

OEAP EG: Headteacher Role

It is a critical aspect of visit planning at all levels to ensure that there is proper understanding of the status of various visit guidance documents - which ones are useful and which ones must be followed because they will become the key point of reference in any legal proceedings. This understanding will set the expectations of good practice demanded by Employment and Health and Safety law.

The Health and Safety at Work Act 1974 places overall responsibility for health and safety with the employer. Who this is, varies with the type of school. It is critical that employees understand "who is my employer".

For community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the employer is the LA.

- For trust schools, city technology colleges, foundation schools, foundation special schools and voluntary aided schools, the employer is usually the governing body. However, it may be the case that these establishments have chosen to opt into their local authority visit guidance and its supporting systems as if the LA were the employer.
- For independent schools, the employer is usually the governing body or proprietor.
- The LA is the employer for Children's Services settings such as PRUs, statutory youth groups, Music Service, Social Services, Looked After Children, LA Outdoor Centres etc.
- The increasing use by local authorities of commissioned services should be on the basis that those commissioned should be tied by legal agreements to follow LA guidance, as if the LA were the employer.

Employers, have duties to ensure, so far as is reasonably practicable:

- the health, safety and welfare of all employees.
- the health and safety for all young people for whom the DChS is responsible under the Children Act 2004.
- the health and safety of volunteers involved in Children's Services activities, including off-site activity and visits.

Where the Headteacher and the EVC are the same person, you will need to cross-reference this advice with that which relates to EVCs.

As a Headteacher, you should ensure that:

- All off-site activities and visits comply with employer guidance and are notified or submitted for formal approval as required;
- You have ascertained that all staff involved are competent to carry out such responsibilities as they are allocated;
- You have clearly designated either yourself or a suitable member of staff as the EVC and that the designated person meets employer requirements, including undertaking EVC Training as recommended or required by the employer;
- If taking part in the visit or activity as either an Assistant Leader or as a group member, you are clear about your role and that you should follow the instructions of the designated Visit Leader (who will have sole charge of the visit);
- Suitable child protection procedures are in place, including vetting at an appropriate level of all voluntary helpers. Where access to the young people is regular or significant, ISA procedures and CRB checks must be in place as required;
- You are assured that the EVC, Visit Leaders, assisting staff and voluntary helpers are appropriately trained and competent to carry out such tasks as they are allocated;
- You have assigned sufficient time for staff to organise visits properly;
- You support an apprenticeship /succession planning culture to ensure sustainable visits and the development of competent visit leaders and EVCs;
- You support your EVC in ensuring that visits are effectively supervised with an appropriate level of staffing;

- You support your EVC in ensuring that visit information has been shared with parents and that consent has been sought where necessary;
- Arrangements have been made for the medical needs and special educational needs of all the young people and staff;
- Inclusion issues are addressed;
- Suitable transport arrangements are in place and meet any regulatory requirements;
- Insurance arrangements are appropriate;
- Details related to the visit (including person details of both participants staff) are accessible at all times to a designated 24/7 emergency contact(s) in case of a serious incident;
- That there are contingency plans in place should the visit plan be significantly changed or cancelled (Plan B);
- Arrangements are in place for the governing body to be informed of such visits as are required by the establishment visit policy;
- You are aware of the need to obtain best value. Appropriate consideration must be given to financial management, choice of contractors, and contractual relationships;
- Establishment visit policy should identify the types of visit that require a preliminary visit;
- Establishment visit policy should formally adopt a set format for recording written risk-benefit assessments. Such risk-benefit assessments should be proportional, suitable and sufficient and based on the 'Principles of Sensible Risk Management'. The adoption of materials made available by employers to reduce bureaucracy is good practice;
- Where the activities or visit involves a third party provider, appropriate assurances have been sought;
- All visits are evaluated with regard to best value, teaching and learning, quality experiences, addressing issues raised by any serious incident and to inform the operation of future visits;
- The establishment visit policy includes appropriate emergency procedures in case of a major incident
- The establishment visit policy includes a procedure to ensure that parents are appropriately informed in the event of a serious incident;
- Serious incidents are reported to the employer as required by employer guidance, meeting the requirements of RIDDOR.