

HEALTH AND SAFETY POLICY

Date Approved by Board:	18 July 2018
Date of Review:	July 2019
Responsible Department:	Central Operations
Policy Applies to:	Wellspring Trust and all Academies within the Trust

The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:

- *eliminate discrimination and other conduct that is prohibited by the Act*
- *advance equality of opportunity between people who share a protected characteristic and people who do not share it*
- *foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.*

In the development of this policy due regard has been given to achieving these objectives.

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Individual Academies may supplement this policy with further guidance and procedures of their own, subject to consultation with the Chief Operating Officer or delegate.

Statement of intent

The Chief Executive Officer (CEO) and Wellspring Academy Trust's Board of Directors accept their responsibility under the Health & Safety at Work Act 1974 and subordinate Health & Safety (H&S) legislation and acknowledge the importance of H&S management as a priority within the Trust.

As part of such undertakings, Wellspring Academy Trust (WAT) is committed to achieving excellence in safety, health and welfare management and recognises the role that this excellence plays in the success of the Trust and its Academies.

It is the policy of the Trust that its legal duties and associated activities are carried out at all times in such a manner as to ensure, so far as is reasonably practicable, the H&S and welfare of all its employees, students, visitors and any persons affected by the Trust's undertakings.

The Trust and its Academies will ensure through the appropriate delegated line management chains, so far as is reasonably practicable, that hazardous areas are identified and the risks assessed; that safe methods of working are used; that safe equipment, articles and substances are used and that a healthy working environment is maintained; that appropriate H&S advice and guidance is available; that appropriate H&S training is identified and provided and that proper H&S budgetary allocation is made.

The law states that every employee has a duty to look after their own H&S whilst at work and that of others who might be affected by their work. The Trust requires employees to recognise and accept this responsibility and the duties imposed on them by this policy.

Employer/employee consultation as required by the Safety Representative and Safety Committee Regulations 1977 and the H&S (Consultation with Employees) Regulations 1996, will be encouraged.

A copy of all H&S policies and other related policies will be available to all employees via the Wellspring Academy Trust website.

1. Statement of Safety Policy

The Trust's Board of Directors and CEO will take all reasonably practicable steps to ensure the health, safety and welfare of all employees, students, visitors and any persons affected by the Trust's undertakings, including by the action of applying this policy to all operations of the Trust, including individual Academies.

The arrangements outlined in this statement and other safety provisions aim to prevent accidents and ensure safe and healthy working conditions. The Governing Bodies and (Executive) Principals at all Academy sites, will, so far as is reasonable practicable (SFAIRP), be responsible for ensuring that appropriate structures and systems are in place to enable all reasonable steps taken to identify and reduce hazards to a minimum. All staff and students must appreciate that their own safety and that of others also depends on their individual conduct and vigilance whilst on the Academy sites or whilst taking part in Academy sponsored activities.

2. Statement of Safety Organisation

The Trust's arrangements for carrying out the policy includes the following principles:

The Board of Directors and Chief Executive Officer (CEO):

- Have the over-arching legal responsibility of being the employer in terms of health and safety law and legal duties
- Are responsible for strong and active leadership from the top, with a visible and active commitment to health and safety and ensuring that arrangements are adequately resourced
- Are responsible for the integration of good health and safety management within all business decisions
- Are responsible for the engagement of the Trust's employees in the promotion and achievement of safe and healthy working conditions with an effective system of 'upward' communication
- Are responsible for the provision of high quality information, instruction and training to all Trust employees
- Are responsible for assessment and review, i.e., identifying and managing health and safety risk and access and following competent advice, monitoring, reporting and reviewing performance
- Are responsible for ensuring that health and safety and risk management is an agenda item at Board meetings and Local Governing Body meetings.

The Board of Directors and CEO delegate the operational delivery of health and safety to the (Executive) Principals and Chief Operating Officer, who will in turn manage through their reflective reports (see section 4).

3. Responsibilities

3.1. Academy Governing Bodies and Head of Estates

The primary role of an Academy Governing Body is to provide support and challenge, on matters of health, safety and welfare to Academy (Executive) Principals based on the principles of best practice of good governance.

The Chief Operating Officer is responsible for the delivery of health and safety, through the Head of Estates and (Executive) Principals and Academy Governing Bodies.

Collectively, Governing Bodies, (Executive) Principals and the Head of Estates will, so far as is reasonably practicable:

- Promote best practice and a positive view of health, safety and welfare within Academies.
- Monitor the provision of adequate resources to successfully implement the Trust's H&S policy.
- Monitor the provision and adequacy of H&S information, instruction and training.
- Monitor the identification, evaluation and control/mitigation of risk within the operational activities of Academies.
- Provide and receive regular reports on the H&S performance of Academies and their compliance with the Trust's Health and Safety Policy.
- Assess and ensure the adequacy of the H&S budgetary allocation to Academies
- Receive and acknowledge any accident or incident reportable under the requirements of RIDDOR 2013.
- Monitor the Academy to ensure it is using and keeping up to date with the web-based health and safety monitoring system.

3.2. The (Executive) Principal

The quality assurance of day-to-day H&S management is delegated to the (Executive) Principal. The (Executive) Principal will achieve this with support from the Head of Estates, along with the involvement of Academy staff members. They will, so far as is reasonably practicable:

- Ensure operational H&S procedures, monitoring standards, instructions and codes of practice issued by WAT are understood and put into practice;
- Implement the operational H&S monitoring programme (TRM) and ensure that governors with responsibility for H&S are issued with details of termly progress;
- Comply with legal requirements concerning the health, safety and welfare of all affected by Academy activities and ensure that advice is obtained from WAT and is acted upon.
- Ensure that risk assessments are undertaken and controls implemented;
- Ensure that all staff are adequately informed, instructed, supervised and trained in H&S matters;
- Ensure that any defects in the premises are reported and made safe without delay;
- Take action where any employee fails to carry out H&S duties assigned to them;
- Investigate any significant accident with WAT and complete the appropriate accident report;
- Ensure that all incidents involving Violence and Aggression towards staff are reported to WAT;
- Ensure that appropriate action is taken to implement any recommendation made by HM Inspectors of H&S, fire prevention officers and similar law enforcement officers;
- Liaise with and provide information to safety representatives and deal with matters arising from any reports submitted;
- Maintain an up to date file of all current H&S advice issued by WAT;
- Ensure that a fire drill is carried out once per term, with the fire log book completed accurately as soon as the drill has taken place.
- In conjunction with the Governing Body, monitor the standard of H&S performance throughout the Academy;
- Ensure that where minibus transport is provided, drivers have a current driving licence, are fit to drive and possess the necessary authorisation.
- Allocate adequate resources to implement the Trust's Health and Safety Policy;
- Promote a positive view of H&S;
- Communicate standards to be met and procedures to be followed;
- Staff, students and visitors receive adequate and appropriate information, instruction and training in H&S matters; -
- Identify and evaluate risk control measures to minimise risk to all;
- Review TRM activities and compliances on a termly basis;

- Provide reports on H&S matters to WAT. (WAT will contact external agents i.e. HSE);
- Make appropriate decisions about remedial action found necessary by inspections of the Academy liaising with WAT;
- Purchase and maintain H&S equipment for use by Academy staff;
- Display the First Aid Policy and a list of first aiders on the premises;
- Act upon advice from WAT in formulating policies and practice for the Academies;
- Ensure welfare facilities are safe and healthy operational places of work;
- Obtain the appropriate public entertainment licence for operational functions held in the Academies;
- Ensure that supervision, training and instruction is provided so that all staff, students, contractors or visitors can perform their Academy related activities in a safe and healthy operational manner;
- Ensure appropriate Governor H&S training (via WAT).

3.3. Head of School / Centre Lead

- In the absence of the (Executive) Principal, the Head of School / Centre / lead staff member will undertake all the duties of the (Executive) Principal, including that of Fire Officer.
- Delegated responsibilities will be communicated to all staff.

3.4. All Members of Staff

- Take care of their health, safety and welfare and that of others;
- Be familiar with the H&S policy and H&S regulations;
- Ensure H&S regulations, rules, routines and procedures are being applied effectively by both staff and students;
- Co-operate with their employer to enable them to comply with statutory duties for H&S;
- Use correctly any work item provided by the Trust / Academy in accordance with the training and instruction given;
- Familiarise themselves with the H&S aspects of their work and avoid putting themselves at risk
- Understand their responsibilities under the relevant provisions of H&S legislation and to ask for advice and guidance when in doubt;
- Report any defects in the premises, plant, equipment and facilities which they observe;
- Report any accident or incident that may have caused injury to a person or damage to plant or property and where applicable, with completion of the appropriate form;
- Report all incidents of aggression and violence at work;
- Attend training appropriate to their employment and act on instruction and training provided to enable them to work safely;
- Know and be able to implement emergency procedures and first aid including emergency procedures for accidents out of normal Academy hours;
- Prevent activities from going ahead if safe working procedures are not available;
- Ensure that protective equipment is made available and used where necessary in the correct manner;
- Be aware of the role of the Academy's H&S Representative;
- Plan any external visits in accordance with Trust guidance on organising school visits and journeys;
- That they do not undertake any task/s which they consider that they have not got the competence for or have not received the appropriate training.

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3.5. Contractors

WAT and its Academies will seek to only employ those contractors who are competent to undertake work on their behalf in agreement with Estates Managers and the Head of Estates. To achieve this, contracts will only be given to those contractors who are able to demonstrate an understanding of health and safety and the ability to manage their work safely. Where deemed appropriate, sizable and larger type projects which may fall under the Construction and Design Management (CDM) regulations 2015 may be outsourced to a building consultant, who in turn would manage works on behalf of the Trust.

- An authorised person appointed to let contracts for works on Academy premises must ensure that the contractor is one from a relevant approved list or one who has qualified his/her competence.
- The appointed person must ensure that the contract includes a specification of the works to be carried out and any rules applicable to the premises and the work which are required for the maintenance of safety.
- To avoid any confusion in communication the contractor must have one appointed person to liaise with on H&S issues with the appointed person at the Academy.
- The appointed person responsible for liaison with the contractor must ensure that, prior to the commencement of any work, the contractor has been briefed on any aspect of the premises, including the Asbestos Management Plan, or any Academy activities which could present a risk.
- The appointed person must ensure that the contractor has prepared method statements and risk assessments which define the safe method of working before any works commence.
- The appointed person must ensure that during the works there are arrangements in place to monitor the contractor for safe working. This is specifically in connection with any risks which may arise to staff, students, visitors or other contractors.
- Prior to starting works, an agreement should be made with the contractor for the use of any facilities at the Academy site, such as welfare, toilets and first aid.
- Prior to works commencing, the appointed person must provide advance notification of the planned work to the staff and students who may work in, or travel through, or be adjacent to, the area in which the contracted works are being undertaken.
- The appointed person must ensure that the contractor has made appropriate arrangements at the completion of the works (including at the end of each working day), for staff and others who may re-occupy and use the area/equipment concerned.
- At the conclusion of each contract the appointed person should assess the performance of the contractor to determine whether their retention on an approved list is appropriate.

4. Arrangements for H&S

4.1. Accident and Incident Reporting Investigation (Adverse Events)

- All accidents / incidents will be reported through the appropriate process:
 - Pupil Minor Accident
 - Employee Accident
 - Non-Employee Accident
 - Report on Violence And Aggression.
- Investigations, reporting and recording of accidents/incidents and dangerous occurrences are to be carried out immediately after the adverse event has taken place, with the relevant

documentation being completed in full. WAT will provide support and quality assurance via the Estates Manager.

4.2. Codes of Practice Safety Rules

The Department for Education (DfE), the H&S Executive (HSE) and relevant codes of practice are to be consulted and adhered to, as instructed by WAT.

4.3. Consultation Arrangements

Employees not represented by appointed Safety Representatives have rights to consultation with employers under the H&S (Consultation with Employees) Regulations 1996.

4.4. Contractors

Contractors will ensure effective liaison with the Head of Estates and / or Estates Manager. All Parties must understand their responsibilities in relation to H&S.

4.5. Display Screen Equipment (DSE)

The Academy must comply with legislative requirements as stated with the H&S (Display Screen Equipment) Regulations 1992. *See WAT guidance which explains the process required to undertake the workstation risk assessments to be completed by Academies.*

4.6. Educational Visits and Journeys

- The (Executive Principal) will agree a policy for educational visits and journeys, reflecting guidance issued by WAT.
- The Educational Visits Co-ordinator will ensure that the policy is followed when organising visits. Governors responsible for H&S must be informed of all category C visits in order for information to be considered by the Governing Body.
- The (Executive) Principal will ensure that all visits and journeys organised by Academy staff obtain the necessary approval, in accordance with the Academy's policy.

4.7. Electrical Appliances

- Academies must comply with the Electricity at Work Regulations 1989 and the Provision and Use of Work Equipment Regulations 1998.
- Estates Managers, under the direction of the Head of Estates, are responsible for the electrical testing of all Academy portable appliances.
- Last and next due test dates must be displayed on all tested appliances. The estates management team at sites will retain records from the competent person who conducted the testing.
- Electrical fixed installation testing of premises will be undertaken at intervals of no greater than five years.
- Electrical testing of fire alarms will be undertaken as per the schedule in the Fire LogBook.

4.8. Emergency Appliances

- The (Executive) Principal will, in collaboration with the Trust, ensure that an emergency plan is prepared to cover all foreseeable major incidents which could put at risk the occupants or users of the Academy site. This plan will indicate the actions to be taken in the event of a major incident so that everything possible is done to:
 - (i) Save life
 - (ii) Prevent injury
 - (iii) Minimise loss

- This sequence will be regularly rehearsed by staff and students. The result of all such rehearsals will be reported to the Governing Body.

4.9. Fire and Emergency Arrangements

The (Executive) Principal will determine a procedure for emergency evacuation.

- The Local Authority, by request, or the local fire service, will undertake a fire risk assessment for the Academy as required by the Regulatory Reform (Fire Safety) Order 2005, as advised/directed by the Head of Estates or named representative. Frequency of inspection and review of assessments depends upon the individual building risk categorisation.
- The (Executive) Principal must ensure a termly evacuation drill of the Academy premises. All persons with disabilities using the building must be specifically catered for in relation to their evacuation procedures. Evacuation drills are to be recorded in the Academies Fire Log Book. The (Executive) Principal will ensure that all staff members attend where appropriate, fire awareness training.

4.10. First Aid

- The (Executive) Principal will implement a first aid policy which complies with the minimum standard as required by the H&S (First Aid) Regulations 1981.
- The number of first aiders will be in accordance with the Academy's first aid risk assessment.
- Supplies of first aid material will be held throughout the Academy. These locations will have been determined by the (Executive) Principal. They will be prominently marked and all staff will be advised of their position.
- Adequate first aid provision will form part of all off site activities/trips and including any events / community use of Academy facilities out of Academy hours.

4.11. Hazardous Substances (COSHH)

- Academies must comply with the legislative requirements of the Control of Substances Hazardous to Health (COSHH) Regulations 2002, Control of Lead at Work Regulations 2002.
- The Head of Estates and Estates Manager will ensure that COSHH assessments are in place for all hazardous substances on site and that these are circulated to the relevant staff.

4.12. Health Surveillance

- WAT facilitate access to an Occupational Health Service which promotes physical, mental and social well-being for employees, seeking to protect employees from factors adverse to their health.
- The Occupational Health Service will provide adequate health surveillance provisions as required by the Management of H&S at Work Regulations 1999 to those employees who are exposed to hazards.
- The (Executive) Principal will identify staff requiring referral.

4.13. Information, Instruction and Training Arrangements

- H&S information, instruction and training form an integral part of the overall training within Academies. The H&S information, instruction and training needs of all members of staff will be the subject of periodic review by the (Executive) Principal and Head of Estates and any necessary refresher training carried out. Staff should have sufficient knowledge, skills and information to carry out their work in a safe and healthy manner. The (Executive) Principal will ensure that all H&S training provided to their staff is recorded and that records of training are maintained.

- The (Executive) Principal will periodically review the H&S information, instructions and training provided to staff. Staff will receive the above, sufficient to operate in a safe, healthy manner.

4.14. Management of H&S

- The (Executive) Principal and Head of Estates will, so far as is reasonably practicable, ensure that a high level of H&S performance is established, maintained and promoted throughout the Academy. Monitoring the implementation of H&S policies will form part of meetings held with the Governing Body.
- The Head of Estates will formulate and implement a H&S Monitoring Programme.
- The Academy will endorse and implement the WAT Safety Assurance System.

4.15. Manual Handling

- Academies are committed to complying with the legislative requirements of the Manual Handling Operations Regulations 1992.
- With support from the Estates Manager, the (Executive) Principal will identify all activities within the Academy that involve manual handling and the staff who carry out these tasks as part of their normal working day. They must also make provisions for those staff who carry out manual handling activities on an occasional basis.
- WAT can assist with manual handling risk assessments.
- The Academy's first priority is to avoid the need for manual handling where reasonably practicable.
- Employees who habitually carry out manual handling operations will be provided with suitable and sufficient training.

4.16. Monitor, Audit and Review

- WAT will implement a safety audit of Academy sites and also advise the (Executive) Principal and Leadership Team regarding procedures for monitoring work activities.

4.17. Personal Protective Equipment

- The Academy will comply with the Personal Protective Equipment Regulations 1992.
- The Estates Manager will identify and issue Personal Protective Equipment (PPE) based upon risk assessment considering all working activities that may require PPE.
- Where the need for PPE has been identified and is unavoidable the Estates Manager will ensure staff follow the guidance and implement control measures as referenced in the Safety Assurance System.

4.18. Personal Safety

- The Academy recognises that there are risks to employees within their work but expects that generally employees can fulfil their duties without threat or fear of violence or aggressive intimidation.
- The (Executive) Principal is responsible for people and services and will assess, through risk assessment, the risk of aggression, violence or potential violence and take all reasonably practicable measures to eliminate or reduce this.
- Employees will not go alone into a potentially dangerous situation or unnecessarily put themselves at risk.

4.19. Premises Surveys

- The Estates Manager will ensure that a termly survey of the Academy premises and site is undertaken. This survey will identify any housekeeping, defects, maintenance and repair type issues requiring remedial actions.
- An Action Plan with timescales for remediation will be agreed with the (Executive) Principal
- All inspections will be uploaded to the Trust's online platform.

4.20. Risk Assessments

The Estates Manager, in conjunction with the (Executive) Principal, will implement risk assessments to comply with the Management of H&S at Work Regulations 1999. These risk assessments will ensure the identification, assessment and control of hazards and risks in the Academy settings. The relevant Estates and/or Academy member of staff will be supported to undertake this activity to a satisfactory standard.

4.21. Trainees, Agency Workers and Seconded Workers

Trainees, agency workers and seconded workers will be afforded the same level of commitment to H&S as any employee.

4.22. Visitors and the Public

Visitors will be made aware of (and accompanied) within areas of the site where risks are known, wherever possible.

4.23. Work Equipment

The Head of Estates will ensure the Academy complies with of the Provision and Use of Work Equipment Regulations 1998, Lifting Operations and Lifting Equipment Regulations 1998 and will ensure all work equipment (hired or owned) is registered and inspected in accordance with statutory requirements.

4.24. Workplace (Health, Safety & Welfare) Arrangements

The Academy is committed to establishing and maintaining a safe and healthy workplace for all its employees and others who may enter their premises, in accordance with the Health, Safety and Welfare (Workplace) Regulations 1992.

4.25. Supporting Children with a Medical Need

- The Governing Body will agree and implement a policy which outlines arrangements for managing children with medical needs.
- Students may at some time have a medical condition that may affect their participation in Academy activities. For most this will be short term, though for others it could be that if their conditions are not properly managed it may limit their access to education.
- It is acknowledged that staff in charge of students have a duty of care and that in an emergency, action will be taken to safeguard the welfare of the student. Beyond the expectation that emergency action would be taken, Teachers' Conditions of Employment do not include giving medication or supervising a student who is self-medicating.

4.26. Building Security and CCTV

- See model Building Security standards available from WAT for guidance.
- See model CCTV Policy available from WAT.

4.27. Enforcement of H&S

- WAT requires all contact with enforcement officers to be recorded, matters of concern addressed and actions required to be undertaken.
- The enforcement agencies applicable are:
 - (i) Environment Agency
 - (ii) Fire and Rescue Service
 - (iii) Police
 - (iv) Environmental Health
 - (v) HSE.

If the Academy is contacted by any of the above agencies it will contact the Head of Estates or named representative for advice.

Enforcement agencies have the authority to issue prohibition notices. A notice will normally only be issued when the work activities involve, or are likely to involve, a risk of serious personal injury or ill health to employees, persons in our care, or members of the public.

Internal prohibition notices are issued under the executive powers of the CEO. Failure to comply will normally result in disciplinary action.

4.28. Home Working

The Academy will ensure that a risk assessment is undertaken for any employees working from home, with WAT guidance on home working being followed.

4.29. New and Expectant Mother

- The Academy recognises the increased risks to new and expectant mothers. It will extend existing risk assessments to cover new and expectant mothers and implement controls measures as appropriate to reduce the risks. Employees will be informed of any additional risks they may face as a new or expectant mother.
- Risk assessments will be reviewed when an employee notifies the (Executive) Principal that they are pregnant and will be revised where necessary. Additional control measures will be applied for six months after the birth (or where necessary) until such time as the new mother is no longer breast-feeding.

4.30. Stress (Mental Well-being)

- The Academy is committed to protecting the health and welfare of its employees and will ensure that it complies with WAT guidance on stress management.

4.31. Work-related Learning

- The (Executive) Principal will ensure, so far as reasonably practicable, that it fulfils its statutory responsibilities in respect of the H&S of students undertaking work experience placements from any of the Trust's Academy sites.

- The (Executive) Principal will ensure, so far as reasonably practicable, the effective management of all H&S matters affecting the operations and activities of key stage 4 students on work experience and will have systems in place to:
 - (i) prepare students for work experience
 - (ii) monitor students whilst on placement
 - (iii) review the work experience placement following its completion by the student.

4.32. Minibuses

- The Academy will ensure that it complies with the Best Practice Guidance on the Safe Use of Minibuses.
- The Academy will ensure that all employees driving minibuses have the appropriate licence and have successfully completed the Driver Assessment Test, where a Driver Assessment Test is applicable.
- The Academy will ensure that it has adequate insurances for people-carrying vehicles. For the avoidance of doubt, the Trust does not by default provide vehicle minibus insurance. The Business and Operations team should be contacted with any specific vehicle insurance requirements.

4.33. Lone Working

- All lone working will be subject to risk assessments and the application of sensible controls to minimise the risks arising from those assessments.
- The (Executive) Principal will ensure that risk assessments are carried out for those persons within their purview working alone and that the identified precautions are taken.
- All staff are reminded of the potential risks associated with lone working and are required to follow any identified procedures. Any issues experienced by lone workers are to be investigated / actioned by the (Executive) Principal or Estates Manager.

4.34. Legionella

- The Approved Code of Practice (ACoP) for the Control of Legionella Bacteria in Water Systems (Revised 2013) must be followed at Academy sites.
- A robust system of risk assessment, monitoring, checks, inspections and recording will be ensured to support this compliance at Academy sites.
- Legionella guidance is available via WAT.

4.35. Working at Height

Both the Estates Manager and (Executive) Principal are responsible for ensuring:

- The Working at Height Regulations 2005 are being complied with at all Academy sites.
- Suitable safe systems of working must be implemented for working at height which should include suitable information, instruction and training for employees.
- Working at height guidance is available on TRM and further advice can be obtained from WAT.
- The Estates Manager will identify and oversee the required provision for all relevant employees of suitable working at height equipment. Regular inspection regimes of equipment to safeguard and prevent any falls from height will be undertaken and recorded.
- All employees have a duty to ensure they use the correct working at height equipment as provided by WAT.