

**REPORT TO:** Schools Forum  
**DATE:** 13 June 2019  
**REPORTING OFFICER:** Senior Finance Officer  
**SUBJECT:** Health and Safety De-delegation 2019-20  
**WARDS:** Borough wide

## **1.0 PURPOSE OF THE REPORT**

To report to the School Forum on the Health and Safety de-delegation for 2019-20

## **2.0 RECOMMENDATION: That**

- 1) The report is noted; and**
- 2) Schools Forum maintained school representatives decide whether to support the Health and Safety de-delegation for 2019-20.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 Work has been completed to identify the support provided to schools outside of the Service Level Agreement for which DSG funding is sought.
- 3.2 This report was previously shared with the Schools Forum at a meeting on 20 March 2019. There were a number of questions asked by the Forum on the differences between what is provided by the Council by way of statutory duties and what is provided as discretionary under the Health and Safety Service SLA. Attached at Annex A is a copy of the service SLA. A member of the SLA team will attend the Schools Forum meeting to talk through the SLA and differences between statutory and discretionary elements.
- 3.3 As required by the Department for Education, the Council has statutory duties with regard to health and safety at maintained schools. These include:
  - Through regular reviews, monitor health and safety performance to ensure appropriate standards are maintained. Providing reports with recommendations where development and/or improvement is required.
  - Provide health & safety policies and procedures, containing advice for schools to implement and respond in order to meet legal requirements.
  - Analysis of accident statistics and maintenance of other statutory records. Scrutinise incident forms and follow up where details are missing.

- Assisting schools in carrying out accident investigation and notification to the Health and Safety Executive of reportable incidents as per legal requirements. Provide advice on general incident investigations when required.
- Statutory consultation with unions and professional associations, addressing any concerns their members may have with standards of health and safety.

3.4 Roughly 40% of costs relate to support for maintained schools which equates to £60,000 for 2019-20, with the breakdown below:

Staffing	£37,384
Supplies & Services	£8,780
Central Recharges	£13,836

Supplies & Services includes costs for subscriptions and licences.

3.5 As mentioned at January's Schools Forum, the Schools Block funding formula which specifies de-delegated items has been submitted and cannot be changed. Should this funding be agreed, as a one-off we will invoice maintained chequebook schools for their contribution and will complete a journal for non-chequebook schools.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 If de-delegation is refused for any budget by any phase of maintained schools the Council will need to decide whether it can source other funding to support the service(s).

#### **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **5.1 Children & Young People in Halton**

Support services for children in schools is directly impacted by de-delegated budget decisions.

##### **5.2 Employment, Learning & Skills in Halton**

None.

##### **5.3 A Healthy Halton**

None.

##### **5.4 A Safer Halton**

None.

**5.5 Halton's Urban Renewal**

None.

**6.0 RISK ANALYSIS**

6.1 There is a risk to the Council that funding for staff and services in place to provide support to children in schools may be reduced should Maintained Schools representatives on Schools Forum wish to reject any de-delegated budget. There is a risk that schools will not fulfil statutory duties with regard to health and safety compliance.

**7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 The Local Authority must discharge its statutory responsibilities in relation to all schools and settings.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.

## SCHOOLS SERVICE LEVEL AGREEMENT

**Name of Service:** Health and Safety

**Agreement Length:** 12 months

**Termination Notice Period:** 31<sup>st</sup> March 2020

**School:**

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### Service Overview

The Health and Safety service will provide a package of services that will assist the Headteacher and the Governing Body to meet their increasing legal responsibilities to manage health, safety, welfare and security risks to staff, pupils and visitors involved in, or affected by school activities.

The Health and Safety Team offers a professional and quality health and safety consultancy service. They will provide a competent officer who will give specialist advice and support and continuous safety expertise. They also work with other specialist teams to provide assistance on health protection, science services and fire safety.

### LOCAL AUTHORITY RESPONSIBILITIES

As required by the Department of Education and Skills, the Local Authority statutory duties. This provision is non-traded and at this level service will ensure that the Council's statutory and strategic role is fulfilled:

<p>Through regular reviews, monitor health and safety performance to ensure appropriate standards are maintained. Providing reports with recommendations where development/improvement is required</p>	<p>Establish monitoring priorities and programme. Devise reviewing framework identifying relevant standards. Visit site. Interview &amp; discuss elements with management. Examine supporting documentation, e.g. risk assessments, training records, etc. Prepare report and forward to relevant parties. Periodically check progress on the implementation of</p>
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	recommendations within any reports.
Provide Health and Safety policies and procedures	They contain advice and guidance for schools to implement and respond to as appropriate in order to meet legal requirements
Analysis of accident statistics and maintenance of other statutory records	Receive accident/incident forms and scrutinise all incident forms and follow up where details are missing. Provide reports for meetings or at the request of managers for specific areas / sites.
Accident investigation and notification to the Health and Safety Executive of reportable incidents as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations	Assist Head teachers / managers to carry out accident investigations where there have been any major reportable incidents or near misses. Contact the HSE. Prompt an investigation if appropriate. Provide advice on general incident investigations when requested.
Statutory consultation with unions and professional associations	Liaise with union representatives regarding the health and safety of their members or concerns they may raise with standards of health and safety.

Other non statutory safety related services provided outside of this agreement :-

Provide a Radiation Protection officer to liaise with a Radiation Protection Adviser from CLEAPSS	
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## THE SCHOOLS STATUTORY DUTIES ARE:

Be responsible for the school's health & safety compliance and monitoring
To implement measures to review and regularly update its health & safety procedures and functions
To recognise its duty of care for the health, safety and well-being of its employees and to take effective steps to ensure that this is achieved, so far as is reasonably practicable.
In discharging this responsibility, school to take into account its parallel obligations for health and safety of pupils, visitors and others who may be affected by its operations.
Promptly report and investigate all accidents / incidents to the Health and Safety Team
To ensure that the School has access to competent health and safety advice
To ensure that there are effective communications of health & safety and issues to staff and Governors

## SERVICE OVERVIEW

Under the terms of the Service Level Agreement the Health and Safety Team will provide :

<p>Competent health and safety advice as required by legislation on:</p> <p>Risk assessment templates for:-</p> <ul style="list-style-type: none"><li>- Specific work activities</li><li>- Risks associated to the premises (not asbestos, fire &amp; legionella as completed by independent contractors)</li><li>- Induction checklist</li><li>- Sports</li><li>- Cleaning</li><li>- Swimming</li><li>- Stress</li><li>- Sun</li><li>- Kitchen</li><li>- Fire including PEEPS</li><li>- Pregnant worker</li><li>- Hazardous substances and agents (COSHH)</li><li>- DSE assessments</li><li>- Lone working</li><li>- Driving within school grounds</li><li>- Playground</li><li>- First Aid Needs Assessment</li><li>- Passenger Lift Risk Assessment</li><li>- Violence and Aggression</li><li>- Keeping animals</li><li>- Mini bus &amp; coach</li></ul>	<p>Work with Head teachers / managers and staff and explain what is required to comply with safety legislation/standards. Put into context and offer solutions on how they can comply.</p> <p>Assist Head teachers / managers and staff with any problems or queries they have regarding health and safety legislation, safety management systems or safety standards with supplementary research as necessary.</p> <p>After an accident, assist school to respond to requests from HSE for further information or investigation and assist in complying with any supplementary HSE requirements.</p>
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<p>General advice on,</p> <ul style="list-style-type: none"> <li>- Policies</li> <li>- Playgrounds</li> <li>- Security</li> <li>- Emergency procedures</li> <li>- Asbestos / Legionella</li> <li>- Medication</li> </ul>	
<p>Health and Safety instructions on general issues and provide generic risk assessments to meet standards</p>	<p>Keep track of current and impending legislation, network with other authorities; speak with the Health &amp; Safety Executive on particular problems within the service.</p> <p>As provided by the Web based Schools Health and Safety library</p>
<p>Assessment of the impact of new safety or health legislation and, where necessary, communicate the information</p>	<p>Read journals, monitor HSE information, network with other authorities.</p> <p>Identify the implications on the service and inform management.</p> <p>Decide with management the best way to integrate this into the safety management system of the service.</p> <p>Provide an information summary briefing notes on new legislation and 'hot topics'.</p>
<p>An annual visit to discuss and give advice on health and safety arrangements</p>	<p>Involves visiting school and observing work practices and giving advice on legislation, safety management systems and procedures.</p>
<p>Provide a telephone and email hotline, i.e. <a href="mailto:healthandsafetyteam@halton.gov.uk">healthandsafetyteam@halton.gov.uk</a></p>	<p>Involves providing advice as soon as possible on legislation, safety management systems and procedures and a return service within 24 hours for more complex issues.</p> <p>Advice is to be provided on a weekday basis</p>

<p>A range of health and safety mandatory training is available.</p> <ul style="list-style-type: none"> <li>- <b>Health and Safety for Head teachers / Managers (one day course)</b></li> </ul> <p>is offered <u>without charge</u> to schools subscribing to the service.</p>	<p>Determine H&amp;S training needs for the service.</p> <p>Draft training schedules in co-ordination with Central Training.</p> <p>Deliver training where Central Training does not or cannot provide</p> <p>Plan lesson and prepare training materials and supporting handouts</p> <p>Chargeable rates will be subject to an annual review and the courses</p>
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### Chargeable Extras

<p>4. A further programme of health and safety training is available. These rates will be subject to an annual review and the courses are,</p> <ul style="list-style-type: none"> <li>a) Fire Evacuation Chair (up to 4 people)</li> <li>b) COSHH Risk Assessment</li> <li>c) Manual Handling (objects)</li> </ul> <p>5. Schools based briefings. These rates will be subject to an annual review and the briefings are,</p> <ul style="list-style-type: none"> <li>a) General Health and Safety for school staff</li> </ul>	<p>Determine H&amp;S training needs for the service.</p> <p>£175.00 (half- day course)</p> <p>£175.00 (half- day course)</p> <p>£150.00 (half- day course)</p> <p>£100.00 (2hrs duration)</p>
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6. Specialist Risk Assessments conducted on behalf of school : -	Provision of a full report with actions.
a) Ergonomic and Complex Workstation Assessments	£60.00 per person

### Charges

The total service charge will be,

Nursery = £365

Primary and Special Needs Schools = £725

Secondary Schools = £970

There will be no extra charges if the terms and conditions of the SLA are updated.

This service does not include health and safety advice around educational visits or safeguarding.

If the school wishes to engage any of the services highlighted in the agreement they must inform the Health and Safety team on,

### Contact Details

Principal Health and Safety Advisor 0151 511 8563 (Lynn Pennington-Ramsden)

[lynn.pennington-ramsdn@halton.gov.uk](mailto:lynn.pennington-ramsdn@halton.gov.uk).

Either the Council or the school may give the other party 3 months' notice of termination.

Nothing in this Agreement confers or purports to confer on any third party any benefit or any right to enforce any term of this Agreement.