




Risk Assessment

The Task/ Activity/ Environment being assessed is: **Strike action by school staff**

(Further detail is captured in the Background and Context description below)

Section 1

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| <p>MAT/Establishment/Section/Team: Backwell School</p> | <p>Date of Assessment: 27.01.23</p> | <p>Review date: Following February 1st Strike Action (Complete once the action plan section below is addressed)</p> |
| <p>Assessed by: Jon Nunes (Headteacher), Kim Laney (SBL), Jacci Ramplin (CoG)</p> <p>Please note all those involved should sign up to this assessment. Print below:</p> <p>NAME: DATE: 27.01.23</p> <ol style="list-style-type: none"> 1. Jon Nunes 2. Kim Laney 3. Jacci Ramplin <p>etc</p> | <p>Staff signatures:</p> <p>I/We have read and understood this RA and our role in its implementation etc</p> <ol style="list-style-type: none"> 1.  2.  3.  | |

Background, Context and Risk Conclusions

We need to consider whether our setting can remain open without jeopardising the safety of children and staff.

This model risk assessment has been developed with reference to [Handling strike action in schools \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) (January 2023). This DfE guidance is currently non-statutory and as such does not override legal duties or obligations such as those for health and safety. If, following a 'suitable and sufficient' risk assessment it is considered unsafe to operate the school, then this takes precedence over the guidance.

We note there is no 'one size fits all' model for this situation and we should use the model risk assessment as a starting point in determining the course of action to take on strike days.

Our rationale for the decision made below takes into consideration the following key information:

- Total staff: 123 teaching staff (Full and Part-time) 37 members of the NEU
- Intentions of staff where given voluntarily: ?? responses, (?? striking members)
- Net staff: 123 (including SLT of 9)
- Potential for reduction at picket lines: Unknown

Analysis of impact key points:

- On advice from LSP we have not recruited either volunteers or agency workers.

Taking the factors set out in this risk assessment into consideration setting will be

- Closed for all pupils except:
 - KS/KS4, max 40 vulnerable students. Attendance of pupils will be limited to 2 supervised rooms
 - KS5 – all students as normal (max 347)

Section 2

| What is the Task/Activity or Environment you are assessing? | What Hazards are present or may be generated? Look at the activity, processes or substances used that could cause harm to health or injury. Use a row for each one identified | Who is affected or exposed to hazards? (Staff Students Visitors Contractors Etc.) | What Severity of Harm can reasonably be expected? (See Definitions Table 1) | What Precautions (Existing Controls) are already in place to either Eliminate or Reduce the risk of an accident happening? | What Likelihood is there of an accident occurring? (See Definitions Table 1) | What is the Risk Rating ? (See Risk Rating Matrix Table 2) |
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| Staffing the school, Taking into consideration members of staff who are: <ul style="list-style-type: none"> - on strike - refuse to cross picket lines - taking parental leave to care for their own children - ill/ absent for other pre-arranged circumstances | Absence of headteacher | All | Serious | Leadership of the school may be delegated to other members of the school leadership in the absence of the headteacher. | Low | Low |
| | Inadequate staffing to ensure the safety of pupils/ students attending the provision. | All | Serious | As far as possible we have ascertained those members of staff who will be present on the strike day (s) and taken the factors below into consideration when determining whether to restrict attendance on these days. 1. The Specified Work Regulations 2012 require classes to be taught by qualified teachers in maintained schools and some academies. Free schools and academies established after 29 July 2012 and any academy established prior to this date that has agreed a change to their funding agreement, are exempt from these requirements. The Regulations do not prevent schools from using support staff to provide cover supervision or oversee alternative activities. Support staff are able to carry out 'specified work' provided they are subject to the direction and supervision of a qualified teacher , and the headteacher is satisfied that they have the skills required to carry out the work 3. For pupils older than seven there are no set ratios for the number of staff required to supervise pupils on site. | High | High |

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| | | | | <p>4. Where teachers are employed under the terms of the STPCD they cannot be compelled to provide cover for other teachers during industrial action (not applicable to cover teachers).</p> <p>5. The requirements of our insurers.</p> <p>6. All staff have received a letter from the LSP head of HR and a letter from the LSP CEO setting out what is permissible and what is not permissible depending on their terms of employment. E.G for any staff other than NEU teacher, to refuse to cross a picket line would be treated as a serious breach of contract and disciplinary matter.</p> <p>7. Heads have had briefings to support communications with staff on issues of childcare.</p> | | |
| Combining classes/groups of pupils to create larger teaching groups. | Pupils potentially supervised by unfamiliar adults who are aware of individual pupils' specific needs. | All | Serious | Whilst we note we may choose to bring together groups and classes with teachers and support staff working together, this will only take place if the needs of pupils can be fully accommodated. | Low | Low |
| Use of outside providers | <p>Pupils potentially supervised by unfamiliar adults who are aware of individual pupils' specific needs.</p> <p>Relevant DBS/ risk assessments/ insurance details not obtained.</p> | All | Serious | <p>Usual arrangements for DBS, provision of risk assessment and insurance details will apply for any outside providers employed to deliver activities on strike days.</p> <p>Supervision to be provided by school staff.</p> <p>In general the LSP trust has advised against this expedient.</p> | Low | Low |
| Selection of pupils to attend school. | Lack of a clear rationale re: the selection of pupils required to attend school in the event of restricted attendance causes disquiet amongst the school community. | All | Serious | Trust has issued guidance on which pupils constitute the vulnerable pupils group. This will be tightly defined and does not include children of critical workers. The DfE list was deemed too compendious and might have led to expectation being significantly beyond capacity. | Med | Med |

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| Arrival / departure of pupils/ students | Missing students/ pupils | All | Serious | <p>Arrangements for entry to the site during the closure period explained to pupils/ students and their parents/carers.</p> <p>Register to be taken on arrival and to be available throughout the day in case of premises evacuation. To be retained according to relevant Retention Schedule.</p> <p>Arrangements in place to follow up non-attendance of pupils/ students who were required to attend on strike days.</p> <p>Procedure in place for pupils absconding from site.</p> | Low | Low |
| Safeguarding of pupils/ students attending the provision | Safeguarding concerns not addressed potentially exposing pupil/ student to risk. | All | Serious | <p>School Safeguarding Policy to be followed at all times.</p> <p>Access to a DSL/Deputy DSL will be as follows – M Sills/A Chessemann will be on site</p> | Low | Low |
| Site Security | Normal security measures are compromised | All | Serious | Usual arrangements for site security (eg: controlled entry to the premises, locked gates etc will continue for all areas in use for the provision. | Low | Low |
| Provision of First Aid | Inadequate first aid treatment exacerbates injury or pre-existing conditions. | All | Serious | To comply with Health and Safety regulations we will ensure sufficient first aiders present to meet needs of pupils and staff (NB: A first aid needs assessment would be required here). | Low | Low |
| Administration of medication | Illness or injury to those unable to access medication. | All | Serious | <p>School procedures for the administration of prescription and controlled medication will continue to apply. Suitably trained staff are available to administer medication.</p> <p>Pupils/ students requiring medication (including asthma inhalers) will be known to all staff delivering the provision. EHC Plans to be shared with all staff.</p> <p>Adrenaline Auto-injectors to be easily accessible.</p> | Low | Low |

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| Supervision at break and lunchtime | Inadequate supervision increases likelihood of injuries to pupils during unstructured periods of the school day. | All | Serious | Area to be designated for use by pupils. Supervision ratios set out in existing risk assessments to be in place. | Low | Low |
| Provision of food for pupils entitled to free school meals who have not been allocated a school place on strike days | Pupils miss meals | Those entitled to FSM who are not in school. | Serious | Packed lunches will be prepared for pupils entitled to free school meals to collect the day preceding strike actions | Low | Low |
| Provision of food at breaktime and lunchtime | Allergic reaction to food provided or that pupils come into contact with. | All | Serious | Pupils to be supervised during serving and consumption of all food. Supervising staff to be aware of known food allergies of pupils/students attending on strike days. | Low | Low |
| Emergency arrangements | Unnecessary distress Injury/ death if premises not evacuated safely in the event of a fire | All | Serious | All emergency arrangements to remain in line with our usual working practice. Lockdown arrangements to be in place. | Low | Low |
| Use of remote learning | Inadequate staff supervision of children working on-line. | All | Serious | School specific control measures to be placed here (link to remote learning/e-safety policy). Staff must not make informal arrangements to contact students using their own phones / devices etc. | Low | Low |
| Picket Lines | Unlawful conduct by those who are not members of staff or union representatives. | All | Serious | We recognise that it is lawful for striking members of staff, and union officials who represent them, to picket at or near their place of work for the purpose of peacefully obtaining or communicating information, or peacefully persuading any person to work or abstain from working. | Medium | Medium |



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| | | | | <p>The Trade Union Act 2016 introduced a requirement for each union organising or supporting a picket to appoint a picket supervisor whose role is to oversee matters and is able to liaise as needed with the employer or the local police, who must be informed of the identity of the picket supervisor.</p> <p>If people who are neither members of staff at the school nor their union representatives join a picket at the school, the employer should inform the trade union concerned as the Code of Practice provides that lawful picketing must be limited to attendance at the picket's place of work.</p> | | |
| | Pupil involvement in picket lines | All | Serious | <p>We note DfE guidance that it would be inappropriate for schools to authorise absence for children to participate in pickets or demonstrations in support of industrial action.</p> <p>A child's participation in a picket at a closed school would also be contrary to the Code of Practice as set out above.</p> | Low | Low |
| | Use of school facilities by those on the picket line; safeguarding concerns re: non-school staff. | All | Serious | <p>School staff are welcome to use school facilities as usual (and should sign in and out of school at reception to aid emergency procedures)</p> <p>Access to the school by other members of the picket line subject to usual arrangements for visitors to the premises (and should sign in and out of school at reception to aid emergency procedures)</p> | Low | Low |

Section 3 – ACTION PLAN

Instructions for completion

1. Any item that has a risk rating of Red or Amber in section 2 above - the right-hand risk rating column needs to be addressed in this action plan. When you have completed this section, then decide and complete the box on page 2 that confirms when you will review this whole assessment. When you then review the assessment: 1. clear the review date box and 2. Move all the controls in the action plan section up into the main section to show they are now incorporated into what you do. *Now reassess and see if you can decrease the risk rating conclusions?*
2. When an item can be removed altogether (e.g. a dangerous staircase is removed) it can be deleted from section 2 but there must be a historic evidence trail (see point 4)
3. Some items are so high hazard that they will never be reduced to a risk rating lower than Medium – these must be kept in the action plan but can be marked as addressed and all being done that is reasonably practicable.
4. The original document and any changes to the Risk Assessment, over time, need to be documented for record-keeping purposes. This is especially relevant in the event of any legal claims.

| What is the Hazard you need to Control? (high or amber from the risk rating column above) | What Additional Precautions do you need to either eliminate or reduce the risk to an acceptable level. | Who is Responsible for implementing these controls? | When are these controls to be implemented (Date)? | When Were these controls implemented (Date)? |
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| HIGH item 1 Inadequate staffing to ensure the safety of pupils/ students attending the provision. | <ul style="list-style-type: none"> Adequate staffing ratio, based on the limited staffing available. KS3/4: Planning 2 rooms of students, no more than 40 in total; KS5 all students to attend classes as usual - supervised by the Senior Leadership Team on rotation. Booking sheets sent to parents of students invited into school (KS3/4) so that places are known prior to Strike Day Provision in place for registration in the morning and afternoon and supervision duties at break time and lunch time. KS5 classes to be monitored by Head of 6th form to ensure registers are taken by students if teacher is absent. We have a robust safeguarding team in place during the day We have pastoral care and support available for | Headteacher | 1 st February | 1 st February |

| | students on site during the day | | | |
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| <p>MEDIUM item 1 Lack of a clear rationale re: the selection of pupils required to attend school in the event of restricted attendance causes disquiet amongst the school community.</p> | <ul style="list-style-type: none"> School has made a decision to invite in students with an EHCP or who meet some of the criteria in the 'vulnerable students' section of the DFE guidance' - parents only informed that the school will be in contact on an invitation basis only – rather than declare for students with EHCPs or vulnerable to support not indicating vulnerabilities to other families We cannot accommodate children of keyworkers due to ratios of staffing | Headteacher | 1 st February | 1 st February |
| <p>MEDIUM item 2 Unlawful conduct by those who are not members of staff or union representatives.</p> | <ul style="list-style-type: none"> HT to maintain regular contact with Union Representation regarding the picket line. Picket Manager to be identified to the Headteacher in advance of the day Picket arrangements to be shared with the Headteacher prior to the strike day | Headteacher | 1 st February | 1 st February |

Information to Aid the completion of the Risk Assessment format

Table 1: Definitions

| Potential Severity of Harm | Meaning of the harm description | Likelihood of Harm | Meaning of likelihood |
|----------------------------|-------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------|
| Fatal/Major Injury | Death, major injuries or ill health causing long term disability/absence from work. | High (frequent) | Occurs repeatedly/ to be expected. |
| Serious Injury | Injuries or ill health causing short-term disability/absences from work (over three days absence) | Medium (possible) | Moderate chance/could occur sometimes. |
| Minor Injury | Injuries or ill health causing no significant long-term effects and no significant absence from work. | Low (unlikely) | Not Likely to occur |

Table 2: Risk rating matrix: Potential severity of Harm + Likelihood of Harm = Risk rating

| | + High (Likely) | + Medium (Possible) | + Low (Improbable) |
|--------------------|-----------------------|---------------------|----------------------------|
| Fatal/Major Injury | VERY HIGH Risk | HIGH Risk | MEDIUM Risk |
| Serious Injury | HIGH Risk | MEDIUM Risk | LOW Risk |
| Minor Injury | MEDIUM Risk | LOW Risk | No Significant Risk |

Table 3: Action required: Key to Ranking and what action to take.

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| VERY HIGH Risk | STOP ACTIVITY! Take action to reassess the work/activity and apply reduction hierarchy before proceeding. |
| HIGH Risk | Action MUST be taken as soon as possible to reduce the risks and before activity is allowed to continue. |
| MEDIUM Risk | Implement all additional precautions that are not unreasonably costly or troublesome and monitor the situation on an agreed frequency. |
| LOW Risk | Monitor and review your rolling programme. |

APPENDIX A: Backwell School Remote Learning Provision

The aims for our remote learning provision are in line with those set out by the Lighthouse Schools Partnership:

Easily accessible

- All students have access to appropriate hardware and have received training in how to access online learning provision such as Frog and Microsoft Teams.
- All staff are trained in how to confidently, effectively and safely deliver remote learning.
- Parents have access to on line tutorials in how to support their child's remote learning.

Harder to stop

- The planned curriculum in each subject studied by students continues in the event of individual, class or whole school closure.
- Students follow their existing timetable, giving them a familiar structure which will support them to be on task and limit distractions within the home.
- All teaching sequences have high quality teacher input and explanations with opportunities for students to apply learning.
- Learning is assessed through submitted work and feedback is given.

Easier to restart

- Because our remote learning provision follows the same sequence of lessons as the curriculum in school it provides continuity so that no individual or group is left behind when they return to the classroom.
- When returning to the classroom teachers will understand the progress made by their pupils. Misconceptions and difficulties will have been quickly identified and addressed to ensure no barriers exist to their future learning.
- The regular opportunities for assessment and feedback enables both teachers and students to have a clear understanding of their current learning.

How will Remote Learning Work?

The following will apply:

- If your child is in isolation following a positive COVID-19 test result and they are feeling well enough to undertake school work.
- If groups/cohorts of children are asked to learn at home temporarily due to large numbers of staff absence*.

Students in Years 7 – 11*

Your child should check Frog and their school email regularly to access remote learning tasks that will be set for them.

Topics and activities will mirror what would be happening in the classroom.

*likely to only apply to KS3 students in event of closure due to staff absence.

Sixth Form Students (Years 12 & 13)

Students at home should log into Microsoft Teams and follow along with the lesson live from the classroom.

Sixth Form students should also regularly check their school email for updates/information from staff.