

**Safety in Secondary Science KS3 & KS4**

**The Legal Background**

**Published June 2022**

**This document should be used in conjunction with:**

* the CLEAPSS Laboratory handbook
* CLEAPSS guides (as listed)
* DfE (Department for Education) Building Bulletins (as listed)
* safety information from Hampshire Children’s Services Health and Safety Team
* Reporting of injuries, diseases and dangerous occurrences regulations (RIDDOR) website: [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor)
* ASE safety publications

**Introduction**

Activities which carry risk, or involve trial and error, form a central part of the learning process. It is impossible to eliminate all risks and to do this may stifle natural curiosity and the development of personal independence. A key principle should be that pupils should be taught how to be safe, rather than the emphasis lying with the teacher being safe for the pupils. At the heart of this lies the process of *risk assessment*. If pupils are to be taught how to work safely, then teachers will need to go through the process of risk assessment with them to ensure that they know the hazards involved in an activity, and how the risks presented by these hazards will be minimised.

The development of an attitude of carefulness and a sense of responsibility is best fostered where there is a consistent example set by the teacher, together with an expectation of good habits in laboratory behaviour and practice, and when working out in the field.

Science teachers in Hampshire have a good record of safety by taking wise precautions when organising practical work. These guidelines, in conjunction with the documents listed above, aim to help schools maintain this position.

It is the expectation that all schools will follow the guidance provided by CLEAPSS, provided via their website.

CLEAPSS documents help inform risk assessments, and their advice **must** be followed (for example, key stage restrictions). If any employee has any doubt about such advice they should contact the HIAS science inspector/advisers or the CLEAPSS *Helpline*:

Kevin.neil@hants.gov.uk

CLEAPSS Tel: 01895 251496 or visit:

[www.cleapss.org.uk](http://www.cleapss.org.uk) .

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| **See also:*** CLEAPSS *Laboratory handbook – Chapter 2: Health and safety* (pages 201 – 219)
* CLEAPSS *Guide G234: Induction and training of science technicians*
* CLEAPSS *Guide G238: Health and safety induction and training of science teachers*
* CLEAPSS *Guide PS 021: Safety in the school laboratory and the new science teacher*
* CLEAPSS *Guide PS 038: Training for science staff, the use of non-science specialists and cover teachers.*
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**Responsibility for health and safety in science**

The responsibility for ensuring the safe teaching of science is shared between the Children’s Services Department, governors, headteachers and staff. Key responsibilities can be summarised as follows:

**Children’s Services Department (where it is the employer)**

* provide a safe and healthy environment for staff and pupils
* provide information, guidance and training opportunities
* issue guidance as a result of risk assessments
* monitor and review arrangements through annual safety audits – a copy of the completed audit should be passed to the school’s health and safety officer

**Governors**

* ensure health and safety has a high profile
* should produce a whole-school health and safety policy, in which responsibility for science safety will be delegated to a sub-policy which is the responsibility of the head of department
* A health and safety policy should be produced by the school and checked and approved by the governing body, in which responsibility for science safety will be delegated to a sub-policy which is the responsibility of the head of department
* ensure adequate time and resources are available
* monitor and review arrangements through an annual report from the headteacher

**Headteachers**



Headteachers are RESPONSIBLE MANAGERS for the school and cannot delegate that responsibility. However, they can delegate roles.

* As a responsible manager, headteachers need to be confident that arrangements are in place and are working.
* develop a safety culture that is in accordance with the school’s policy
* consult staff and ensure they are aware of their responsibilities
* consult staff and provide training opportunities
* be aware of the limits of teachers’ competences
* manage resources
* act on shortcomings reported by the head of science
* monitor and review procedures to ensure they are in accordance with policy
* report to governors annually

**Heads of science**

* The Head of Science need to ensure that the school’s Health and Safety Lead and/or COSHH assessor is aware of where hazards and risk assessments are kept in case of an emergency for when science staff are not on site.
* draw up a safety policy in consultation with their department
* carry out risk assessments using CLEAPSS’s and Children’s Services Department’s advice, and ensure they are incorporated into schemes of work
* draw up safety procedures based on risk assessments
* ensure staff are aware of procedures and any delegated responsibilities
* monitor safe practice through checks and inspections to ensure all staff are making safe professional decisions in their risk assessments
* Regularly check that PPE provided (to staff and students) is in suitable condition for use and if it needs replacing
* identify staff competencies and ensure they are only engaged in areas for which they have received training
* identify staff training needs in order to improve staff competence
* report shortcomings in accordance with the school’s agreed procedures

**Staff – teachers and technicians**

* take reasonable care of themselves and others
* take note of the advice given in all sections of this booklet and in CLEAPSS documentation
* support the implementation of health and safety procedures and policy
* follow guidelines and take note of risk assessments to guide their professional judgements
* report shortcomings to the head of science
* Regularly check that PPE provided (to staff and students) is in suitable condition for use and if it needs replacing
* do not interfere with, or misuse, provision for health and safety.

All the above responsibilities are implicit in both common law and statutory provisions. Injured persons can seek damages in civil courts. Breaches of statutory provisions could lead to enforcement action by the Health and Safety Executive, including proceedings in criminal courts.

Governors, employees and voluntary helpers in those schools that have a service level agreement for insurance with Hampshire County Council are fully indemnified by the County Council in respect of civil claims for damages providing the alleged wrongful act was committed whilst engaged in an official duty. This indemnity does **not** extend to:

* the organisation or supervision of an activity for pupils provided under the auspices of a voluntary body not recognised by the County Council
* the use of a private vehicle on council business or a council vehicle on private business
* the teacher or technician being engaged in a vindictive act for which she/he could be subject to criminal prosecution.

Indemnity cannot be applied to criminal law.