



# **Health, Safety and Wellbeing Policy**

## Contents

1. Introduction.....	3
2. Health, safety and wellbeing policy statement by the Board of Trustees on behalf of Learn@ MAT.....	3
3. The organisation of the Trust to achieve health, safety and wellbeing.....	6
4. The arrangements within the Trust to achieve health, safety and wellbeing.....	7
5. Trade union and staff representatives and a health, safety and wellbeing staff consultative committee.....	8
6. Monitoring and auditing health, safety and wellbeing by the Board of Trustees ..	9
7. References: .....	9
8. Details of the organisation and arrangements regarding health, safety and wellbeing. ....	10
9. Key issues and roles table and allocations between MAT and the academies..	11
10. Section 2: Roles within the Multi-Academy Trust and the academies .....	30
11. Arrangements.....	33
12. Other issues .....	40
13. This policy will be reviewed and updated each year as necessary.....	40

## **1. Introduction**

1.1. This policy document is for Learn@ MAT (consisting currently of Knowle DGE Academy, Lansdown Park Academy, Notton House Academy and St. Matthias Academy) and is written as an all in one document describing the three parts of the policy required under the Health and Safety at Work etc Act 1974. These are:

1.1.1. A statement of health, safety and wellbeing policy;

1.1.2. A description of the organisation to carry out the policy;

1.1.3. A description of the arrangements to carry out the policy.

In other words what is going to be done to keep employees and others safe and healthy, who is going to do it and how will it be achieved?

1.2. This is a description of policy as opposed to a handbook. Details are set out in whatever sub-policies and procedures are needed including records of risk assessments.

1.3. The individual Academies will each have their own health, safety and wellbeing policy. Their policies are sub-policies of this one.

1.4. The expectation of OFSTED for a MAT is that it will add something to the overall value of the individual academies. This can cover cooperation and sharing of skills, knowledge and experience as well as cost efficiencies.

1.5. The Health and Safety at Work etc Act 1974 (HASAWA) is not the only relevant legislation that needs to be taken into account. Where possible the other legislation will be mentioned.

1.6. Two important issues are noted here. The main responsibility for ensuring the health and safety of employees, pupils and students and anyone else affected by the MAT's activities lies with the employer and with the occupier of premises. This will be the Trust as the employer and the individual academies as occupiers. Secondly MAT Trustees are personally accountable under Section 37 of the HASAWA as follows:

“Where an offence under any of the relevant statutory provisions committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.”

## **2. Health, safety and wellbeing policy statement by the Board of Trustees on behalf of Learn@ MAT**

This follows below.

2.1. This statement is produced for Learn@ MAT. It is an over-arching policy for the Trust and its member academies. Each academy will produce its own local health, safety and wellbeing policy linking to this document.

2.2. It forms the basis of future planning to achieve a high standard of health, safety and wellbeing in line with current industry best practice. It describes

how the Trust will implement health, safety and wellbeing (HS&W) matters in and across member academies.

### **2.3. The Board of Trustees' Statement of General Policy**

The Trustees say that:

- 2.3.1. As a board they will collectively accept responsibility for the setting out of a suitable organisation and giving staff appropriate roles to ensure a high standard of health, safety and wellbeing. They will make arrangements to carry out those tasks, jobs and other functions needed to achieve this. (Section 2 (3) HASAWA)
  - 2.3.2. As individuals the Trustees recognise they have a duty not to consent or connive in a matter likely to be a breach of health, safety and wellbeing law nor to neglect any matter that may be a breach of the law. (Section 37 HASAWA)
  - 2.3.3. One member of the board will assume the role of "Health, safety and wellbeing trustee" with the oversight remit. This is to aid the board collectively in achieving a high standard of health and safety and wellbeing in the trust.
  - 2.3.4. As the employer the Trust controlled by the Board of Trustees will meet its legal duty to ensure, so far as is reasonably practicable, the health, safety and wellbeing of its employees. (Section 2(1) HASAWA)
  - 2.3.5. The Trust will ensure that people not employed by it are also protected against harm from any of its activities. This covers pupils and students, visitors and contractors and members of the public. Activities include those at the academies' premises or off the site such as during an educational trip. (Section 3 HASAWA)
- 2.4. The Trust will pay attention to all health, safety and wellbeing issues including the example topics below: (Section 2(2) HASAWA)
- 2.4.1. Plant and machinery;
  - 2.4.2. Systems of work including for example providing personal protective equipment when needed;
  - 2.4.3. The way any items or substances are used, moved, carried around, transported and stored;
  - 2.4.4. Making sure any place of work, indoors or outdoors is safe and without a risk to health. This also covers safe ways to get in and out.
  - 2.4.5. Making sure the environment of the place of work is safe and without risks to health.
  - 2.4.6. Adequate toilets, lunch areas, rest areas, medical facilities and other welfare needs are provided;
  - 2.4.7. Information, instruction, training and supervision.

- 2.5. The Trust will provide an adequate budget for health, safety and wellbeing matters.
- 2.6. Health and safety matters will be linked with other legal requirements such as safeguarding, food hygiene, transport safety, environmental protection and waste management in a consistent and as seamless a way as possible. The Board of Trustees understands that many of these items will be regulated through legislation other than HASAWA. This will not be a barrier to cooperation and achieving the highest standards.
- 2.7. Health, safety and wellbeing practice will be in line with the duties to be inclusive and to avoid discrimination (Equalities Act 2010)
- 2.8. The Board of Trustees is aware of their obligations to manage data appropriately. This may impinge on health and safety matters such as recording medical treatment and accident records. (Data Protection Act 2018).
- 2.9. Learn@ MAT and the Board of Trustees understand that they are subject to the Freedom of Information Act 2000. In any case all documents have to be made available to authorised inspectors from the Health and Safety Executive or similar regulator.
- 2.10. Trustees will keep themselves up to date with legislative requirements and industry best practice within education and other relevant industries such as vehicle maintenance, engineering, outdoor activities and construction. (Reference: [www.hse.gov.uk](http://www.hse.gov.uk))
- 2.11. The Trust will support the member academies in their policy and practice and encourage the discussion and sharing of best practice across the trust. Whenever appropriate they will visit or at least contact other educational organisations to help improve their practice.
- 2.12. The Trust will ensure that it has access to health, safety and wellbeing advisors internally as staff members and by using external contractors and competent people as needed.
- 2.13. The Trust will involve employees and where appropriate pupils and students in the discussion of health, safety and wellbeing matters. Consultation will occur through health and safety committees, by employee and trade union representatives and through direct consultation as appropriate. Member academies may choose any suitable equitable approach appropriate to their working arrangements. (Safety Representatives and Safety Committees Regulations 1977 and Health and Safety (Consultation with Employees) Regulations 1996)
- 2.14. The Trust and the Board of Trustees will support the Head of each member academy in developing their own local policies and procedures. Best

practice will be shared and promoted whenever applicable. Each academy has its own specialisms and will be able to develop suitable unique procedures when needed. (Reference: HSG 65: Managing for health and safety)

- 2.15. The Board of Trustees will monitor and audit health, safety and wellbeing practice across the trust. They will update the Trust risk register regularly. (Reference: INDG417 Leading health and safety at work)
- 2.16. The Trustees understand there is no such thing as “common sense” in that different people have varying life experiences, knowledge and understanding. They will support employees and other people including pupils and students in gaining recognised levels of skill, knowledge and experience through training and other ways.
- 2.17. The Board of Trustees will review and update this policy statement at least once a year. The organisation and arrangements will be improved whenever this is practical. So far as is possible improvement will be based on the anticipation and analysis of better evidence and practice that can be applied. Lessons from court cases, accidents and incidents and other “learning with hindsight” situations will also be used to improve standards.
- 2.18. The Trust as an educational organisation supports the concept of “being risk aware rather than risk averse”. All employees and pupils and students should go home “safe and healthy” however this does not mean banning or denying access to exciting, interesting and rewarding learning opportunities.

Signed by the Chair of the Board of Trustees

Date

Signed by the Chief Executive Officer

Date

Date of next review:

### **3. The organisation of the Trust to achieve health, safety and wellbeing.**

- 3.1. The Board of Trustees will follow the published guidance from the Health and Safety Executive and related organisations such as the Food Standards Agency, Department for Education, Education and Skills Funding Agency and other regulators or advisors.
- 3.2. Whenever appropriate health, safety and wellbeing will be organised in cooperation with child protection and safeguarding arrangements, security, personal health issues such as mental health and any other relevant matters.
- 3.3. Employees with duties will be recruited and trained to have the skills, knowledge and experience to carry out their work effectively.

3.4. The organisation of the Trust and its member academies will provide the means to manage and supervise staff, report defects and arrange repairs, inform and brief employees, involve staff and consult with them and provide a means of whistle-blowing should the need arise.

3.5. The rights of employees will be formally displayed using the Health and Safety Executive poster which will be put on a notice-board at all premises. (Health and Safety Information for Employees Regulations 1989, as amended in 2009).

#### **4. The arrangements within the Trust to achieve health, safety and wellbeing**

4.1. The Trust will follow the industry best practice using published documents available from regulators such as the Health and Safety Executive. Industry includes education and all other relevant areas of work such as building maintenance, electrical equipment and catering.

4.2. It will use the advice of recognised organisations at national level and national governing bodies.

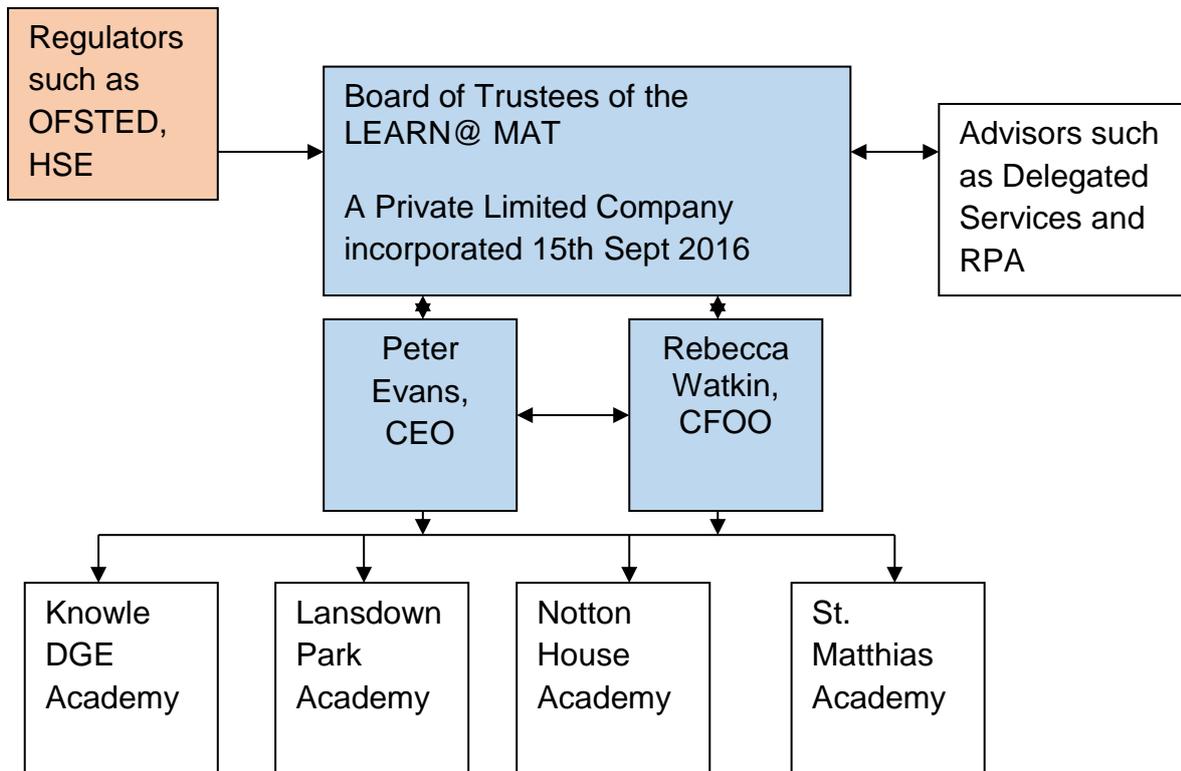
4.3. The Trust will have employees trained in health, safety and wellbeing at varying levels from general awareness to specialist knowledge in certain fields. The Trust will call on external help when needed whether as a contractor such as a qualified electrician or gas technician or as an advisor such as Delegated Services CIC.

4.4. The Trust supports the member academies with the development of practice and procedure, risk assessments and guidance and the availability of internal and external advisors.

4.5. A chart showing the main organisational features of the Trust is given below after this section. A list of key posts and roles and an A-Z of key arrangements is shown in Part 2 of the policy.

4.6. The policy is not an exhaustive list of every single practice and procedure minor or significant. The absence of an item in the policy does not mean it has not been considered. In some cases where the risk level is low and/or similar to everyday out of work risks there may be no Trust or Academy recorded practice or policy.

Fig 1: An organisation chart regarding health, safety and wellbeing for the multi-academy trust



## 5. Trade union and staff representatives and a health, safety and wellbeing staff consultative committee

5.1. The Trust will work with trade union representatives where they are in post and with staff representatives where they are present. The trust supports both roles as part of employee involvement and consultation. (Safety Representatives and Safety Committees Regulations 1977 and Health and Safety (Consultation with Employees) Regulations 1996)

5.2. In most cases the representatives will be based at the individual academies and will act for that setting alone. Where there are Trust wide issues that are raised these will be shared between the academies so that good practice is promoted in all locations and activities.

5.3. Each academy will decide if they wish to have a staff health, safety and wellbeing consultative committee. Trade union representatives can formally ask for one in any case. The Trust supports the principle of having a committee. Where they are present the Health and Safety Trustee will attend a proportion of the meetings to listen to feedback which can be used by the Board of Trustees to monitor and improve health, safety and wellbeing performance.

## **6. Monitoring and auditing health, safety and wellbeing by the Board of Trustees**

6.1. The Board of Trustees will ask the CFOO to provide an annual report on all health, safety and wellbeing matters.

6.2. The report will provide a strategic review and an action plan based on the information supplied by each academy through the course of the year.

6.3. The report will include:

6.3.1. Statutory information the academies have provided to regulatory bodies such as accident reports under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013, food hygiene inspections by local environmental health departments and fleet vehicle MOTs;

6.3.2. Confirmation that all emergency plans such as fire risk assessments and fire action procedures are in place and up to date.

6.3.3. Confirmation that the risk register for each academy is up to date;

6.3.4. The status of all risk assessments and that they meet industry standards;

6.3.5. The status of all policies and that they meet regulatory and industry standards;

6.3.6. Describe any educational attainment problems caused by health, safety and wellbeing issues and also educational successes thanks to informed use of health, safety and wellbeing principles.

6.3.7. The outcomes of in-house site inspections, off-site trip provider inspections, self-assessed audits and external independent audits and similar monitoring;

6.3.8. Reports on staff consultations, stress risk assessments, employee wellbeing and related matters.

6.3.9. Any other matters the board wishes to examine and any matter the CFOO wishes to bring to the Board's attention

6.3.10. A section of the report will be provided so that trade union or staff reps can make a direct feedback to the Board. They will provide the text themselves.

6.4. The Board of Trustees will ask for an external independent audit of each academy on a rolling programme at a frequency they shall decide.

## **7. References:**

Department for Education document:

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attach>

“Multi-academy trusts  
Good practice guidance and expectations for growth  
December 2016”  
Page 50

## **8. Details of the organisation and arrangements regarding health, safety and wellbeing.**

Each academy will have their own health, safety and wellbeing policy that follows from this policy.

8.1. This part of the policy describes additional details about the MAT's organisation and arrangements for achieving a high standard of compliance with statutory requirements for health, safety and wellbeing, the safeguarding of children and the management of premises and estates.

8.2. It also describes how the Trust is risk aware rather than risk averse. Educational opportunities are enhanced by good practice and not banned or inhibited by unjustified concerns.

8.3. Key issues will have their own policies or procedures. This document is not intended as a staff handbook but to show how Trust leaders direct and control the health, safety and wellbeing culture of the organisation.

8.4. There are potentially thousands of health, safety and wellbeing issues therefore what is listed here are the key ones. Others may not be listed. They will be found in local academy policies and procedures when relevant including risk assessments or lesson plans.

## 9. Key issues and roles table and allocations between MAT and the academies

The following table list key issues, lead people, MAT or local academy roles and essential compliance or opportunity matters.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
1. Accident + Incident reporting	CEO	Yes	Head	Yes	Academies report serious events that need Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) reports to the CEO. Non-serious incidents are collated locally and reported to the CEO termly.
2. Administration of medicines	N/A	No	Head	Yes	The Trust leads on policy but the Academies deal with day to day practice.
3. Annual report on health, safety and wellbeing	AFR Committee	Yes	Head	Yes	An annual report must be done by each Academy but the information collated and used in a Trust report.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
4. Asbestos	CFOO	Yes	Site Manager	Yes	There must be up to date surveys, asbestos management plans and staff training. Each academy has a specific management plan.
5. Audit	AFR Committee	Yes	N/A	No	The MAT runs audits as part of monitoring.
6. Buildings and premises	CFO	Yes	Site Manager	Yes	Assure compliance with statutory requirements or better. Each academy will manage their own premises in normal circumstances
7. Caretaking and premises management	N/A	No	Site Manager	Yes	This is week to week and daily site management following MAT policies as applied to each academy

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
8. Communication with employees about health, safety and wellbeing	CFOO	Yes	Head	Yes	Relevant information to employees is distributed either directly or through the academies; feedback from employees is received including concerns
9. Contractors	CFOO	Yes	Site Manager	Yes	Major works and the list of approved contractors will be managed through the MAT. Day to day works will be controlled by academies

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
10. Control of substances hazardous to health ( COSHH) such as chemicals, dust and microbes	CFOO	Yes	Site Manager	Yes	The MAT will approve items for use within premises management and for educational purposes. Day to day control is by each academy.
11. Defect reports	N/A	No	Site Manager	Yes	Academies will manage daily issues. Serious problems will be alerted to the MAT
12. Display screen equipment	N/A	No	Head	Yes	Workplace and display screen risk assessments will be done by academies following MAT policies

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
13. Electricity	CFOO	Yes	Site Manager	Yes	Assure compliance with statutory requirements or better
14. Emergency procedures (snow, fire, flood, pestilence etc)	AFR Committee	Yes	Head and Site Manager	Yes	Major incidents will be managed by the MAT after local action as required. Smaller incidents will be mitigated locally with support from the Trust
15. Extended activities outside core hours	N/A	No	Head	Yes	These will be run by each academy
16. Fire precautions	AFR Commission	Yes	Site Manager	Yes	Fire safety and fire precautions will comply with the Regulatory Reform (Fire Safety) Order 2005 and other relevant requirements. The MAT has overall responsibility and the academies manage it day to day

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
17. First aid provision and medical support	N/A	No	Head	Yes	Academies will risk assess and deploy staff and resources
18. Higher risk curriculum areas	CFOO	Yes	Head	Yes	The MAT will provide policy and guidance and the academies will manage on a day to day routine. Good practice will be shared.
19. Housekeeping (clear corridors, storage, trip hazards etc)	N/A	No	Site Manager	Yes	Academies will keep their premises tidy, clean and prevent slips and trips.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
20. Inspections	AFR Committee	Yes	Site Manager	Yes	There will be regular inspections. Some led by a AFR Committee member, some by the CFOO and some by local staff. Trade union/staff reps will be invited to attend when available.
21. Lettings	N/A	No	Site Manager	Yes	Academies will manage lettings in line with MAT policy
22. Local exhaust ventilation /Air extraction	N/A	No	Site Manager	Yes	Assure compliance with statutory requirements or better
23. Lone working	N/A	No	Head	Yes	Assure compliance with statutory requirements or better

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
24. Machinery and plant	N/A	No	Site Manager	Yes	Assure compliance with statutory requirements or better
25. Manual handling - loads	CFOO	Yes	Site Manager	Yes	Assure compliance with statutory requirements or better
26. Manual handling - carrying children and people	CEO	Yes	Head	Yes	Assure compliance with statutory requirements or better; ensure safeguarding requirements are met as well.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
27. Manual handling - physical intervention/ positive handling/ restraint	CEO	Yes	Head	Yes	Academies will manage day to day in line with statutory requirements both for safety of staff and pupils and for safeguarding; reports to be sent the MAT. Regular audits of records and practice to be done.
28. Monitoring and auditing	CFOO	Yes	Site Manager	Yes	See also Item 5 above.  Academies will monitor their local health, safety and wellbeing performance with the MAT collating and reviewing the data.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
29. Noise and vibration	CFOO	Yes	Site Manager	Yes	Assure compliance with statutory requirements or better
30. Off-site trips, educational visits, sports events	CFOO	Yes	Head	Yes	The academies will manage activities with their Educational Visits Coordinator and Party Leaders, following MAT policy, feedback and incident reports will be sent to the MAT.
31. Outdoor structures, play equipment etc	CFOO	Yes	Site Manager	Yes	Academies will manage their own premises following MAT policies.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
32. Playing fields, pavilions and other open space, sports equipment, sports centres or similar	N/A	No	Site Manager	Yes	Academies will manage their own premises following MAT policies.
33. Portable equipment testing (often electrical but could be air or hydraulic or manual)	N/A	No	Site Manager	Yes	Academies will manage their own premises following MAT policies. Reports will be sent to the MAT for review.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
38. Radiation (ionising and non-ionising)	AFR Committee	Yes	Site Manager	Yes	Those academies using radiation will manage it locally following Trust policies and with oversight from the Trust and external radiation protection advisor
34. RIDDOR - Reporting of injuries, diseases and dangerous occurrences	CEO	Yes	Head	Yes	See Item 1 as well. The most serious incidents need to be reported to the Health and Safety Executive (and in some cases other regulators) and in the case of death the Police.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
35. Risk assessment	CFOO	Yes	Head	Yes	Assure compliance with statutory requirements or better. Balance risk and educational outcomes where applicable. Academies manage their own activities in line with MAT policy.
36. Safety reps, staff reps, involving staff; consultation on health, safety and wellbeing	AFR Committee	Yes	Head	Yes	Academies will manage their own premises following MAT policies. Reports will be sent to the MAT for review. When there are no actual reps then direct consultation with staff should be done.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
42. Safety reps, staff reps, involving staff; consultation on health, safety and wellbeing - safety committee	CFOO	No		Yes	A staff consultative committee may be requested by reps or created as a process of involving staff. Academies will manage their own premises following MAT policies. Reports will be sent to the MAT for review.
37. Security	CFOO	Yes	Head	Yes	The academies manage local security (physical, personal, cyber and safeguarding) following Trust policies, the MAT supports this and ensures corporate security.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
38. Training	CFOO	Yes	Head	Yes	Academies manage their staff professional development and their competence for health, safety and wellbeing issues; the Trust encourages sharing of skills, the Trust reviews the skill base and advises accordingly.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
39. Transport-fleet vehicles, hired vehicles, public and private transport	CFOO	Yes	Transport Administrator or School Business Manager	Yes	Academies manage their own use of private, public and hired transport in line with MAT policies; fleet vehicles are possibly shared across the MAT, supervised locally or centrally as needed.
40. Unacceptable behaviour - pupils and staff	CEO	Yes	Head	Yes	Academies manage pupil behaviour and most staff behaviour but serious breaches and safeguarding issues are referred to the CEO.

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
41. Unacceptable behaviour -parents and public	CEO	Yes	Head	Yes	Academies manage low level issues but escalate to the MAT for serious issues
42. Utility services (e.g.water)	N/A	No	Site Manager	Yes	Academies deal with most utility issues unless there is a significant problem.
43. Water hygiene and Legionella, lead in water.	CFOO	Yes	Site Manager	Yes	Academies follow MAT policy to achieve compliance with statutory requirements. Major issues referred up to the MAT

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
44. Wellbeing including pressure and stress	AFR Committee	Yes	Head	Yes	MAT supplies corporate support on mental health, pressure and stress, occupational health though usually applied locally by academies.
45. Working at height	N/A	No	Site Manager	Yes	Academies deal with day to day issues following Trust policies
46. Work experience/student placements, new teachers and other new joiners	N/A	No	Head	Yes	Academies deal with day to day issues such as induction to the organisation following Trust policies

Issue	Led by which postholder at the Trust	Is it a Trust task?	Led by which postholder at the Academies	Is it a local academy task?	What action is needed?
47. Food Safety and Hygiene (this is not covered under the Health and Safety at Work etc Act 1974)	N/A	No	Head of catering staff	Yes	Each academy is a food business and registered with Bristol City Council.
48. Waste disposal	CFOO	Yes	Site Manager	Yes	The MAT and the academies will be registered for waste collection. Trust policy and contractor list will approve waste disposal contractors
49. Other matters	CFOO	Yes	Head	Yes	The general principle applies that the MAT will comply with statutory requirements and where feasible exceed these. Academies in the Trust have flexibility to be risk aware rather than risk averse but they must comply with statutory standards.

## **10. Section 2: Roles within the Multi-Academy Trust and the academies**

10.1. The following paragraphs outline the roles and responsibilities of key post-holders within the Trust and within each academy. The MAT expects the post-holders to work within the context of the legislation and in particular the enabling approach used in the Health and Safety at Work etc Act 1974. This does not define every tiny task that must be done. Instead it sets a culture in which more general duties, intelligently and wisely carried out, achieve a high standard. Some of the regulations from the Act are more specific in their requirements.

### **10.2. The Multi-Academy Trust**

The Trust as the employer is the legal entity responsible for following the legislation.

### **10.3. The Multi-Academy Board of Trustees**

The Board is responsible for running the Trust and the Trustees have appropriate responsibilities in that regard. The funding agreement for the Trust sets out the requirements the Trust must meet. This includes the safety of children.

### **10.4. Trustees**

10.4.1. Individuals are expected to conduct themselves in such a way that they meet the statutory duties imposed on them through the funding agreement, company and charities legislation and health, safety and wellbeing legislation.

10.4.2. Trustees will not consent or connive in any way that prevents the meeting of statutory duties. They will not neglect any matters relevant to meeting statutory duties. They understand that if they do so they may as individuals be prosecuted.

10.4.3. The DfE Governance Handbook will be followed. (See: <https://www.gov.uk/government/publications/governance-handbook>)

### **10.5. Health and Safety Trustee**

A Trustee or Trustees will be appointed to lead on health, safety and wellbeing matters. The Board recognises that this does not remove the overall responsibility from the Trustees/Directors collectively nor from each person.

### **10.6. Trust Trustee and CEO**

10.6.1. The post-holder will lead the board on ensuring the following key issues within the overall statutory framework:

- (i) Meeting compliance with statutory requirements;
- (ii) Ensuring the safeguarding of children;
- (iii) Providing suitable arrangements for critical incidents, business continuity and support to the community in a crisis ( often called the 3 C's). This

includes fire, flood, threats and other hazards. It also covers serious incidents on academy organised trips and events or at the academies.

- (iv) Providing guidance on how academies deal with disruption to activities for example due to bad weather.
- (iv) Appointing people to cover health, safety and wellbeing (and related issues) duties.
- (v) Ensuring arrangements are in place to carry out health, safety and wellbeing duties.

10.6.2. The Trust Trustee and CEO will normally be the point of contact on behalf of the Trust for serious and significant matters.

## 10.7. CFOO

10.7.1. The CFOO will advise the Board on the resources needed to fulfil the statutory obligations in regard to health, safety and wellbeing plus the support for developing the curriculum where “risk aware not risk averse” approaches are applicable.

10.7.2. The maintenance of the estate under the control of the Trust will be overseen by the CFOO as part of the Trust’s assets. Compliance reports will be sent to the CFOO.

10.7.3. The CFOO will hold the Trust risk register.

10.7.4. This post-holder will carry overall day to day responsibility for the Trust estate. They will provide support to the academies.

10.7.5. The CEO will delegate to them the authority to manage the items:

- (i) Meeting compliance with statutory requirements;
- (ii) Providing suitable arrangements for critical incidents, business continuity and support to the community in a crisis (often called the 3 C’s). This includes fire, flood, threats and other hazards. It also covers serious incidents on academy organised trips and events or at the academies.
- (iii) Providing guidance on how academies deal with disruption to activities for example due to bad weather.
- (vi) Appointing people to cover health, safety and wellbeing (and related issues) duties.

- (vii) Ensuring arrangements are in place to carry out health, safety and wellbeing duties.
- (viii) Support the use of information technology across the Trust and maximise its use for teaching and learning. It will also be used in the management of the Trust's assets and estate (for example CCTV, access control and security) and supporting the safeguarding duties.
- (ix) Input to the management of wellbeing (such as dealing with pressure and stress), control of lost-time due to illness and injury from work related issues (such as accidents, occupational health) and employee training and development.

10.7.6. The CFOO will be the first point of contact for the Trust in day to day matters.

#### **10.8. Academy Headteachers**

- 10.8.1. The AFR Committee and CEO will delegate to these leaders the running of their own academies. They will put in place local policies, organisation and arrangements for dealing with health, safety and wellbeing.
- 10.8.2. The local arrangements will be supported by the CFO to ensure consistency of standards of health, safety and wellbeing across the Trust.
- 10.8.3. The Academy Head Teachers will be authorised to get advice and support from the Trust's contractors and advisors directly. Where necessary the CFOO will issue guidance to them on financial or time limits to the use of contractors and advisors.
- 10.8.4. In a critical incident (such as a fire or serious accident including on an off-site visit) the Academy Head Teachers will first seek the help of the emergency services if required. They are then authorised to seek advice and support as necessary in the circumstances usually following the Trust and their own academy preparations and policies.

#### **10.9. Academies policies and procedures**

- 10.9.1. Each academy will have its own policies and procedures. These will be written by them with the support of the Trust. Existing systems of work and documents will be carried over if still functional and updated and rebadged as necessary.
- 10.9.2. Academies are encouraged by the Trust to be able to operate independently though in cooperation where this benefits teaching and learning, the management of the Trust estate and effectiveness of the organisation.

#### **10.10. Employees**

- 10.10.1. Whilst the Trust as employer is the main legal entity responsible for complying with statutory duties the Trustees and employees have related duties. Those of the Trustees are outlined in Section 9.6 above.
- 10.10.2. Employees are required to follow such health, safety and wellbeing instructions as are issued by the employer. They must report any defect or problem that could be a hazard. Health and safety equipment should not be mis-used. Staff in all jobs are expected to have the level of knowledge, skills and experience appropriate to the job and to do their work with care and diligence.
- 10.10.3. The employer when selecting an employee through recruitment, volunteering or request should check they possess such health, safety and wellbeing competence needed for their job. They may achieve this by offering training and other professional development if necessary.

## **11. Arrangements**

- 11.1. The following list expands to a small extent the information in the Table in Section 9.0 above. The Trust will provide additional guidance in other documents, on the internal staff websites, the public facing websites and through other means such as posters, signs and through training and supervision.
- 11.2. The academies themselves will produce their own additional guidance as needed for their local circumstances.
- 11.3. Definitive national guidance and local guidance where appropriate for example on safeguarding will be followed. Publications will not be duplicated in policies because staff can refer directly to these if they wish through using the online resources now available.

### **11.4. Accidents and incident reporting**

- 11.4.1. There is a requirement to report incidents that occur at work under the Reporting of Injuries, Disease, Dangerous Occurrences Regulations 2013. Only the more serious events have to be reported by the employer which is the Trust. Where a reportable incident occurs during an academy's activities (or at the Trust offices) the CFOO will be notified as soon as possible. They will then make further investigations and take action including reporting to the Health and Safety Executive.
- 11.4.2. The Trust accident and incident reporting procedure will go into more detail.

### **11.5. Asbestos**

- 11.5.1. The Trust will appoint duty holders and ensure that all academies have up to date asbestos surveys and management plans in place. These will be reviewed and added to when necessary for example in preparation for building works.
- 11.5.2. Academies will follow their local procedures to prevent any harm from asbestos in their premises. This includes briefing all regular visitors and contractors on the presence and location of asbestos and the importance of not damaging it.

### **11.6. Buildings and Premises**

11.6.1. Day to day management lies with the academies. If a serious problem is expected or happens then they can contact the CFOO and when needed the contractors or advisors to assist them.

### **11.7. Contractors**

11.7.1. The Trust will approve the contractors to be used so that the most cost-effective support is available. Where the academies have satisfactory contractors these will continue until or after the Trust has its approved list depending on which contractors are selected.

11.7.2. In a critical incident the person in charge (usually an academy Head Teacher) or CFOO may judge it appropriate to use contractors not previously approved due to the urgency or nature of the situation.

### **11.8. Defect reports**

11.8.1. Day to day the academies are expected to maintain their premises, plant and equipment.

11.8.2. Serious problems should be reported to the Trust. If needed advice and help can be given or the Trust may intervene if necessary.

11.8.3. A problem that may be likely to cause multiple problems across the Trust (for example a piece of electrical equipment is found to be defective) must be reported immediately to the Trust through the CFOO.

### **11.9. Emergency procedures**

11.9.1. Each academy will have its own emergency procedures for matters such as fire, flood and utility failure. The Trust will provide support in terms of advice, authorisation for expenditure and the use of contractors or advisors above an agreed limit delegated to the academy Head Teachers.

11.9.2. Weather problems will be dealt with in a similar way in that local decisions will be made about remaining open in bad weather. The assessment process will be based on a Trust guidance policy agreed with academy leaders. The Trust may however opt for a decision overall where weather forecasting indicates this is prudent.

11.9.3. Threats due to people will be managed with local security and lockdown procedures and as part of the overall 3C's (critical incidents, business continuity and contributing to the community in a crisis) policy for each academy.

11.9.4. The Trust will have an overall 3C's policy to ensure business continuity including for the Trust offices.

### **11.10. Fire precautions**

11.10.1. The Trust as employer has the lead for fire safety and the academies will be supported by the CFOO in developing their fire risk assessment and fire precautions.

#### **11.11. Inspections**

11.11.1. Members of the AFR Committee and the CFOO will accompany academy Head Teachers on inspections to set an example and demonstrate commitment to health, safety and wellbeing ( as well as safeguarding and security). The arrangements for doing this occasionally will be made by the CFOO.

11.11.2. Other inspections, audits and surveys will be run by the academies with guidance and support from the CFOO.

11.11.3. The Board will be aware of their duties described in Section 9.4.2 which are based on Section 37 of the Health and Safety at Work etc Act 1974 and the Sentencing Guidelines for offences under the Act.

#### **11.12. Risk Management and risk assessment**

11.12.1. Risk assessments to control the hazards and the risk of harm through academy activities will be managed by the academies with support from the Trust.

11.12.2. The CFOO will ensure that risk assessments are consistent in reducing risk and similar activities in the academies are all managed in an effective way. Local variation may be appropriate when justified against best practice guidance.

11.12.3. Risk assessment is about being risk aware rather than risk averse. Foreseeable risks must be controlled and the relevant best (or good practice) procedures followed. Challenging and interesting lessons and trips for example are not banned but must be carefully risk assessed and then if acceptable can be carried out.

#### **11.13. Water hygiene including controlling the risk of Legionellosis**

11.13.1. The CFOO will be the overall duty-holder and the academy Head Teachers will be duty holders for their academies. All academies must have a water system survey and Legionella management plan in place and regularly reviewed.

#### **11.14. Wellbeing (including the management of pressure and stress)**

11.14.1. The Trust will monitor and manage the workforce and provide support and guidance to the academies.

11.14.2. The prevention of ill-health due to stress is guided by the Health and Safety Executive "Management Standards".

(Found at: <http://www.hse.gov.uk/stress/standards/index.htm> )

The HSE describes these as follows:

“They cover six key areas of work design that, if not properly managed, are associated with poor health, lower productivity and increased accident and sickness absence rates. The Management Standards are:

- Demands – this includes issues such as workload, work patterns and the work environment
- Control – how much say the person has in the way they do their work
- Support – this includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues
- Relationships – this includes promoting positive working to avoid conflict and dealing with unacceptable behaviour
- Role – whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles
- Change – how organisational change (large or small) is managed and communicated in the organisation

The website expands on the list above and provides various ways of working on the issues.

- 11.14.3. Mental health awareness will be promoted for staff and pupils. This is partly a health and safety issue, partly an equality issue and partly an HR issue. The Trust will use current advice and good practice in recruitment, support for employees and adjusting the job including risk assessment.

#### References

<https://www.hastam.co.uk/services/training-and-mentoring/mental-health-awareness/>

<https://www.mind.org.uk/workplace/workplace-wellbeing-index/>

<https://www.nhs.uk/conditions/stress-anxiety-depression/>

- 11.14.4. Wellbeing is a positive state of feeling which the Trust wants to encourage amongst the workforce and amongst its pupils and students. There are links with numerous initiatives such as healthy eating, stop-smoking clinics and alcohol misuse reduction.

#### References

<https://www.gov.uk/government/publications/the-eatwell-guide>

<https://www.nhs.uk/live-well/quit-smoking/nhs-stop-smoking-services-help-you-quit/>

<https://www.nhs.uk/live-well/alcohol-support/?tabname=advice-and-support>

#### 11.14.5. **Line Managers**

11.14.5.1. Line managers will put in place measures to minimise the risks to employee wellbeing, particularly from negative pressure at work. Managers must familiarise themselves with the Health and Safety Executive's stress management standards, and use these to mitigate psychological risks in their teams. For example, managers should ensure that employees understand their role within the team and receive the necessary information and support from managers and team members to do their job. Managers must also familiarise themselves with the organisation's policies on diversity and tackling inappropriate behaviour in order to support staff, for example on bullying and harassment issues.

11.14.5.2. In particular, line managers must ensure that they take steps to reduce the risks to employee health and wellbeing by:

- ensuring that the right people are recruited to the right jobs and that a good match is obtained between individuals recruited and job descriptions/specifications;
- keeping employees in the team up to date with developments at work and how these might affect their job and workload;
- ensuring that employees know who to approach with problems concerning their role and how to pursue issues with senior management;
- making sure jobs are designed fairly and that work is allocated appropriately between teams; and
- ensuring that work stations are regularly assessed to ensure that they are appropriate and fit for purpose.

#### 11.14.6. **Occupational health**

11.14.6.1. Occupational health professionals will provide a comprehensive service designed to help employees stay in work, or to return to work, after experiencing mental health problems. This will include preparing medical assessments of individuals' fitness for work following referrals from line managers and the HR department, liaising with GPs and working with individuals to help them to retain employment.

11.14.6.2. Occupational health professionals will play a critical part in developing rehabilitation plans for employees returning to work after absences related to mental ill health, and work with GPs and line managers on designing jobs and working environments to ensure that rehabilitation is successful. Occupational health professionals will also design and implement health promotion and lifestyle

behaviour management programmes, including initiatives on managing pressure and ongoing health conditions at work.

#### **11.14.7. Employee assistance programme provider**

11.14.7.1. The provider of external employee assistance services will alert the organisation's management to clusters or "hotspots" of psychological risk in the organisation, drawing on anonymised data provided by calls to its 24-hour helpline and information from face-to-face counselling with employees.

#### **11.14.8. Employees**

11.14.8.1. Employees must take responsibility for managing their own health and wellbeing, by adopting good health behaviours (for example in relation to diet, alcohol consumption and smoking) and informing the Trust if they believe work or the work environment poses a risk to their health. Any health-related information disclosed by an employee during discussions with managers, the HR department or the occupational health service is treated in confidence.

#### **11.14.9. Training and communications**

11.14.9.1. Line managers and employees will regularly discuss individual training needs to ensure that employees have the necessary skills to adapt to ever-changing job demands. An examination of training needs will be particularly important prior to, and during, periods of organisational change.

11.14.9.2. Managers and employees are encouraged to participate in communication/feedback exercises, including stress audits and staff surveys. All employees are expected to be aware of the importance of effective communication and to use the media most appropriate to the message, for example team meetings, one-to-one meetings, electronic communications and organisation-wide methods. The organisation will ensure that structures exist to give employees regular feedback on their performance, and for them to raise concerns.

11.14.9.3. The organisation will consider special communication media during periods of organisational change.

#### **11.14.10. Occupational health support**

11.14.10.1. Line managers and employees can contact the Trust's occupational health service on 0117 342 3400 or [occupationalhealth@uhbristol.nhs.uk](mailto:occupationalhealth@uhbristol.nhs.uk). A comprehensive occupational health service is available, from individual health screening to the design of return-to-work plans for those rehabilitating after a period of long-term sickness absence.

11.14.10.2. If employees believe that their work, or some aspect of it, is putting their wellbeing at risk they should, in the first instance, speak to their line manager or the HR department. The discussion should cover workload and other aspects of job demands, and raise issues such as identified training needs.

11.14.10.3. A referral to the occupational health team will be made if this is considered appropriate after an employee's initial discussion with his/her manager

- or the HR department. Discussions between employees and the occupational health professionals are confidential, although the occupational health team is likely to provide a report on the employee's fitness to work, and any recommended adaptations to the working environment, to the HR department.
- 11.14.10.4. The academies themselves are encouraged to address the issues at the local level as well where this is appropriate.

## 11.15. Food safety and food hygiene

- 11.15.1. All Trust academies will be registered as food businesses.
- 11.15.2. All academies are expected to achieve a maximum score (5 stars) on formal Environmental Health food safety and hygiene inspections. The Trust will support any academy that has problems doing this.
- 11.15.3. Food hygiene is regulated through the Food Standards Agency nationally. They publish guides for food businesses setting out the key food control measures, they offer an online risk assessment tool (HACCP) and offer free advice on their website. Reference: <https://www.food.gov.uk/>

At local level the food businesses are inspected by environmental health officers:

<http://www.wiltshire.gov.uk/env-health-food-business>

[https://www.bristol.gov.uk/en\\_US/food-business/food-safety-inspections](https://www.bristol.gov.uk/en_US/food-business/food-safety-inspections)

## 11.16. Waste and environmental protection

- 11.16.1. Nationally the Environment Agency is a key regulator to whom the Trust will turn to if advice is needed. Reference: <https://www.gov.uk/government/organisations/environment-agency>
- 11.16.2. Local authorities such as Bristol City Council and Wiltshire County Council also have a role in providing services, advice and regulation which the MAT and its academies will use.
- 11.16.3. Water companies such as Bristol Water supply water and also have some control over connections and use of water by businesses. They offer advice on water quality including lead levels. Reference: <https://www.bristolwater.co.uk/your-business/wholesale-information/plumbing-regulations/>

## 11.17. Road safety and vehicle and driver fitness for the road

- 11.17.1. The MAT will ensure that its vehicles and drivers comply with the legal duties and where possible achieve a higher standard.
- 11.17.2. Anyone driving on Trust business must have the right driving licence categories for the vehicle and use, up to date training as required and suitable insurance for driving at work.

- 11.17.3. Trust owned vehicles will be roadworthy, properly checked and maintained by drivers, MOT tested and passed and insured. References: Avon and Somerset Police, Wiltshire Police  
(<https://www.wiltshire.police.uk/article/797/Driving-safely> )  
<https://www.gov.uk/legal-obligations-drivers-riders>

## **12. Other issues**

- 12.1. There are a wide range of support organisations providing help and advice and the Trust will make full use of these. Each academy will be encouraged to use them as well.
- 12.2. The Health and Safety Executive website provides free downloads of most of its publications and these set best practice for occupational health and safety. Other relevant organisations such as CLEAPSS and DATA which are membership based will be joined by the Trust.
- 12.3. Where feasible in-house staff will gain skills, knowledge and experience to carry out most health, safety and wellbeing functions. If necessary external contractors and advisors will be used.

## **13. This policy will be reviewed and updated each year as necessary.**

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<b>Review Cycle</b>		<b>Review Body</b>	Audit Finance and Resources Committee
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