

## Planned industrial action in schools – Health and Safety Duty Holder considerations

The below summarises considerations for the Education Management Team and Schools in relation to Health and Safety Duty Holder responsibilities during planned industrial action.

### Notes on Premises/Site Health and Safety Duty Holder roles and responsibilities

- The Premises/Site Health and Safety Duty Holder role and responsibilities are part of the health and safety arrangements that are set out within the CEC Health and Safety, Fire Safety, Asbestos and Water Safety Policies.
- The responsibilities set out in these Policies are to assist the organisation (CEC) in discharging the relevant requirements set out in health and safety law (there are various other roles that have responsibilities in these Policies, including Managers and Employees).
- The general health and safety law that applies to all workplaces includes requirements on employers to:
  - o Protect workers and others from risk to their health and safety (reducing risk to as low as reasonably practicable).
  - o Have appropriate management arrangements in place to control health and safety risks – this includes in relation to suitable and sufficient risk assessment, implementation and review of control measures, instruction and training for employees in how to deal with risks and ensuring that there is adequate and appropriate supervision in place.
- There is no requirement in health and safety law for a designated ‘Duty Holder’ to always be present on a site.
- The above CEC Policies also do not require that the Health and Safety Duty Holder (as defined in the relevant Policies) is always present on site .
- The role of the Health and Safety Duty Holder, as explained in the [Health and Safety Duty Holder Guide](#), is largely about ensuring that the appropriate arrangements are in place to manage health and safety risks in specific workplaces.

### Considerations for Health and Safety Duty Holder arrangements during periods of industrial action

	Requirement	Considerations
General Health and Safety	Risk Assessment (RA)	<ul style="list-style-type: none"> <li>- RAs should already be in place for school activities.</li> <li>- Those responsible for activities would need to review RAs to ensure that control measures can continue to be implemented during industrial action.</li> </ul>
	Communication of H&S Requirements	<ul style="list-style-type: none"> <li>- Existing communication arrangements should already be in place.</li> <li>- Any new, additional or revised control measures / health and safety arrangements would need to be communicated to employees prior to industrial action.</li> </ul>
	Workplace Inspections	<ul style="list-style-type: none"> <li>- Requirements in CEC Policies relate to quarterly workplace inspections, so these should not be impacted by industrial action.</li> <li>- However, schools would need to review any daily or weekly health and safety checks within the workplace that might be impacted and ensure that arrangements are in place to address these.</li> </ul>

<b>Fire</b>	Incident Reporting and Investigation	<ul style="list-style-type: none"> <li>- Existing arrangements should already be in place, including : <ul style="list-style-type: none"> <li>o Employees and Managers have responsibilities to report incidents.</li> <li>o Managers have responsibilities to investigate incidents.</li> <li>o Incidents should be reported to Managers immediately and a report made on the SHE portal within 2 days.</li> </ul> </li> <li>- Managers and Employees are responsible for ensuring that any hazards are addressed following an incident.</li> </ul>
	Escalation of Adverse Events	<ul style="list-style-type: none"> <li>- Existing arrangements should already be in place (e.g. Significant Occurrence reporting).</li> <li>- Schools would need to ensure that relevant employees are aware of the escalation mechanisms in place.</li> <li>- There may need to be a person nominated to lead on escalation processes if required in absence of the Health and Safety Duty Holder.</li> </ul>
	First Aid	<ul style="list-style-type: none"> <li>- Schools would need to carry out a risk assessment to ensure that first aid arrangements are adequate and appropriate.</li> <li>- If normal cover cannot be met then the minimum requirements the school would need to consider are: <ul style="list-style-type: none"> <li>o suitably stocked first-aid kits;</li> <li>o an appointed person to take charge of first-aid arrangements; and</li> <li>o information for employees about first-aid arrangements.</li> </ul> </li> <li>- Other considerations would include not carrying out more hazardous activities, such as use of CDT equipment, for the period when the normal first aid cover cannot be met.</li> <li>- Schools would need to ensure that the arrangements are communicated to employees for the affected period.</li> </ul>
	Fire Safety	<ul style="list-style-type: none"> <li>- Schools would need to review fire safety arrangements to assess any impact caused by industrial action.</li> <li>- Where arrangements are affected then contingency arrangements should be put in place.</li> <li>- An important consideration would be ensuring that emergency arrangements and actions in the event of a fire or evacuation continue to be suitable and sufficient, especially in relation to Fire Warden cover, implementing evacuations as per any PEEPS (Personal Emergency Evacuation Plans) and investigating fire alarm activations.</li> <li>- Employees should already be familiar with existing procedures.</li> <li>- Schools should review if any daily or weekly fire safety checks within the workplace might be impacted and ensure that arrangements are in place to address these.</li> </ul>

<b>Asbestos</b>	Asbestos	<ul style="list-style-type: none"> <li>- Existing arrangements should already be in place (e.g. asbestos registers and plans available on site, locations of ACM (asbestos containing material) highlighted to any contractors attending site, etc.).</li> <li>- If there was an incident involving a suspected discovery or disturbance of ACM during work being carried out at times of industrial action, then emergency procedures should be followed as normal (these should already be available on site but copies are available in Appendix 1 and 2 of the <a href="#">Health and Safety Duty Holder Guide</a>), including contacting the Asbestos Team in Facilities Management (see <a href="#">Health and Safety Duty Holder Guide</a> for contact details).</li> <li>- There may need to be a person nominated to lead on escalation processes if required in absence of the Health and Safety Duty Holder (as per comments above on Escalation of Adverse Events).</li> </ul>
<b>Water</b>	Water Safety	<ul style="list-style-type: none"> <li>- Legionella risk assessments should already be in place for all school premises.</li> <li>- Water Quality Team in Facilities Management provide support on water safety and quality issues (see contact details in <a href="#">Health and Safety Duty Holder Guide</a>).</li> <li>- Schools should review whether any daily/weekly actions (e.g. checks, flushing of infrequently used outlets, etc.) may be impacted by industrial action and have arrangements in place to address these (however, these are normally carried out by non-teaching employees).</li> </ul>