



Business and Children's Policy and Scrutiny Committee

Date:	Thursday 7 October 2021
Classification:	General Release
Title:	Health and Safety in Schools
Report of:	Ian Heggs, Director of Education
Cabinet Member Portfolio	Young People and Learning
Wards Involved:	All
Policy Context:	...
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1. Executive Summary

- 1.1 As part of the 2020/21 Internal Audit Plan, a thematic voluntary review was undertaken on health and safety in schools. A summary of this review was included in the Head of Internal Audit's Annual Report which was presented to the Audit and Performance Committee at their meeting on 14 July 2021 (Agenda Item 6, Appendix 2) [APC IA Annual Report July 2021.pdf \(westminster.gov.uk\)](#).
- 1.2 The Audit and Performance Committee noted the relatively low level of responses from the schools and questioned whether the Council could be assured that schools within the borough had appropriate arrangements for health and safety in place. This matter has been referred to the Business and Children's Policy and Scrutiny Committee.

2. Key Matters for the Committee's Consideration

2.1 The following are submitted for consideration by the Committee:

- Does the Council have adequate assurance that health and safety within schools and nurseries, including in community schools where the Council is the employer, and also the landlord of all community schools?
- Should the Council obtain assurances on the adequacy of health and safety compliance in all schools?
- Does the Committee consider additional support, training and oversight is required in respect of health and safety arrangements within schools and nurseries?
- Does the Committee consider that there is an appropriate level of voluntary reporting on health and safety within schools?
- Is there more that could be done to encourage sharing best practice between the Council and schools (i.e. through working with the Dioceses)?

3. Background

3.1 As part of the 2020/21 Internal Audit Plan, a thematic review was undertaken on health and safety in schools. The purpose of this thematic review was to consider the adequacy of arrangements, in an area not covered by the standard audit programme, in respect of a potentially high-risk area for the Council.

3.2 The thematic review was a questionnaire which asked information in a number of different areas relating to health and safety including:

- Health and safety policies available.
- Health and safety training provision and records maintained.
- Records maintained on incidents and accidents.
- Health and safety reporting arrangements.

Details of the questions asked are attached as Appendix 1.

3.3 The questionnaire was sent to all of the schools and nurseries who are subject to internal audit as part of a three-year audit cycle. This was a total of 40 establishments which included Community, Voluntary Aided and nursery schools but excluded academies. The completion of the questionnaire was voluntary and it was recognised that the Covid-19 impact on schools was likely to affect the number of responses received. Some schools indicated that they were reluctant to complete the questionnaire as it was outside of the normal internal audit remit of finance and governance and some Voluntary Aided schools did not consider it to be a matter for consideration by the local authority.

3.4 A total of 10 responses (25%) were received, 6 from Community schools and nurseries and 4 from Voluntary Aided schools which is very low when compared with the responses received from other two Councils where the same exercise was undertaken (65% and 74%).

3.5 The responses to the questionnaire were summarised to identify areas of good practice and to identify areas where there was potential for improvement or sharing of best practice. Whilst the questionnaire was quite high level, it did

provide some assurance that the schools who responded had given appropriate consideration to their health and safety responsibilities with some positive and detailed responses to some of the questions (see Appendix 2 for more details on the responses received).

The key themes from the responses where further action may be required are summarised below:

- Policies and procedures.
- Wellbeing policy
- Frequency of training
- Training records.
- Risk assessments
- Lessons learnt
- Reporting of child injury incidents

- 3.6 It should be noted that the review only summarised the information provided by the schools and no in-depth compliance checking was undertaken on the statements provided.
- 3.7 A summary of the review was included in an Appendix to the Annual Report on Internal Audit and Internal Control - 2020/21 which was reported to the Audit and Performance Committee in July 2021. Whilst the Committee accepted that the completion of the questionnaire by the schools was not mandated, they were concerned at the low level of responses received. The Committee were also aware that the Council has limited responsibility over health and safety in non-Community Schools.
- 3.8 The Committee considered that further scrutiny was required on whether the health and safety arrangements for schools within the borough were adequate and whether there was proper oversight of these arrangements.

4. Health and Safety – Responsibility and Duty for Schools

- 4.1 The employer is accountable for the health and safety of school staff and pupils. Whilst the Council is ultimately the employer in community schools, these duties are delegated to the schools' governing body on a day-to-day basis. In most cases, they are responsible for ensuring that health and safety risks are managed effectively. Each governing body will have a nominated Health and Safety governor who will have attended appropriate training.
- 4.2 Schools must appoint a competent person to ensure they meet their health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to give sensible guidance about managing the health and safety risks at the school. This can be someone appointed directly by the school, one or more of its staff, or the employer can arrange support from outside the school. In most schools, the senior leadership team can manage risks.

5. Council Arrangements for Health and Safety in Westminster Schools

- 5.1 Until about three years ago, the Council's Corporate Health and Safety Team were part of a Bi-borough Service Level Agreement (SLA) which schools could opt into for Health and Safety Support. There are 60+ schools/nurseries within the borough (all types of schools). This arrangement was recently reviewed and, as there were only a few schools who had entered into an SLA, and there was no evidence of any schools contributing financially for the support available, it was decided that the Council would withdraw from the Bi-borough SLA offer.
- 5.2 The Council has maintained responsibility for Health and Safety at all schools and nurseries where staff are ultimately employed by the Council (Community Schools). The Council's responsibility is purely in their role as an employer and this responsibility does not extend to areas such as pupil safeguarding, which is the school's responsibility. Ownership of the school buildings does not affect the responsibilities of the employer in respect of staff health and safety i.e. an Academy where the Council still owns the freehold of the building but the staff are directly employed by the Academy.
- 5.3 Health and safety in non-Community schools and nurseries (such as Voluntary Aided and Academy schools) is the responsibility of the relevant school and its governing body who would need to have in place arrangements that would relate to staff, contractors and pupils. Some schools employ their own staff with health and safety responsibilities and others may procure external support for this.

6. Council Health and Safety Audits

- 6.1 The Corporate Health and Safety Team undertake an annual programme of Health and Safety Audits in respect of the Community Schools (13 primary, special and nursery schools) plus the Westminster Adult Education Service (WAES). The audits examine compliance with health and safety regulations, and outcomes are reported to the schools. These compliance reviews involve the use of software which is designed to cover the areas to be reviewed in an establishment such as a school.
- 6.2 Focussed reviews in areas such as asbestos have also been undertaken. In addition, during 2020/21, the Corporate Health and Safety Team undertook a full review of all Covid-19 Risk Assessments submitted by the schools. Children's Services are undertaking a process of auditing all community schools. Those that have been fully audited within the last two years are now subject to a compliance check for asbestos, Legionella and electrical safety. The audits are used as a benchmark for further inspection and can form part of a Health and Safety plan to improve anything that has been highlighted during the process.

- 6.3 The Council has recently reinstated its subscription to the Evolve platform which enables schools to submit risk assessments for trips. Negotiations are underway to make this platform available to all schools, not just community schools.

7. Health and Safety - Training and Awareness

- 7.1 The Corporate Health and Safety Team are available to provide training for Governors, if required, on their role with respect to health and safety at the schools. In addition, the Schools Governance Adviser confirmed that Governor training continues to be available, with the exception to training provided on safeguarding.
- 7.2 Important information, including training available for Governors, is published in a termly newsletter by the Schools Governance Adviser and issues raised where appropriate at the Chair's Forum. The Dioceses also provide training in a number of different areas and there is liaison between the Council and their Governance Lead on this.
- 7.3 The Schools Governance Adviser will be offering a session on health and safety for inclusion in forthcoming School Business Managers meeting (these are held each term).

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact
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APPENDICES:

Appendix 1 Questions send to schools by Internal Audit as part of the thematic review.

Appendix 2 Summary of Responses to thematic review

BACKGROUND PAPERS

Appendix 2 of the Annual Report on Internal Audit and Internal Control - 2020/21 which was reported to the Audit and Performance Committee in July 2021.

Internal Audit Health and Safety in Schools (Thematic Review)

The questions included in the surveys sent to the schools:

Section 1 School name and general details**Section 2 Policies and Procedures**

- 2.1 Does the school have up to date H&S policies and procedures in place? (those listed for selection: Fire safety, first aid, medicines, security, educational visits, substance misuse management and other).
- 2.3 If other, please specify.
- 2.4 Do policies include wellbeing, given the increased focus on 'Health and Wellbeing'?
- 2.5 Specify the date of approval of H&S policies by GB or delegated committee? Day/Month/Year.
- 2.6 Specify the date when H&S policies were last reviewed? Day/Month/Year.
- 2.7 Are the policies available to all staff?
- 2.8 Where are the policies available?(selections provided: staff intranet, paper copies, website, shared drive or other)
- 2.9 If other, please specify.
- 2.10 Are roles and responsibilities of key groups and individuals clearly defined and communicated to relevant staff?
- 2.11 Does the school have a designated Premises Controller?
- 2.12 If yes, please state the job title of the Premises Controller?

Section 3 Training & Knowledge

- 3.1 What training is provided to new staff and governors to allow H&S responsibilities to be discharged effectively?
- 3.2 What ongoing/refresher training is provided to staff and governors to allow H&S responsibilities to be discharged effectively?
- 3.3 How often does refresher training take place?
- 3.4 If other, please specify.
- 3.5 Are training records maintained?
- 3.6 Are any H&S experts engaged?
- 3.7 Who has responsibility for overseeing day to day H&S incidents in the school?

Section 4 Compliance

- 4.1 Are regular staff briefings held which include H&S requirements?
- 4.2 Are regular inspections undertaken by Leadership and Governors?
- 4.3 Are risk assessments undertaken for all relevant policies?
- 4.4 Are incident and accident records maintained?
- 4.5 Is a compliance checklist maintained?
- 4.6 Is compliance with policy monitored by GB or relevant committee?

Section 5 Incident Reporting

- 5.1 Are incident and accident reports provided to GB or relevant committee?
- 5.2 Is a 'Lessons Learnt' exercise undertaken to ensure that adequate preventative measures are put in place following incidents?
- 5.3 Are performance reports submitted to GB or committee?

Section 6 Reporting Statistics

- 6.1 Number of H&S issues reported to the Health & Safety Executive
- 6.2 Number of H&S near-misses, incidents and accidents in the last 12 months
- 6.3 Number of incidents reported within the last 12 months that have led to child injury
- 6.4 Number of incidents reported within the last 12 months that have led to staff injury
- 6.5 What is the area that the issues reported within the last 12 months relate to?

Section 7 Other Comments

- 7.1 Any additional comments around Health and Safety at the school, please detail below.

Internal Audit Health and Safety in Schools (Thematic Review)

A summary of the responses received are shown below, the red text items were identified as potential areas for improvement:

Summary of Responses
<p>Policies and procedures</p> <ul style="list-style-type: none"> • All 10 schools stated that they have up to date H&S policies and procedures in place. • Only 1 school has policies that cover all six of the areas suggested in the survey. On average, schools had 4.80 of the six policies suggested. • Most of the schools outlined other policies, common policies include Asbestos, Safeguarding, Business Continuity Planning and Whistleblowing. • 6 schools stated that policies include Wellbeing, 4 do not. • Most of the schools that provided a response stated that date of approved for the H&S policies was the same date that the policies were last reviewed (mostly in the last year). • All of the schools stated that the H&S policies are available to all staff. • Only 1 school held the policies on all four locations suggested in the survey. The most commonly used locations were the shared drive and the website. • All 10 schools stated that the roles and responsibilities of key groups and individuals are clearly defined and communicated to relevant staff. • 8 schools stated that they have a designated Premises Controller. In most instances the job title for this role was Site/Premises Manager, the remainder assigned this role to the Head or Caretaker.
<p>Training and knowledge</p> <ul style="list-style-type: none"> • Most of the schools state that H&S training forms part of induction training for new staff, two schools reference a local authority run governors training team. • 6 schools stated that H&S refresher training is provided on at least an annual basis, two schools stated that it occurs at least every three years, while one stated it occurs on an 'as required' basis. • 9 schools stated that they keep records of training, 1 does not. • 8 schools stated that they engage H&S experts. • 2 schools stated that the SBM has responsibility for overseeing day to day H&S incidents. 1 of the schools indicated that the role belongs to the caretaker while 4 stated it belongs to Headteacher and 1 stated it belongs to the Premises Manager.
<p>Compliance</p> <ul style="list-style-type: none"> • 7 schools stated that regular staff briefings are held that include H&S requirements. • 8 schools stated that regular inspections are undertaken by Leadership & Governance. • 5 schools stated that risk assessments are undertaken for all relevant policies, 5 do not. • 9 schools stated that incident and accident records are maintained. • 9 schools stated that a compliance checklist is maintained. • 6 schools stated that compliance with policy is monitored by the governing body or another relevant committee.
<p>Incident Reporting</p> <ul style="list-style-type: none"> • All 10 schools stated that incident and accident reports are provided to the governing body or other relevant committee. • 8 schools stated that a lessons learnt exercise is undertaken to ensure that adequate preventative measures are put in place following incidents. • 5 schools stated that performance reports are submitted to the governing body or other committee.
<p>Reporting statistics</p> <ul style="list-style-type: none"> • 2 schools reported incidents to the Health & Safety Executive, there were 2 incidents in total. • 6 schools have had H&S near-misses, incidents and accidents in the last 12 months, there were 121 in total; 114 from one school. • 3 schools have had incidents reported in the last 12 months that have led to child injury, there were 112 in total; 109 from one school. • 3 schools have had incidents reported in the 12 months that have led to staff injury, there were 8 in total. • Most of the schools report that slips & falls were the cause of the incidents, there is a clear difference in approach between some schools as some report the number of incidents in the hundreds.