CHILDREN’S SERVICE

Local Code of Practice 2

Inspection of Documents and Provision of Information

Revised August 2003
Children's Service
Local code of Practice No 2
Inspection of documents and provision of information

1. Introduction:

The Health & Safety at Work Act 1974 Section 2 (2c) places a duty on the LA to provide such information, as is reasonably practicable, to ensure the health & safety at work of council employees.

The Safety Representatives and Safety Committees Regulations 1977 specifies the nature and extent of this duty on the LA. Briefly, regulation 7 requires the LA to make information, within its knowledge, relating to the health, safety or welfare of its employees, available to safety representatives. This information should include:

- Information about plans, performance and any changes proposed by the LA so far as they affect the health & safety of employees at work.
- Information of a technical nature about the hazards to health and safety and the precautions deemed necessary to eliminate or minimise them, in respect of machinery, plant, equipment, processes, systems of working and substances in use at work.
- Information, statistics and records of accidents, dangerous occurrences and notifiable industrial diseases held by the LA.
- Any other information specifically related to matters affecting the health and safety of employees.

By regulation 4A(1) Safety Representatives Regulations (introduced by the Management of Health & Safety at Work Regulations 1999), the subjects on which consultation "in good time" between employers and safety representatives should take place are:

- The introduction of any new measure at a workplace which may substantially affect health & safety.
- Arrangements for appointing competent persons to assist the employer with the health & safety and implementing procedures for serious and imminent risk.
- Any health & safety information that the employer is required to provide.

Governing bodies in Community Schools have a general duty to co-operate with the LA in meeting this statutory duty in respect of disclosing and publishing information relating to the health, safety and welfare at work of council employees.

This local code of practice defines the information covered by regulation 7 and sets out the procedures to be followed within the Children’s Service for communicating information relating to health & safety at work to appointed safety representatives and employees of the LA and Governing Bodies.

Where the subject of any statutory notice or safety report falls within the control of the governing body to resolve, the LA will advise the Governing Body accordingly.

2. Sources of information & Procedures:

   Health & Safety Executive Inspectors:
HSE Inspectors are empowered to serve Statutory Notices, make reports, issue instructions and request information on activities of concern to the Inspector. HSE
originated correspondence will normally be addressed to the employer, ie the LA and copied to the safety representative.

The LA will in turn send a copy of any Statutory Notice or HSE report to the Governing Body of the establishment concerned, giving guidance, where appropriate, on the action needed to meet the requirement.

HSE will also send a copy of any inspection report or statutory notice to the appointed safety representative.

The LA will place all correspondence received from the HSE Inspectors on the LA Safety Committee agenda.

In the event of an inspector writing directly to the Governing Body, a copy of the correspondence is to be forwarded to the LA Safety Liaison Officer by the Premises Controller.

**Fire Safety Officers**

Fire Safety Officers are empowered to enter educational establishments and issue Statutory Notices. However, normal practice is to visit on invitation from the LA or Governing Body and make recommendations in writing for improving fire safety to persons requesting advice.

Governing Bodies receiving written recommendations from the fire safety officers are to send a copy of the correspondence to the LA Safety Liaison Officer.

The LA will place any such report on the Safety Committee Agenda.

The LA will also advise the Governing Body of any action required on the part of the Governing Body.

**Council Officers (Safety Officer, Environmental Health Officers, Curriculum Advisors, Technical Officers etc.)**

For the purposes of meeting the LA's obligations under the health & safety at work act 1974, as expressed within the LA's Policy for Health & Safety, these officers will be authorised to enter education service establishments and make recommendations to the LA, on any matter falling within their respective specialisations and concerning the health, safety and welfare at work of employees or other persons.

Council officers and their agents will report to the Head of Service or their representative.

The LA will advise the Governing Body of any matter relating to or concerning the local management of the establishment.

If in the opinion of the LA any activity or condition within the control of the Governing Body involves, or will involve a risk of serious personal injury, the LA will require immediate action on the part of the Premises Controller to remove the risk.

The LA will place all such reports on the Safety Committee Agenda.
Trade Union Appointed Safety Representatives

Safety representatives may, in exercising their rights and functions, request information and submit reports on any matter concerning health, safety and welfare of employees to their employer.

They may also use the London Borough of Barnet Children’s Service’s Safety Representatives Report (See Appendix 1)

Safety Representatives should give any report raised on their part to the Premises Controller of the establishment and send one copy for information to the Local Authority’s Safety Liaison Officer

The Governing Body will deal with any matter within their control. Only those issues that cannot be resolved by local management are to be referred to the LA

The LA will place all reports and requests from safety representatives on the Safety Committee agenda

3. Disclosure of Information

Results of tests, safety information from manufacturers, suppliers and other authoritative sources will be circulated to the safety representatives and Governing Bodies concerned and published in Safety Bulletins where appropriate.

The results of any occupational health monitoring, as defined within the Control Of Substances Hazardous to Health Regulations 2002, will be given to employees as prescribed.

Results of medical examinations and personal monitoring which may in any way breach confidentiality will be disclosed only with the express consent of the employee and in consultation with the Council’s Occupational Health Physician.