

Health and Safety Considerations for Schools during Strike Action

Legal situation

The Health and Safety at Work Act 1974 and associated Regulations continue to apply during a period of industrial action and there is still a general duty on the employer to ensure the health, safety and welfare of employees and non-employees affected by work activities so far as is reasonably practicable.

Employees who are on strike do not have any specific health and safety responsibilities as they are not 'at work' however there is a general duty of care on all persons for those affected by what they do.

There is a risk to the Council if remaining staff are asked to undertake tasks for which they have not been trained nor are competent.

Head teachers should exercise caution when asking remaining staff to carry out tasks which they may not normally undertake.

Industrial action is likely to lead to a significant reduction in staffing levels and consequently there will be health and safety implications for head teachers to consider.

The health and safety of pupils must be paramount at all times and if it is deemed that the likely number of absent colleagues means your school will not be able to maintain adequate staff to pupil ratios then serious consideration should be given to closing the school for the day.

The Health and Safety at Work Act 1974 places a legal 'duty of care' on a school, as the employer, to safeguard the health and safety of all their staff as well as that of the pupils.

Risk assessments

To comply with its legal obligations, a school should conduct a risk assessment prior to deciding whether to open on the day of industrial action. This must take into account staff to pupil ratios, children with special needs who may need extra supervision and the absence of first aiders, fire marshals and specialist teachers. Planned trips and visits and after school clubs should also be risk assessed.

The purpose is to identify potential hazards and take steps to eliminate or reduce them.

If a school fails to conduct a risk assessment they could be in breach of health and safety laws. The main legal responsibilities lie with schools, as the employers, not members of staff.

Therefore, if there are serious concerns about the health and safety of staff or pupils on the day of industrial action, those concerns should be highlighted to head teachers as soon as possible.

Fire considerations

Procedures arising from the fire risk assessment must be reviewed if circumstances change (such as the temporary loss of fire wardens, security and reception staff etc)

The owner or operator of a building (not the fire brigade) is responsible for safety on site and emergency evacuation arrangements

- Are revised emergency fire procedures in place? Has this been brought to the attention of all staff?
- Do remaining staff know the location of keys for fire alarm panels?
- Who will call the emergency services if fire wardens / reception staff are unavailable?
- Are there enough suitably trained staff to enable everyone (including disabled persons, children or those with mobility problems) to be evacuated quickly and safely?

Contractors / building work

- Particular attention should be paid to the control of activities presenting a high risk of ignition such as contractors operations involving 'hot work', especially any construction work involving blow torches, welding equipment and the like during the dispute. Head teachers may wish to restrict or suspend certain contractor operations for the duration of the industrial action if it increases fire risk.

Lifts

- Where buildings have lifts, consideration must be given to the possibility of the lift becoming stuck. Ensure that there are staff available to receive an alarm call from the lift and procedures in place to rescue a trapped person. Details should be made available in the lift and where alarm calls are received in the building.

Visitors

- Have you considered all the people likely to be present in your school and others with whom you share the building?
- Ensured that the workplace is secured against unauthorised entry?
- Are there enough suitable trained staff to assist disabled persons?
- How will visitors be signed in and out of the premises?

Staff training

- Remaining staff should only undertake tasks for which they have been trained and are competent.
- Managers should not ask remaining staff to undertake tasks for which they are not competent and confident.
- Where team-working is required e.g. manual handling, tasks should be assessed to determine if they can be safely undertaken with reduced staffing or whether the task needs to be modified.

Supervision

- Supervision of certain categories of employees must be reviewed to ensure that it is sufficient e.g. agency staff, new employees, work experience students, voluntary workers and apprentices.

First Aid

- Are there sufficient First Aiders / Appointed Persons on site?
- Are paediatric first aiders on site (primary schools)?
- Is first aid equipment available?
- Do remaining staff know who to notify in the event of an accident?
- Are there arrangements in place for calling an ambulance?
- Are medical arrangements regarding medicines / asthma medication still able to be followed on the day of the strike?

Lone working

- Will remaining staff be working alone – if so, have risks been assessed?
- Will they be at increased risk of verbal or physical assault?
- Will they have access to communications in the event of an emergency?
- Will they need assistance if working with machinery / equipment?

Cleaning/housekeeping

- Are arrangements in place for cleaning high risk areas such as toilets and food preparation areas?
- Will bins be emptied at the end of each day?

Security and reception staff

- Do temporary security and reception staff have contact numbers in case of emergency?
- Are they aware of signing in/out procedures?
- Are they aware of fire and bomb threat procedures?
- Will access to the building have to be restricted for security purposes (consider fire evacuation if this is necessary)?

Accident reporting procedures

- Are remaining staff aware of the procedures for reporting accidents. The Health and Safety Team will provide cover/backup for the investigation of serious accidents. Telephone 01743 252819
- For large-scale emergencies, are remaining staff aware of contact numbers for the Emergency Planning Team 01743 252845.