setting managers are responsible for health and safety within their respective service/department or childcare setting.

They have a particular duty to assist and support the Director and the Assistant Directors in the implementation of the health and safety policy within their respective service/department or childcare setting.

To contribute, implement, communicate, monitor and review health and safety \*policy and performance including setting objectives, performance standards and performance indicators.

Ensure that adequate time and resources are allocated to staff in their teams to fulfil their health and safety responsibilities.

Ensure that health, safety and welfare roles are clearly and logically delegated to successive levels of management who are sufficiently senior and competent to discharge them.

Create effective management arrangements and organisational structures within their respective area of responsibility.

Ensure, via their respective management teams, that risk assessments and safe working practices and procedures relevant to the significant risks within their child care setting/service area have been undertaken and reviewed as necessary.

Develop and promote a safety culture by encouraging the participation and involvement of all employees in health and safety matters.

Secure competence, by ensuring employees are provided with the necessary health and safety information, instruction, training and supervision. This will include systems which will identify health and safety training needs arising from recruitment, staff changes or changes in procedures, systems of work, introduction of new equipment or legislation etc.

Ensure adequate arrangements are in place to appoint competent contractors and provide and share information to ensure health and safety risks are managed.

Ensure occupational health surveillance is provided as necessary.

Detail arrangements for consultation between management and safety representatives through health and safety committees or employee liaison forums.

Ensure arrangements are in place where work locations may be in shared occupation or where services are delivered in partnership to ensure both the co-operation in and co-ordination of matters relating to the management of health, safety and welfare.

Ensure all employees are aware of their responsibilities in this health and safety policy and Managers are held accountable for compliance within their respective settings.

Ensure that regular safety inspections of workplaces are carried out.

Ensure that all accidents and dangerous occurrences are reported in line with DCYP policy and guidance and that all such incidents are investigated (seeking assistance as required).

Resolve any health, safety and welfare issues raised with them and if necessary referring to the relevant person/s within the Directorate.

Ensure health and safety matters are effectively communicated throughout the area of responsibility.

\*Note: For community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the Local Authority (LA) is the employer and these schools are **expected to formally adopt** this policy. School' governing body should consider appointing a lead Health & Safety Governor.

In addition each Head Teacher should produce a school specific Health and Safety Policy and submit it to the Governing Body for approval.

Head teachers are required to submit regular reports to the Governing Body on health and safety matters e.g. results of inspections, accidents and investigations.

*For foundation schools, foundation special schools, voluntary aided schools, trust schools, free schools and academies the **governing body** is the employer and these schools are **advised** to formally adopt/ adapt where necessary and implement this policy ensuring local arrangements are in place.*

## **School Governors and Building / Site Management Committees responsibilities**

Assist and support the child care setting manager / senior management team in the implementation of their health and safety responsibilities.

Ensure that the school specific health and safety policy is implemented and monitored and brought to the attention of all staff.

Assign adequate resources (financial and management) for health and safety and ensure that there is access to competent advice.

Ensure that health and safety policies, guidance /codes of practice and risk assessments are in place and implemented.

Report to the Head of Service any matters relating to health and safety with which they need further assistance.

Ensure that regular safety inspections of the establishment are carried out by competent persons.

Monitor health and safety by:

Receiving regular health and safety reports from the childcare setting manager, e.g. inspection reports, accident statistics and investigations

Receiving reports about training undertaken by staff

Receiving annual summary reports from the childcare setting manager on progress in the management of health and safety

Ensuring health and safety is included in the site development plan

Ensuring that an annual health and safety action plan is produced

For Department for Education (DfE) advice on responsibilities under existing health and safety legislation refer to the DfE's Health and Safety: Advice on Legal powers and Duties (2014).

## **Managers, Supervisors, Heads of Departments responsibilities**

Employees who line-manage or supervise others, e.g. office managers and heads of departments in schools, are responsible for the health, safety and welfare of their staff and other people affected by the activities over which they have day to day control. They should assist and support their Head of Service, head teacher, child care setting manager in the implementation of their health and safety responsibilities.

Implement the services' and any local health and safety policies, ensuring that guidance and procedures are effectively implemented in the area/activity under their control.

Ensure a safe working environment is maintained as far as is reasonably practicable that is without risk to health and safety.

Ensure suitable and sufficient risk assessments are carried out that identify work related hazards and arrangements to manage any residual risks.

Ensure all employees under their control are competent, i.e. have adequate skills and experience to undertake their tasks and are provided with adequate health and safety training, instruction, information and supervision. This will include ensuring health and safety training is considered as part of the annual employee development review process.

Provide equipment that is fit for purpose and is maintained in a safe and serviceable condition.

Ensure all employees under their control are aware of and fully understand health and safety policies, procedures and guidance relating to their work activity and working environment, and emergency procedures wherever they may be working.

Ensure all employees are aware of their responsibilities in this health and safety policy and are held accountable for compliance within their respective portfolios.

Ensure occupational health surveillance and support is provided to employees where necessary.

Ensure all work related accidents/incidents that cause or have the potential to cause injury or illness are reported and investigated in line with Corporate Accident and Incident Guidance procedures, and take any necessary steps to prevent a recurrence. This also applies to acts of physical violence or verbal abuse.

Ensure all employees know the importance of reporting incidents of any nature occurring due to work activities and/or any hazardous situations or sub standard conditions.

Resolve any health and safety problems referred to them and bring to the attention of their senior manager any problems they are unable to resolve.

To appoint competent person(s) who are able to assist them to discharge their health & safety responsibilities. The person/s appointed should be operating at a suitably appropriate level with the necessary level of authority. Employees appointed to these positions may need additional health and safety training unless they already have sufficient knowledge experience and awareness of health and safety issues.

*N.B. This person(s) does not relieve any manager or employee of their statutory health and safety responsibilities.*

## **Curriculum subject / Teaching Quality Information Officers/advisors TQI's / specialist advisors responsibilities**

Provision and maintenance of curriculum and specific guidance and associated risk assessments, e.g. CLEAPSS (Consortium of Local Education Authorities for the Provision of Science Services), AfPE (Association for Physical Education), radiation protection, off-site visits, manual handling.

Liaise with the Corporate Safety Unit on the provision of general health and safety advice where this overlaps with curriculum / specialist advice; provision of relevant health and safety training for staff and employees on curriculum / specialist related safety matters.

Liaise with the Corporate Safety Unit regarding accidents/incidents and dangerous occurrences within their curricular /specialist areas and providing advice to prevent a recurrence.

Report to their line manager and appropriate child care setting manager any shortcomings they observe in health and safety provision.

Report to line manager and appropriate child care setting manager any shortcomings in relation to the health and safety matters regarding curriculum / specialist provision.

Be aware of and monitor that health and safety legislation and guidance in their area of responsibility is being effectively followed.

To identify training needs and to lead on any training that is required.

**Employees – responsibilities at all levels** (including trainees, agency workers, secondees, work experience, volunteers etc.).

To take reasonable care of their own health and safety at all times whilst at work and to consider the health, safety and welfare of others who may be affected by their acts or omissions at work.

To work in accordance with the information, instruction and training provided and use any equipment in accordance with training or instructions given.

To follow manufacturer's instruction and/or , control measures identified in the risk assessments provided on their work activities as these will reduce the risk of injury and/or work-related ill health.

To refrain from intentionally misusing or recklessly interfering with anything that has been provided for health and safety reasons.

To use personal protective equipment supplied as required by statute, policy or risk assessment.

To report promptly any hazardous defects in plant or equipment, any hazardous situations or substandard conditions or any shortcoming in the existing safety arrangements to a responsible person, i.e. line manager, without delay.

To report **all** incidents to management and seek first aid treatment for any injury sustained at work. This means accidents resulting in injury, those that could have resulted in injury and violent incidents, either physical or verbal.

To co-operate in joint consultations on health and safety matters.

To cease any work activity where it is believed there may be serious or imminent danger to themselves or others.

To be aware of and adhere to all policies, procedures and guidance relating to their work activity and working environment and emergency procedures wherever they may be working.

To co-operate, so far as is necessary, to enable the service to fulfil any duty or comply with any requirements of current or future legislation.

**Notes:** It is vitally important that employees' contributions to health and safety are recognised and acted upon where it is reasonably practicable to do so. Employees are actively encouraged to participate in the risk assessment process for their work area/activities.

Any employee with a concern about health and safety should initially refer the matter to his/her immediate supervisor or line manager who should provide a direct response to the employee. If the matter cannot be resolved at this level or the employee is dissatisfied with the outcome, then the matter should be raised with the senior manager, head of service or the Corporate Safety Unit, preferably in that order. Alternatively, the employee may wish to consult their workplace safety representative.

Trainees, agency workers, secondees and volunteers must be afforded the same level of commitment to health and safety as any employee.

## **Clients, Service Users, Partners and Members of the Public**

Clients, service users, partners and members of the public are requested to co-operate with all health and safety arrangements to protect them and the people who are providing them with a service.

## **Corporate Safety Unit**

Provide advice, support and guidance to the Director, Assistant Directors, Heads of Service, Head Teachers, Governors and management including the development of health and safety policies, guidance and procedures.

Develop guidance and advice on the interpretation of current and proposed legal requirements concerning health, safety and welfare and assist management with putting any requirements into practice.

Assist managers to investigate accidents where a RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) reportable major injury condition has been sustained and/or a reportable dangerous occurrence has occurred.

Assist Heads of Service to monitor health and safety performance which includes providing collated accident statistics at regular intervals.

Provide advice to meetings of safety committees and other health and safety forums.

Liaise with in-house support services and enforcement agencies as appropriate on behalf of the Heads of Service.

Advise and assist management where necessary in carrying out risk assessment to eliminate and/or control risks in the workplace.

Keep up to date with health and safety legislation and maintain best practice knowledge.

Monitor the Service's health and safety performance by undertaking a programme of inspections and audits as well as maintaining the corporate incident database.

Assist with health and safety training, advice and guidance where needed.

Endeavour at all times to improve the safety culture in DCYP.



## **Functions and Rights of Safety Representatives**

Under the terms of the Safety Representatives and Safety Committees Regulations 1977, Safety Representatives have the following functions and rights:

Investigate potential hazards and dangerous occurrences and examine the causes of accidents.

Investigate complaints by any member of staff relating to that person's health, safety and welfare at work.

Make representations to the line manager, Child Care Setting Manager and /or the Group Safety Advisor on the above matters and also on general matters affecting the health, safety and welfare of staff.

Represent staff in consultations with Inspectors of the Health and Safety Executive, or any other enforcing authority such as Environmental Health Officers and also with the Corporate Safety Advisors.

To be consulted regarding the introduction of new measures which may substantially affect the health and safety of staff they represent.

To investigate accidents, near misses, and other potential hazards and dangerous occurrences in the workplace

To investigate complaints made by an employee they represent about their health, safety or welfare in the workplace;

Take reasonably practicable steps to keep themselves up to date with health and safety matters including legislation, the Authority's safety policy and guidance.

To serve on the Health, Safety and Welfare Committee as appropriate if nominated to do so.

To carry out work place inspections in consultation with line management by giving 5 working days notice.

To submit safety reports of unsafe or unhealthy conditions, equipment or working practices or unsatisfactory arrangements for the welfare of staff in writing on the appropriate form to the appropriate manager.

Have the right to reasonable time off with pay during working hours to perform their functions, and to undergo any necessary training, by giving reasonable notice and by arrangement with the line manager.

## **Staff Consultation and Communication**

To comply with the Safety Representatives and Safety Committees Regulations 1977, the Directorate for Children & Young People will consult with recognised trade unions and employees' representatives through the DCYP Health, Safety and Welfare Committee.

The Directorate also recognises employees not represented by appointed Safety Representatives. These employees have rights to consultation with employers under the Health and Safety (Consultation with Employees) Regulations 1996.

Individual childcare settings and service areas are expected to ensure they have adequate arrangements for consultation in place at a local level.

## **ARRANGEMENTS (FOR MANAGING HEALTH & SAFETY)**

### **Manual of Guidance**

The Manual of Guidance forms part of the overall health and safety policy. It provides practical advice in the form of guidance notes. It can be easily accessed on the Council's DCYP intranet.

Child care settings and individual service areas are encouraged to further develop local procedures specific to the service needs.

### **Risk Assessments**

Risk Assessments form the cornerstone in the Directorates commitment to reduce accidents and ill-health in the workplace. The Director, Assistant Directors, Heads of Service, Child Care Setting Managers and similar post holders are responsible for ensuring that suitable and sufficient risk assessments of work activities either activity or task based are carried out. These assessments should be reviewed periodically or if any of the circumstances significantly change. Following an accident, the risk assessment for that particular activity must be reviewed as a matter of course and a post accident risk assessment completed.

Generic risk assessments are available via the DCYP One Hub, Evolve or the Intranet.

### **Access to Competent Health and Safety Advice**

To assist the directorate for Children and Young People in discharging its statutory health and safety responsibilities DCYP managers and employees have access to the following competent health and safety advice:

- At Corporate level have access to named Safety Advisor/s from the Councils' Corporate Safety Unit and other specialist advisors e.g. Building Control Fire Safety, Asbestos Advisors etc.
- At Directorate, Service, Child Care setting level managers have access to specialist or technical advice via the Offsite Visits Advisor, Moving and Handling Advisor, Curriculum Subject Advisors and Asset Management Team Officers within Physical resources and Procurement (PRP).
- At a local level managers are expected to appoint "competent persons" to assist them in implementing the requirements of this policy within their area of responsibility e.g. fire wardens, First Aiders.

### **Managing Health and Safety Strategy Group Meetings**

The DCYP Managing Health and Safety Strategy Group (MHSSG) meets at least once a term to discuss issues raised within the Directorate.

### **DCYP Health, Safety and Welfare Committee**

This meeting meets the LA's statutory duties in liaising with the unions. The meetings are usually in the week following the managing Health and Safety Strategy Group meetings.

**Access to Occupational Health Support** - A comprehensive Occupational Health Support Service is available from Employee Healthcare.

**Access to Training** – A number of training courses are readily available at a corporate, directorate and local level.

## **MONITORING AND AUDITING**

### **Monitoring Health and Safety**

Performance monitoring is a key part of the health and safety management function.

The primary aim of monitoring health and safety is to ensure that the standards achieved in the workplace conform to the objectives of the Corporate and Directorates Safety Policies, procedures etc.

There is an Inspection Checklist for schools available through One Hub. For all other settings the corporate Guidance Note No. 23 Monitoring for H&S Performance which contains a checklist and annual self audit available through the intranet.

Each child care setting and service area will monitor health and safety performance by having clearly defined arrangements for collecting and evaluating accident statistics and carrying out workplace inspections and health surveillance (where appropriate).

### **Health and Safety Auditing**

In addition to routine monitoring of health and safety performance, there is a need for periodic audit to enable a deeper and more critical appraisal of all elements of health and safety management systems. Audits are usually carried out by Group Safety Advisors on a rolling programme basis.

It is recommended that settings do a self-audit at different times to:

Determine whether health and safety management systems are capable of achieving the required standards of health and safety performance.

Determine whether or not each service (or part of it) is fulfilling all its obligations with regard to health and safety.

Identify the strengths and weaknesses of the health and safety management systems.

Identify if each service (or part of it) is actually carrying out and achieving what it claims to do.

The Service recognises that auditing is an essential element of a health and safety management system. For health and safety auditing to be of value, senior management should be fully committed to the concept of auditing and to its effective implementation within the Service. This includes a commitment not to reject audit findings and recommendations without good reason and to take appropriate action within a reasonable time.

## **REVIEW**

This policy will be reviewed, added to or modified as required from time to time. The review shall consider the findings of audits, the individual performance of each service and the service as a whole and identify any action necessary to remedy any deficiencies.

The periodic review shall also provide an opportunity to take a forward look to:

- Impending new or revised legislation and approved codes of practice etc.
- Improving the Service's pro-active approach to minimising risk.
- Anticipating organisational or operational changes such as the introduction of new technology, through appropriate changes to management systems and training etc.
- Reviewing potential cost effective changes to minimise risk to people and improve business performance.