

Title:

Enforcing School Safety In The UK.

Word Count:

1492

Summary:

The Health and Safety Executive(HSE) as the body responsible for enforcing safety laws in our

Keywords:

School Safety,Child Safety, School,Prosecutions,Head Prosecutions

Article Body:

"A Headteacher's Safety Management Toolkit Article"

The Health and Safety Executive(HSE) as the body responsible for enforcing safety laws in our

- * Prevention of musculoskeletal disorders and manual handling injuries
- * Management of work-related stress
- * Preventing falls from height
- * Preventing slips and trips
- * Preventing workplace transport accidents
- * Human factors in design (e.g. alarm handling in control rooms, vehicle cab design etc)
- * The design and effectiveness of procedures
- * Human reliability ~ human error and systems failures e.g. maintenance error
- * Assessing organisational change and its implications
- * Effects of organisational culture
- * Communications and their effects on health and safety
- * Staffing levels and workload
- * Fatigue from working patterns - shiftwork and overtime
- * Training and competence

You may wonder why I've started off with Human Factors but just look at this list again.

HSE never rush into enforcement and making prosecutions without informing and reinforcing the

Now add up all the functions where management can make improvements on what HSE say is 80% of accidents and where their priority areas are.

Got it?

What this tells us is where HSE will be focusing over the next period of time - managing safety

This is confirmed by work which I have done on Head teacher's Safety Management Toolkit user's

You can see information on this Toolkit and get access to the Analysis at <http://www.swaneducan>

This article looks at the raw data and makes some comments and observations on Enforcing School

These include :

Enforcement Orders

These are orders issued by Inspectors to:

Prohibit an unsafe action or activity either immediately or within a specified time frame,(Pro

Or,

Improve an unsafe activity or condition again within a time frame.(Improvement Notice)

These orders are the major part of HSE's enforcement activity;for example there were 214 Order

Enforcement Notices are Orders and need to be taken very seriously by anyone who gets one as H

Ignoring an Enforcement Notice is actually given as a criterion for prosecution in their Enfor

Let us just look at what the situation actually is in schools as regards numbers of prosecutio

Prosecutions

In 2004/5 there were 712 prosecutions in total made by HSE in which they secured about 95% suc

The total number of prosecutions over the time frame for the HSE Database is just over 4000, w

However, some extremely high profile cases from the education sector do not appear on HSE's da

This is always the case for any work related death which would be prosecuted by the Crown Pros

Thus, a teacher prosecuted for a death occurring on a school trip falls outside HSE's database

Looking at the actual figures of breaches involved in prosecutions gives us some indication of

HSE reports Breaches against each prosecution or notice. A Breach indicates the specific law(s)

I have indicated the singular and plural above because one offence can breach several laws and

Prosecutions

Primary Schools - Total 16

Secondary Schools - Total 18

Breaches in Primary Schools

HASAW Act Sect 2 - 3

HASAW Act Sect 3 - 6

Management of H&S Regs 4

Electricity at Work 1

Construction Design & Maint Regs 1

Construction H&S Regs 1

Gas Safety Inst &Use Regs

Workplace (H&S) regs

Control of Asbestos Regs

Breaches in Secondary Schools

HASAW Act Sect 2 - 3

HASAW Act Sect 3 - 10

Management of H&S Regs 4

Electricity at Work

Construction Design & Maint Regs

Construction H&S Regs 1

Gas Safety Inst &Use Regs 1

Workplace (H&S) regs 1

Control of Asbestos Regs 6

If you check the figures above the secondary figures do not add up to 18. This is because, as

All Enforcement Notices in Schools

Primary Schools Total 77
Secondary Schools Total 137

Improvement Notices

Primary School Total 63
Secondary School Total 102

Prohibition Notices

Primary Schools Total 14
Secondary Schools Total 35

Made up of Breaches(Primary Schools)

HASAW Act Sect 2 38
HASAW Act Sect 3 41
Management of H&S Regs 42
Electricity at Work 6
Construction Design & Maint 1
COSHH 4
Prov&Use of Work Equipment 4
Manual Handling 3
Workplace (H&S) regs 26
Control of Asbestos Regs 7

This may not mean a lot to a non- safety professional but we can look at this another way.

What breaches occur in small numbers?

Well it appears to me that emphasis on CDM, COSHH and Manual Handling must have been dealt with

Alternatively relatively few accidents may have happened to be reported under the RIDDORS Regu

What isn't there at all?

There are absolutely no Display Screen Equipment Regulations notices let alone any prosecution

NB this does not mean there will never be enforcement and there is a requirement for a Risk AS

What is there a lot of notices issued for?

Health and Safety at Work Act Sections 2 & 3 are ^catch all~ breaches and essentially Section

The largest number of notices arise around the Management of Health and Safety at Work Regulat

There are also 26 notices around breaches of the Workplace(H&S) Regulations. This can be partl

So, quite a few of these Workplace Regs breaches are about site traffic, school buses whilst o

Comments on Enforcement

As I indicated above we can get inside the mind of HSE by looking at their Plans and Policies.

They quite openly tell us that:

a) Enforcement will be used to drive Plans and Policy.

- b) Enforcement will be targeted at the most serious risks.
- c) Enforcement will be targeted to improve standards.
- d) Their evidence shows and confirms that enforcement is an effective motivator and deterrent.
- e) They believe that enforcement plays an important role in securing compliance.
- f) That enforcement in the form of prosecutions comes about mainly from investigations into re

We'll look at actual examples of all these in another article and see what specific offences a

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