

Relevant Legislation

The Management of Health and Safety at Work Regulations 1999

General

The Management of Health and Safety at Work Regulations have far reaching implications for the management of health and safety in all County Council establishments and require that a thorough and modern system of safety management is adopted. The following summary provides relevant details and guidance on how the Regulations should be implemented.

Health and Safety Arrangements

The law requires that a written description is prepared detailing the arrangements for a structured scheme of safety management within the establishment, designed to achieve a progressive improvement in standards and performance. The aim of this is to create an effective 'safety culture' in which the commitment to health and safety is adopted at all levels and where all share a common goal of constantly improving the management of risk.

This modern philosophy of 'risk management' has been adopted by the County Council, not only for the potential benefits, but also as a precondition of its statutory liability insurance.

The four key areas are:

- (a) Planning
- (b) Organisation
- (c) Control
- (d) Monitoring and review

(a) Planning

On at least an annual basis, it is necessary that management teams identify and prioritise all their safety needs and objectives so that the necessary funding can be included in the budget plan and any necessary systems or procedures may be installed.

To ensure success, it is essential that the relevant members of staff be kept well informed and receive appropriate training with regard to the identified standards and performance objectives, and be given every encouragement to adopt them.

(b) Organisation

The effective management of health and safety requires the clear assignment of appropriate tasks and levels of responsibility to those designated to manage aspects of health and safety within the establishment.

The general arrangements for this are contained in Part D of this policy. In many instances it will be necessary to prepare a complementary safety policy for the establishment. This will allow individual responsibilities at a local level to be described in more detail.

(c) Control

Some method of control needs to be identified to ensure that the decisions taken for the promotion of health and safety are implemented, as planned. Documented safe working procedures are often one of the easiest methods to ensure that correct systems are communicated to staff. Similarly, management exhibiting high personal regard for safety and making an effort to highlight instances of bad practice as part of their daily routine will allow a safety culture to be developed.

(d) Monitoring and Review

A structured scheme for monitoring and reviewing progress within the establishment is required. A thorough audit of safety standards and practices should be carried out on at least an annual basis. Routine monitoring of more straightforward matters may be conducted daily, weekly or quarterly (or each term in schools), as appropriate, so that prompt action can be taken where necessary. The results of all monitoring and review exercises are then brought into the planning and prioritisation of current safety objectives.

Risk Assessments

A further key requirement which underpins all modern safety legislation is the duty to assess risks to health or safety in all work activities. A written assessment of risk, identifying the necessary precautions, is required for all activities that carry a significant risk to health and safety.

Further, detailed information on risk assessments is given in the section covering risk assessment.

Health Surveillance

Employees must be provided with health surveillance as is appropriate having regard to the risks to their health and safety which are identified in the risk assessment. Under normal circumstances health surveillance is only required when employees routinely work with equipment and substances where there is an identifiable associated health risk. Examples of this would be a joiner who is routinely exposed to wood dust or a grounds person who routinely uses vibrating equipment, such as a hedge cutter. The Occupational Health Unit is able to provide health surveillance, if required.

Health and Safety Assistance

The County Council fulfils its statutory duties by employing qualified Health and Safety Officers to provide a service to all establishments. Detailed duties of the Health and Safety Team are included in the organisation section of this policy.

However, in most establishments, it is desirable that an experienced member of staff acts as a co-ordinator in order to facilitate the management of health and safety more effectively on a day-to-day basis.

Procedures for Serious and Imminent Danger and for Danger Areas

General

An appropriate fire procedure should be made known to all staff, and to any other persons, such as County Council Officers or contractors, at work on the premises. Moreover, staff should be made aware of those competent persons nominated to implement the evacuation. Separate advice covering this subject is contained in section 2 of the Fire Log Book.

Similar procedures should be established for any other severe hazards, and staff informed of the nature of the hazards and the steps taken to protect staff from them. For example, emergency procedures covering compressed gas cylinders and/or the accidental release of toxic gases or vapours must be established. The document entitled 'School Emergency Incident Procedure' should be referred to in these circumstances. This document is to be reviewed this year.

No staff should be allowed entry to an area to which it is necessary to restrict access for safety reasons, unless adequate health and safety instruction has been given.

Arrangements are required to provide all staff (including temporary workers), with 'comprehensible and relevant information' on emergency procedures and persons nominated to implement emergency procedures.

Detailed arrangements will be required to disseminate this kind of written information to all staff. Each establishment's individual safety policy will provide a convenient means of setting out how this can be achieved.

It may be necessary to provide caretaking and cleaning staff with health and safety information in relation to specialist areas in which they may work, such as workshops and laboratories.

Industrial Action

When industrial action is proposed by employees whose absence from work would seriously affect the safety, health or welfare of those using the Education Authority's premises, the Headteacher should seek advice from the Authority immediately. Such situations may include:

- contractors leaving unfinished work on site which presents a safety hazard;
- the withdrawal of services resulting in a reduction in the desired standards of health, safety or welfare, such as cleaning, heating and catering standards;
- the withdrawal of services resulting in a reduction in the supervision of pupils and students.

Capabilities and Training

These topics are discussed in section E2.

Co-operation and Co-ordination between Client and Contractor

This topic is discussed in Section J2 in relation to contractors. Risks arising from activities of other employers (for example, when premises are part of shared sites with other employers) should be addressed in local procedures.

Arrangements within Children's Services

The arrangements for schools are complicated owing to the divisions of responsibilities between the LA and the governing bodies and the greater powers that have now been devolved to the latter. Below is a detailed table detailing the responsibilities of the various parties and a framework for good practice regarding how these duties may be discharged.

It should be noted that in voluntary aided schools all the responsibilities detailed for the LA apply to the governing body. Likewise in Academies responsibility lies with the employer whether it is the proprietor, or governing body in each case. In those schools it will be necessary to ensure that arrangements are in place for discharging both sections of the duties described. This will usually be achieved via the SLA for Health and Safety Services or Property Services.

However, the LA remains responsible for any members of staff it employs who work in a voluntary aided school. In such circumstances the governing body has responsibilities to the LA's staff.

Safety Issue	Responsibility of the Local Authority	Responsibility of the governing body
<p>Safety policy and risk assessment</p> <p><i>Reference documents:</i></p> <p><i>Model School H&S policy</i></p> <p><i>Schools' H&S Policy Manual sections:</i> <i>D - Organisation</i> <i>E6 – Risk Assessment</i></p> <p><i>CLEAPSS website</i></p> <p><i>'Safe practice in physical education' (AfPE)</i></p> <p>DATA</p>	<p>PLANNING</p> <p>Prepare a health and safety mission statement to be signed by the Executive Director of Children's Services. (H&S)</p> <p>Write and review a model supplementary health and safety policy on a least a three year cycle. (H&S)</p> <p>Write and review the School's Health and Safety Policy Manual on at least a three year cycle. Detail the health and safety responsibilities of managers in the organisation section (section D). In addition, provide measures to comply with legislation and adopt safe working practices in the arrangements section. (H&S)</p> <p>Advocate the use of standard texts for reference purposes. (H&S)</p> <p>Consult with school safety coordinators and trade union safety representatives. (H&S)</p> <p>Prepare and update a basic framework of generic risk assessments for school activities which individual schools can adopt by tailoring them to their own needs and circumstances. (H&S)</p>	<p>Prepare a health and safety mission statement to be signed by the Chair of Governors. Nominate a Health & Safety Governor who has a role to ensure health and safety liaison between the governing body and school management team.</p> <p>Prepare a supplementary health and safety policy for the school (utilising the model prepared by the H&S Team) and review it on at least an annual basis. Detail the health and safety responsibilities of specified members of staff in the organisation section and the measures to comply with legislation and adopt the safe working practices detailed in the arrangements section.</p> <p>Prepare risk assessments, lesson plans and schemes of work having due regard to standard texts such as the AfPE publication 'safe practice in physical education' and the appropriate CLEAPSS manual's. Many standard texts are now web based.</p> <p>Nominate a manager at an appropriate level of seniority to act as the Safety Coordinator. Arrange an appropriate health and safety consultation group charged to facilitate effective implementation of the LA policies and guidance. Involve trade union representatives as appropriate.</p> <p>Undertake risk assessments for all activities that present a significant risk of injury or ill health to staff, visitors and pupils. Implement job specific safety documentation, such as departmental policies and procedures for practical subjects, such as Science, PE and Design & Technology.</p>

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<p>Health and safety and/or specialist advice</p> <p><i>E3 - Managing services and construction projects independently</i></p>	<p>Ensure that suitable health and safety advice is readily accessible to Headteachers, governors and school staff. (H&S)</p> <p>Ensure that suitable specialist advice is readily accessible to Headteachers, governors and school staff. (CS; PS; F&R)</p>	<p>Contact the Health and Safety Team if professional safety advice is required.</p> <p>Ensure that advice is sought from specialist staff with reference to health and safety risks and, in all cases, ensure that appropriate action is taken on advice. Examples include, fire safety and building matters such as asbestos management, water hygiene and electrical safety.</p>
<p>Objectives</p>	<p>Ensure that clear objectives are set within strategic policies and procedures as well as setting specific initiatives as the need arises. (CS; H&S)</p>	<p>Ensure that health and safety priorities for the school are formally set on an annual basis.</p>
IMPLEMENTATION		
<p>Staff training and competence</p> <p><i>E2 - Training and Competence</i></p>	<p>Promote the need for safety training in a wide range of subjects, both curricular and extracurricular, for example, safe use of Design & Technology machinery, the safe management of science chemicals, first aid and outdoor activities. (HS; CS; L&OD)</p> <p>Offer a range of health and safety training courses (organised centrally) to assist schools to satisfy statutory requirements. (L&OD; CS)</p>	<p>Undertake a health and safety training analysis for all teaching and non-teaching staff managed by the governors (including refresher training needs). Implement the training plan, taking account of curricular and extra-curricular activities and resource these from the school's delegated budget.</p> <p>Specific safety training must be provided for individual employees where particular hazards or risks exist, or where complex activities require it.</p>
<p>Communication and consultation</p> <p><i>School's weekly e-courier Safety Bulletins</i></p>	<p>Inform all Governing Bodies about the health and safety issues that affect school activities by issuing circular letters and disseminating safety bulletins. (H&S).</p> <p>Brief governing bodies about policy updates and</p>	<p>Hold regular meetings of the safety management team. Provide employees with an effective communication route for safety matters.</p> <p>Maintain a safety library, notice boards and display a</p>

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<p><i>Section A – Director’s Policy Statement, Introduction, communication</i></p> <p><i>E4 – Joint Consultation</i></p> <p><i>E5 - Health and safety information for employee</i></p>	<p>important current issues on an annual basis via the school support officers. (CS; HS).</p> <p>Keep trade union safety representatives fully informed of significant proposals on health and safety matters. (HS)</p>	<p>Health and Safety Law Poster.</p> <p>Report relevant health and safety issues to the LA.</p> <p>Cooperate with the LA with regard to requests for information.</p> <p>Liaise with the appropriate trade union representatives on safety matters. Operate a Health and Safety Committee if more than one trade union safety representative should formally request one.</p>
<p>Documentation</p>	<p>Issue health and safety documentation having due regard to date of issue, intended recipients, final destination and revocation of outdated information. Keep appropriate records. (H&S)</p>	<p>Ensure that all health and safety documentation is appropriately updated and is readily accessible. Out of date information must be discarded.</p>
<p>Accident and Incident reporting and investigation</p> <p><i>F1 - accidents, incidents and occupational diseases</i></p> <p><i>F2 - violence at work and staff protection</i></p>	<p>Inform schools of the requirements of statutory reporting (RIDDOR). (H&S)</p> <p>Ensure that the HSE is notified of all reportable diseases as required by RIDDOR 2013 (OH)</p> <p>Devise a reporting system for all significant accidents and violent incidents and maintain records of reported incidents. (H&S). Provide accident statistics to individual establishments on request. (H&S)</p>	<p>Ensure that the HSE is notified of all incidents as required by RIDDOR 2013 as follows:</p> <ul style="list-style-type: none"> • specified and over seven-day injuries to staff • accidents involving pupils and visitors arising from work activities which result in the injured person being taken to hospital where a treatment is rendered. • dangerous occurrences <p>Report all significant accidents and violent incidents on the appropriate forms to the Health and Safety Team and make preliminary investigations. Record trivial accidents to pupils in the school’s own accident book. Record first aid treatments rendered.</p>

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	<p>Undertake statistical analysis of collective school incidents and formulate and implement LA policy based on analysis of accidents, violent incidents, occupational ill health, or lost time data. <i>(HS)</i></p> <p>Investigate all accidents of a serious or complex nature. <i>(HS)</i></p> <p>Liaise with the insurance team with regard to civil claims for negligence. <i>(HS)</i></p>	<p>Analyse school statistical information on accidents and violent incidents for the purpose of identifying trends. Provide summarised information about these to the governors to enable them to manage the workplace safely.</p> <p>Investigate all incidents and take appropriate measures to prevent recurrence using the form ACC1 and/or ACC2 as appropriate. Involve the Health and Safety Team if specialist input is required.</p> <p>Provide detailed information and assistance to the Health and Safety Team and insurance companies with regard to the investigation of civil claims for negligence.</p>
<p>Fire safety</p> <p><i>Fire Log Book (FLB)</i></p>	<p>Revise the Fire Log Book in keeping with changes in legislation and best practice. <i>(HS; F&R)</i>. Inform schools of any changes in fire safety standards. <i>(F&R)</i>.</p> <p>Maintain liaison between the Fire Safety Team in the Fire and Rescue service and other pertinent personnel. <i>(HS; F&R)</i></p> <p>Make general fire safety observations as part of the Health and Safety Inspection Service and refer specific or complex fire safety issues to the Fire Safety Team. <i>(H&S)</i>.</p>	<p>Ensure the implementation of the Fire Log Book (FLB). Undertake and review a premises fire risk assessment (section 4 of the FLB). Undertake relevant testing and maintenance regime (section 5 of the FLB).</p> <p>Maintain a plan of action in the event of fire and any other foreseeable emergencies involving imminent danger. Ensure these arrangements are tested regularly (at least termly).</p> <p>Produce Personal Emergency Evacuation Plans (PEEPS), where appropriate, for staff or pupils who are mobility impaired.</p> <p>Identify key personnel and ensure that adequate training is provided in fire procedures. Distribute the procedure and review this at least once a year. Make arrangements for maintaining all fire safety equipment (this is part of the Property SLA).</p>

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<p>Emergency arrangements</p> <p><i>NCC School Emergency Plan Template and Guidance</i></p> <p><i>Managing Temporary School Crisis</i></p>	<p>Review national guidance. Produce and review the NCC 'School Emergency Plan Template and Guidance' and implement the recommended procedures as and when required. (CS, CC, H&S).</p> <p>Provide a 24-hour emergency telephone contact. (CS; CC).</p> <p>Update guidance on dealing with more common emergency issues, such as local loss of utilities and flooding entitled 'Managing Temporary School Crises (H&S)</p>	<p>Develop the template documents provided and maintain procedures to cover foreseeable emergencies involving imminent danger. Identify key personnel and ensure adequate training is provided.</p> <p>Distribute the procedure and review it at least once a year.</p> <p>Include a reference in the school's safety policy to the measures in place for dealing with more common emergency issues.</p>
<p>Control of asbestos located in school buildings</p> <p><i>H3 - Asbestos</i></p>	<p>Ensure that the asbestos surveys held by the LA are kept up to date and issued to individual schools. Offer schools training on asbestos management in schools. (PS).</p> <p>Implement the County Council policy for the removal of asbestos from school sites using licensed asbestos removal companies. (PS).</p> <p>Ensure that appropriate emergency procedures are in place and communicated to schools. (PS).</p>	<p>Ensure that a copy of the school's asbestos survey is readily available in school and supplied to contractors as part of the contractors induction pack. Ensure that school staff and governors are aware of its contents. Ensure that members of staff receive appropriate awareness training.</p> <p>Liaise with Property Services for additional surveys if building work is commissioned. Liaise with the County Council's Asbestos Manager if there are any concerns.</p> <p>Ensure that arrangements are in place to report any damage to accessible asbestos in school. Ensure that the asbestos is not disturbed and that emergency procedures are followed.</p>
<p>Control of contractors</p> <p><i>J1 - Construction, design and</i></p>	<p>Maintain access to approved contractors and monitor their performance on an ongoing basis. Supply relevant information to schools on request, for example building services plans covering gas and electricity. (PS)</p>	<p>Where schools choose to use a contractor that is not currently used by the LA then the governing body assumes the duty to vet the suitability of the contractor.</p>

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<p><i>management regulations (CDM)</i></p> <p><i>J2 - control of contractors</i></p> <p><i>E3 - managing services and construction projects independently</i></p>	<p>For planned work commissioned by the LA, Property Services will agree safe management of the project with all contractors prior to the commencement of work. Form HSC1 will be completed for small works where a Construction Phase Safety Plan is not required. (PS).</p> <p>Evaluate the information on the completed N1 form from schools. Authorise work as appropriate. Recommend improvements to submissions or withhold approval. (PS).</p>	<p>For all minor building work <u>commissioned independently of Property Services</u>, by the school governors:</p> <ul style="list-style-type: none"> • Notify Property Services using Form N1 • Appoint NCC contractors or vet contractors independently • Agree safe systems of work with all contractors prior to the commencement of work and ensure adequate information is recorded using Form HSC1. <p>For projects commissioned by the LA, take an active part in the planning process and take account of its effect on the school's activities.</p> <p>Ensure that Form HSC1 is either completed by the school, or finished off by the school (where Property Services Officers have already begun the process).</p>
Occupational health and welfare	<p>Provide a pre-employment medical service and offer professional advice after long or short-term illness in terms of rehabilitation or fitness to return to work. (OH).</p> <p>Provide a range of health surveillance examinations for any staff undertaking high-risk activities that may affect their health. (OH).</p> <p>Provide individual, confidential support and counselling for employees in respect of work-related or personal problems. Provide guidance for managers on sensitive employee issues. (OH, HR).</p>	<p>Identify any occupational health needs of school staff and liaise where necessary with the Occupational Health Unit with regard to the provision of appropriate advice.</p> <p>Ensure that members of staff that are experiencing problems of a work related or personal nature are aware of the confidential counselling services offered by Occupational Health.</p> <p>Undertake stress risk assessments (in conjunction with the Health and Safety Team) and monitor the well-being of staff.</p>
Health and welfare	Provide education welfare and psychological services.	Implement the LA Policies on this subject. Liaise with

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<p>of pupils</p> <p><i>L13 - students</i></p>	<p>(CS). Prepare and update the LA Policy 'Supporting Children with Medical Conditions':2015. (HS).</p> <p>Liaise with Public Health England (PHE), the County's Consultant Paediatrician and School Nurse Manager on matters relating to child health.(CS; H&S)</p>	<p>parents/guardians and, where necessary, any specialist staff such as the Education Welfare Officers and staff in the Psychological Services Team, Special Needs Adviser, Hearing Impaired Unit, School Nurses, Occupational Therapists and Physiotherapists.</p> <p>Ensure a safe environment whilst implementing a policy of inclusion for pupils with medical needs. Carry out suitable risk assessments when pupils with mobility needs or health issues are present in school.</p>
CHECKING AND CORRECTIVE ACTION		
<p>Monitoring school health and safety management</p> <p><i>E1 – Safety management</i></p> <p><i>Governors H&S audit template</i></p>	<p>Provide a school Health and Safety inspection service on a periodic basis and provide a report to the Director of Children's Services, governing body and Headteacher. (H&S).</p> <p>Action the non-delegated requirements recommended in reports by external agencies such as environmental health officers and Ofsted. (CS).</p> <p>Carry out appropriate investigations when Heads, governors, members of staff or parents raise very serious health and safety issues. Provide a verbal response immediately and/or a written response within 10 working days of receipt of relevant information. (H&S).</p>	<p>Act upon information given in the inspection reports and other reports and communications.</p> <p>Monitor standards of safety within the school on at least an annual basis.</p> <p>Undertake a formal governors' health and safety audit on at least an annual basis.</p> <p>Develop an action plan to respond to the requirements recommended in reports by external agencies such as environmental health officers, Ofsted etc.</p>
<p>Monitoring the safe condition of school premises</p> <p><i>L3 - Workplace (health, safety and welfare)</i></p> <p><i>Governors H&S audit</i></p>	<p>Maintain an up to date condition survey of all school premises and monitor the condition of the asbestos as appropriate and the condition of the fixed installations. (PS, AM).</p> <p>Offer services to schools through SLAs to comply with statutory requirements that have been devolved to school budgets. Monitor standards relating to services</p>	<p>Maintain effective procedures and monitor arrangements to control the activities of both employees and non-employees engaged in work activities on the school site</p> <p>Ensure safe maintenance by subscribing to the Property Services SLA or, alternatively, making their own arrangements ensuring that standards are at least as high. Undertake regular inspections of equipment as part</p>

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<i>template</i>	commissioned by schools using their delegated funds, where the County Council is the employer or there are potential council liabilities. (PS)	of the risk assessment process.
<p>Monitoring the safe condition of school equipment</p> <p><i>G1 - Work equipment</i> <i>G2 - lifting equipment</i> <i>G3 - pressure systems</i> <i>G4 - working at height</i> <i>G5 - play equipment</i></p>	Offer services to school through SLA's such as Machine Maintenance, Play and PE equipment inspection and Test. Monitor general standards on behalf of the Director of Schools. (PS; H&S)	Ensure safe maintenance by subscribing to an in-house SLA or, alternatively, making their own arrangements ensuring that high standards are maintained.
<p>Monitoring Contractors</p> <p><i>J2 - control of contractors</i></p> <p><i>E3 - managing services and construction projects independently</i></p>	<p>Monitoring the performance of contractors commissioned by Property Services. (PS)</p> <p>Carry out strategic monitoring of contractors standards on behalf of the Director of Schools. (PS).</p>	<p>Monitor the performance of contractors that have been independently commissioned to carry out work</p> <p>Feed back to Property Services any obvious poor performance of approved contractors.</p> <p>If the school is not in the SLA apply the protocols issued by the Health and Safety Team (section E3).</p>
<p>Monitoring the safe planning of educational off-site visits</p> <p><i>L16 - Outdoor education</i> <i>Evolve system</i></p>	<p>Maintain the Evolve on-line system for the management of all school visits and for the notification and approval of all Category 2 visits, namely: those which include adventurous activities, visits to remote areas or hazardous locations such as industrial sites/recycling centres and residential visits abroad. A full list of adventurous activities can be found in the NCC Off-Site Visits Code of Practice which can be accessed through Evolve. (HS).</p> <p>Monitor off-site visits and Duke of Edinburgh Award expeditions via an agreed inspection programme. (HS).</p>	<p>Carry out appropriate risk assessments for all site visits. Ensure that all Category 2 visits are completed, approved by the headteacher and submitted for approval by the Outdoor Activities Health and Safety Adviser at least one month before the specified event date.</p> <p>Only undertake such visits that have been approved to ensure Insurance cover is in place.</p> <p>Maintain an effective communication system for responding to emergency situations during off-site visits.</p>

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	<p>Maintain a list of Technical Advisers for high-risk activities in accordance with the requirements of the Adventure Activity Licensing Authority. <i>(HS)</i>.</p> <p>Provide training for Education Visits Coordinators (EVCs) and School staff leading and supporting educational visits. <i>(HS)</i></p> <p>Monitor external providers via: the submission of the 'Provider' form found in Evolve or check that the provider holds a Learning Outside the Classroom Quality Badge (LOtC). <i>(HS)</i></p> <p>Operate County leader approval scheme for all leaders of high-risk outdoor activities in line with standards of nationally recognised bodies such as the Mountain Leader Training Board and the British Canoe Union. <i>(HS)</i>.</p>	<p>Nominate a senior member of staff to act as Educational Visits Coordinator (EVC). Ensure that the EVC has undertaken a full EVC course and attends refresher training on a three yearly basis thereafter.</p> <p>The EVC must monitor the planning and management of educational visits led by school staff. They will support visit leaders, Headteachers and school governors by ensuring that the National Guidance, LA and school's policies and guidance are followed.</p>
MANAGEMENT REVIEW		
Health and safety performance	Produce an annual health and safety report on the general standards of school safety. Review the previous year's progress and achievements and set new objectives. <i>(HS,CS)</i> .	<p>Review the previous year's progress and achievements. Review accidents, near misses, violent incidents and produce an annual health and safety report as part of the school report to the governing body.</p> <p>Set new objectives in the school's development plan and discuss at an appropriate meeting of the governing body.</p>

Abbreviations of directorates and divisions

CS	Children's Services	OH	Occupational Health Unit
CC	Civil Contingencies Team (part of F&R Service)	PS	Property Services

HR	Human Relations	L&OD	Learning and Organisational Development (HR Directorate)
F&R	Fire and Rescue Service	AM	Asset Management
H&S	Health and Safety Team		