

# Safety! Matters

## Schools and academies – health and safety implications

### ■ ASE Safeguards Committee

*When a school becomes an academy, what health and safety matters need to be considered by the science department?*

The question relates to England only, where a school becomes an academy<sup>1</sup>. When a local authority (LA) school (i.e. a community or voluntary controlled school) becomes an academy, the governing body of the new Academy Trust becomes the employer and takes on all health and safety responsibilities. The LA is no longer the employer and relinquishes responsibility for the health and safety of the academy pupils and staff employed by the academy.

In other types of maintained school, for example voluntary-aided, the employer is the school governing body, not the LA. When such a school becomes an academy, the governing body of the new Academy Trust becomes the new employer (but the school governors can become members of the governing body of the Academy Trust). It is possible that the change to academy status might involve changes to services that were supplied by a LA or contractors.

Whatever type of school transfers to academy status, the new employer must prepare its own health and safety policy which, among other things, needs to explain the organisational responsibilities and arrangements to ensure the health and safety of the staff, pupils and others, such as visitors. The employer must bring this policy to the attention of all the academy staff. This health and safety policy should make clear the health and safety responsibilities of subject leaders, including that for science. It is surprising sometimes that subject leaders have never seen their establishment's health and safety policy, or are only vaguely aware of it. Subject leaders should ask to see the policy and make sure they understand what is expected of them.

The employer has a duty under the *Management of Health and Safety at Work*

Regulations 1999 to make a suitable and sufficient assessment of the risks to the health and safety of his employees and others not in his employment arising from his undertaking. For science, this includes providing suitable risk assessments, guidance and information for preparing and teaching practical work safely. Most local authorities and independent school employers in England do this through a subscription to CLEAPSS. There have been some instances where schools have attained academy status and failed to realise that they would not automatically be members of CLEAPSS under the new employer. The academy needs to subscribe to CLEAPSS either directly, or by arrangement with a LA (it need not be the authority within which the academy is located). If the governing body of the Academy Trust does not subscribe, it must make other suitable arrangements to meet its statutory duty to provide suitable, up-to-date risk assessments, guidance and information to science staff; the governing body must explain these arrangements to the subject leader for science.

There are a number of statutory health and safety checks on equipment and services that must be made. In some cases these may have been arranged through a contractor procured by the LA. The academy will need to check these and make new arrangements (or buy into a LA arrangement) where necessary. The checks relevant to secondary science are listed below.

- Periodic tests on portable electrical appliances (PAT); usually annual, or at the periods recommended by the IEE Code of Practice for inspection and testing of electrical equipment\*
- Tests on fume cupboard performance at least every 14 months\*
- Periodic tests on pressure vessels, such as model steam engines and autoclaves\*
- Leak tests on sealed radioactive sources at least every 24 months\*

■ Periodic inspections and tests of fixed wiring installations; usually at least every 5 years as recommended by the IET wiring regulations

■ Periodic inspection and maintenance of fire extinguishers; usually annually

■ Periodic checks on gas appliances, flues and installation pipework; usually annually for appliances and flues.

\* *Can be undertaken by suitably trained and competent academy staff.*

Insurance companies insure schools against a wide range of risks. An academy may choose different insurers from that used by the LA. These insurers may impose different requirements, for instance, on the checking and maintenance of equipment such as autoclaves. They may also require a different approach to risk assessment. Do not assume that the insurance conditions remain unchanged.

If the science department holds radioactive sources, the academy will need to consult, and if necessary appoint, a radiation protection adviser. The simplest option is to buy into a LA's arrangement (often organised through CLEAPSS Radiation Protection Advice Service) provided the LA is willing. This need not necessarily be the LA in which the academy is located. As an alternative, the academy could appoint an RPA directly, although this may turn out to be a more expensive option. A list of suitably qualified RPAs is available from CLEAPSS. In due course, it may be possible to arrange RPA cover directly through CLEAPSS, although this option is not available at the time of writing. It is worth shopping around for RPA cover, as there can be significant differences in the cost from different providers.

Schools with radioactive sources must re-notify the HSE where there are significant changes to an existing notification to work with ionising radiations, e.g. if a school changes to an academy. This can be done at: notification for.ionisingradiation@hse.gsi.gov.uk

<sup>1</sup> Presently, there are no state-funded academies, of the type in England, in other parts of the UK.