

The Educational Institute of Scotland

EDUCATION RELATED RISK ASSESSMENT CASES

Background

1.1 The AGM in June 2009 approved the following resolution:

“This AGM instructs Council to investigate the number of education related risk assessment cases in Scotland in the last 3 years which have involved direct Health and Safety Executive intervention and, thereafter, report these findings to Local Associations.”

Investigation

2.1 Health and Safety Executive (HSE) was provided with the terms of the resolution and requested to provide the requested under the Freedom of Information (Scotland) Act 2002.

2.2 Initially this request was turned down due to the ‘expansive’ nature of the search that would be required which would render it cost prohibitive.

2.2 Following discussions HSE provided the limited information which is set out below.

Results

3.1 2006 – 2007: There were no Improvement Notices issued under the Management of Health and Safety at Work Regulations 1999 in educational establishments in Scotland.

3.2 2007 – 2008: There were 5 Improvement Notices issued under the Management of Health and Safety at Work Regulations 1999 in educational establishments in Scotland.

3.3 2008 – 2009: There was 1 Improvement Notice issued under the Management of Health and Safety at Work Regulations 1999 in an educational establishment in Scotland.

3.4 Scottish Primary and Secondary Schools were served with all the above Improvement Notices except for 2 of the Notices issued in 2007 – 2008 in other sectors of education.

Explanation of Results

- 4.1 HSE Inspectors may have advised on risk assessments or required risk assessments be carried out during inspections or investigations. This is not recorded in a way that HSE can easily retrieve.
- 4.2 Improvement Notices are formally recorded and HSE's statistical office was able to provide information on this.
- 4.3 The low number of Improvement Notices, in itself, does not necessarily reflect good compliance with the Management of Health and Safety at Work Regulations 1999. HSE's enforcement policy and the low level of inspections in educational premises are also relevant factors.

HSE and Risk Assessments in Educational Establishments

- 5.1 HSE has agreed to provide an article for the Scottish Educational Journal (SEJ) which will provide information on risk assessments in educational establishments. This article, scheduled for the May 2010 edition of the SEJ will provide useful information for Local Association Secretaries and all EIS members.

Conclusion

- 6.1 This report should be issued to Local Association Secretaries.