

January 2011

Ms Debra Garner
Health and Safety Executive
553 Redgrave Court
Merton Road
BOOTLE
Merseyside
L20 7HS

Dear Ms Garner

CLASSROOM RISK ASSESSMENT CONSULTATION

Introduction

This response is submitted by Unite the Union. Unite is the UK's largest trade union with 1.6 million members working in the private and public sectors. The union's members work in a wide range of industries including agriculture, forestry, horticulture, docks, construction, manufacturing, food manufacturing, distribution and retail, financial services, road, rail, air and sea transport, print, media, not for profit sectors (including youth and community workers), local government, private contractors providing public services, education and the health service. In particular we represent school nurses, school maintenance workers and school support staff.

Unite wishes to make these points, which are offered in the spirit of constructive criticism.

1. Unite is strongly opposed to any "dumbing down" or trivialising of health and safety practice and has very serious concerns about this approach to risk assessment.
2. Whilst we recognise that HSE is under considerable pressure to meet deadlines, we are seriously concerned that HSE's well-deserved global reputation for producing information which is both authoritative and usable will be damaged if guidance of this quality is issued. We note that the recommendation for a "simplified risk assessment" for classrooms comes from Lord Young's report "Common Sense Common Safety". The report was largely driven by ideology and does not provide an authoritative basis on which to proceed. We urge HSE to proceed with great caution when implementing the recommendations of this review.

3. In any event, Unite does not believe that online risk assessments are an appropriate way of carrying out any risk assessment. Risk assessments are meant to be practical and observational, not theoretical. We cannot see how this tool can be used in any practical way as it can only be done on a computer. Also there is a danger that persons completing it may feel (having spent an inordinate length of time getting through it) that this is all they have to do. We cannot help thinking that a risk assessment based on physical checks – and talking to those concerned - would take less time and yield more information – and preventive action.

4. Unite does not believe that online risk assessments are necessarily a safe way of carrying out any risk assessment. Computer based work activity may in itself give rise to additional hazards such as stress and musculoskeletal disorders, which are themselves the major reported reasons for occupational ill health.

5. This tool appears to be aimed at teachers only - or is it? This is not clear. In any event, risk assessors must be competent to carry out the assessment. And of course employers must consult with union safety representatives about the appointment of competent people and also when carrying out the risk assessment. When should a risk assessment take place and who is responsible for doing it, consulting and implementing the findings? The tool is silent on all these issues.

6. The tool which is being consulted upon is not a risk assessment. The tool does not follow the “five steps” approach for a risk assessment. The purpose of risk assessments is to identify hazards, and then identify the risk of any hazard likely to cause an injury. The outline (and outline it is) is not about assessment of risk. At best it is an incomplete list of signposts or a checklist (something also mentioned in the Young Review as being a viable way of managing health and safety). Good health and safety management is not about “ticking boxes”. In the words of one of our safety reps addressed to the Young review:

“Without [union safety representatives] ...the British “tick the box culture” would have no challenge whatsoever. [If this culture goes unchallenged] people will die and compensation will be paid.”

7. If this is aimed at schools, then risk assessments cannot be limited to a simple room check of “classrooms”. What about staff rooms, kitchens, toilets, boiler rooms, assembly halls, parking areas, the playground – and what about other issues such as violence and workers’ occupational stress

8. Unite is not convinced that working in schools is necessarily a “low risk” activity as a range of hazards, both physical and psychosocial, may present themselves in a school environment.

9. Throughout the tool, the **passive** voice is used without saying who should be taking responsibility for the activities described. A proactive approach

should be signified by using the **active** voice and making it clear who is responsible for carrying out risk assessments and ensuring that appropriate remedial action is taken.

In the circumstances we urge that this consultation exercise is abandoned in favour of a more considered, tripartite approach to this issue from which we hope would emerge some usable guidance. We would of course be very pleased to be involved in any further discussions.

We thank you for providing us with the opportunity to comment and look forward to hearing from you.

Yours sincerely

General Secretary