



Pupil Risk Assessment.

Created by:	Mike Nelson March 2016
Reviewed by:	Michelle Bull November 2019
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Introduction

The Management of Health and Safety at Work Regulations, 1999 places a duty on Heltwate School to ensure that suitable and sufficient risk assessments are undertaken.

The Risk Assessment is a well-documented procedure and one, which need not be overly complicated. The Health and Safety Executive (HSE), (Health and Safety Executive, 2002), suggest a simple scheme comprising 5 steps and this forms the basis for the schools approach in assessments for general hazards, work equipment, lifting equipment, fire etc. It can be used to assess working areas, work activities, machinery, plant, processes and, with a little imagination, even people.

Individual pupil risk assessments should not be carried out as a means for excluding pupils from an activity, area or school. The Health and Safety Executive (HSE) (p 1, 2006) refer to protecting the health and safety of students with disabilities "in a way that does not place any unreasonable restrictions on students' rights to autonomy, privacy or dignity. For example, a student cannot be excluded solely on health and safety grounds." Their prime purpose is to identify specific risks to and/or from an individual, where they impinge on work, employers and employees, and the measures that are required to eliminate these risks or reduce them.

Furthermore, the DDA and accompanying code of practice acknowledge that there may be times when a duty of care to health and safety legislation overrides a provider's responsibility to make reasonable adjustments. There may be occasions when an adjustment could be made, but which would not be reasonable as it may endanger the disabled person or other person. However, the DDA and code of practice also make it clear that health and safety should not be used spuriously as an excuse for not making adjustments or accepting a disabled pupil. The risk assessment should be seen as an inclusive and enabling process rather than as a process for exclusion.

Purpose and Scope

This policy and associated guidance applies to all situations where pupils either create hazards or are particularly susceptible to them. It provides standard protocols for teachers and professionals to use to ensure that a suitable and sufficient assessment can be conducted for a pupil and their situation, which may have a negative impact upon themselves and others.

By carrying out individual pupil risk assessment it should be possible to make decisions and take actions to:

- Limit the level of inherent risk to which children and others are exposed.
- Take calculated risks to broaden the child's experience and maximise his or her individual potential.
- Avoid unreasonable risks for this child and others
- Ensure that strategies used to respond to impairment, disability or challenging behaviour are reasonable, and proportionate to the risks presented.

Duties and Responsibilities

The following are the principal duties and responsibilities that at all employers are required to comply with. Full details are to be found within the Relevant Statutory Documents (see below) and further assistance can be given by the Schools' Health and Safety Team advisor, upon request.

Governors, will be responsible for ensuring the pupil risk assessments made are suitable and sufficient and that they are implemented effectively into the schools' health and safety management system, ensuring overall compliance.

It is the responsibility of the Head Teacher/ Centre Manager to determine at what point a Pupil Risk Assessment should be undertaken and to ensure that it is done.

Head Teachers will ensure that suitable pupil risk assessments are undertaken and that action is taken upon the resulting recommendations, appropriately.

Head Teachers will ensure that all interested parties are aware of the risk assessment being undertaken of an individual pupil and are notified of the results of the exercise as soon as practicable, after the event.

Guidance

This guidance is provided to answer a number of general questions but it cannot hope to cover everything. Where further guidance is required, contact should be made with the Schools Health and Safety Team Advisor.

Pupil risk assessment can be a delicate subject and those involved may feel anxious about their ability to carrying out an assessment. They may be concerned about conflict with the DDA whilst at the same time ensuring the safety of the pupil and others. This guidance is intended to help bridge this gap

Head Teachers and others may be concerned at the potential consequences of getting it wrong and putting someone at risk. They may be concerned at restricting certain operations and activities and being overburdened with safety measures and precautions that others do not have. However, the over-riding duty of an employer is to prevent injury in the workplace of his employees (and to others who may be adversely affected) or to reduce the opportunity of risk to as low a factor as is reasonable.

Risk Assessing Individuals

Pupil activity or a pupil may constitute a hazard from that which they do not know or fail to understand, or have had no experience of, and that for which they have not been prepared. They can be subject to hazards due to a lack of ability, a lack of application and incompatibility with environment.

A risk assessment is carried out to identify the risks to health and safety arising out of, or in connection with an undertaking and should be a straight forward process to reduce risk as low as reasonably practicable based on informed judgement and reference to appropriate guidance.

Where pupils have Individual Behaviour Support Plans (IBSP) in place, the risk assessments should be completed taking these plans into consideration as they often identify behaviour-based measures for reducing risks. Where a Care Plan is in place the risk assessment may be part of the plan or included in it. The risk assessment should not be kept with general risk assessments and should treated as personal information

It may be the case that the IBSP may already demonstrate a full risk assessment process recognising all the significant hazards, evaluating and reducing risk through control measures, providing a record and communication with set reviews- where this is the case the risk assessment will already have been carried out.

The Duty of Employers

Regarding the duties of employers, risk assessing pupils is only necessary where the individual is affected by the work activities of the employer (which should already be in existence) or the pupil constitutes a threat of harm to employees who are at work or to others in a working situation. Outside this context, the process described herein will provide a means to reduce the risk of injury posed by the hazards produced by, or are inherent within, non-employees.

Liaison with Interested Parties

Trade Union representatives will be consulted in line with the requirements of the Regulations and satisfactory facilities and assistance will be provided to trade union safety representatives. It is anticipated that trade union representatives and non-trade union representatives will co-operate in encouraging all employees to comply with both the legal requirements and this policy. It is further anticipated that trade unions will make arrangements for suitable training of safety representatives.

When to Undertake a Pupil Risk Assessment

A risk assessment should be undertaken whenever there is evidence that a pupil might place themselves or others at risk of harm or injury. The evidence may come from a variety of sources including accident reports and violence and abuse forms, behaviour logs, concerns from staff and pupils or as a result of child protection procedures.

Wherever practicable, a Pupil Risk Assessment should be undertaken prior to the child entering the school. There will be many instances, however, where the child is already at a school and as such there will be a point at which a risk assessment will be deemed necessary.

Instances where it may be necessary to complete a Pupil Risk Assessment include:-

- ***A pupil with a physical impairment;***
- ***A pupil has an acute or chronic medical condition, such as epilepsy or brittle bones;***
- ***A pupil has behavioural difficulties;***
- ***A pupil with autistic spectrum disorder;***
- ***A pupil behaving inappropriately on a regular basis or with regular disregard for instruction and supervision;***
- ***A pupil under emotional distress;***
- ***A pupil displays violent or threatening behaviour on a regular basis;***
- ***A pupil is regularly under the influence of alcohol or substances.***

Where a pupil demonstrates sudden, out of character, behavioural, emotional or physical signs or symptoms, the initial response should be to investigate the cause before a risk assessment is performed. An appropriate remedy or improvement may be applied before a risk assessment is required. However, if the situation persists, or a long-term issue is identified, a pupil risk assessment should be carried out.

Where a pupil that requires individual risk assessment has a condition that fluctuates this should be taken into consideration and periodic reassessment will be necessary.

Who should take part in the assessment

Parents and/or carers (or close relatives or advocates), Head Teacher, Teacher, professionals involved with the individual, and where possible the pupil should be active participants in the risk assessment process, and fully involved in the decision making processes that effect choice and participation in learning.

Proactive and Reactive Risk Assessments

Proactive risk assessments should be based on anticipated behavioural issues e.g. access problems, ability to follow instructions on educational visits, visual abilities etc. Ideally for pupils with known or anticipated issues, the risk assessment should be carried out prior to them starting school or going on an educational visit so that risk reduction measures can be put into place. Examples of such control measures would include erecting gates and fences to reduce the likelihood of absconding, providing a 'time out from positive reinforcement' areas, training staff on restraint techniques, and providing one to one support whilst on an Educational Visit.

Many pupils for whom a risk assessment is required are already placed in schools. These (reactive) risk assessments will be completed retrospectively and be based on the current situation and controls.

Completing a Pupil Assessment

There are two risk assessment formats recommended for individual pupils by this policy.

The first is a general protocol that is based on a simple application of the HSE's 5 steps approach. This method is suitable for disabled or pupils with impairment and is, also, in line with that recommended by the Learning and skills development agency (Rose, 2005). It follows the same basic principles as for generic risk assessments, but has a different terminology and format to enable an individual's assessment to be a practical working document and to monitor the pupils' progress. Seen at Appendix 1

The second pro forma is designed for individual behaviour risk assessment. Seen at Appendix 2

In some cases, both pro forma can be used together in combination where appropriate.

Definition of Hazard and Risk

A hazard is something with potential to cause harm. A 'hazard', as regards people, is a disability or characteristic that, if not considered, may give rise to a situation which could result in injury or harm to the individual or others. For a pupil with a visual impairment hazards from horse riding may include the horse, the environment (for example, uneven ground or sudden noise), and the task.

Risk is a combination of the severity of harm with the likelihood of it happening. 'Risk' for a disabled pupil is the likelihood that the disability or characteristic will produce an incident and the seriousness of the resulting injury, if it does. It is important to remember that risk may not be fixed and levels of risk may vary because of fluctuating health.

Five Steps to Risk Assessment

The HSEs leaflet – INDG 163 is shown in the appendices and have been adapted for pupil assessments. Following the steps should adequately cover the risks presented by and to pupils in the school or on educational visits.

Step 1 -Identify

What are the situations that the person will be in?

Look at the hazards associated with the individual and identify how harm could be caused. You should generally ignore the trivial and concentrate on the hazards which you could reasonably expect to result in significant harm.

Identify triggers for inappropriate behaviour.

Refer to behavioural plans and IRIS reports.

Step 2 -Examine

Decide who may be harmed and how?

Are there any specific persons/ groups who are specifically at risk?

What immediate steps can be taken?

What is the likelihood that harm will occur?

How severe is injury an expected to be?

Risk is a quantum of likelihood and severity.

Step 3-Evaluate

Identify the control measures in place.

Determine and agree any additional controls necessary.

Evaluate the level of risk before and after the controls have been put in place.

Step 4 – Record and communicate

Record the information on the Pupil Risk Assessment form.

Consult the necessary parties on the risk management plan and agree action.

Step 5 -Monitor and review

Monitor and review the assessment frequently as the content of the risk assessment may change e.g. a condition may fluctuate or the student may as they learn, adapt or hopefully improve. Also review of the effectiveness of the control measures may be required as conditions, environment, use and risk level may have changed. Update as appropriate with the involvement of the necessary interested parties should take place.

Risk Rating- Likelihood and Consequence

To determine the magnitude of the hazard, a subjective risk rating is derived from the information available

The following guidance is for staff on how to assess the magnitude of risk

Likelihood of hazard occurring	Severity
1 Improbable.	1 Negligible impact
2 Remote	2 Minor injury
3 Possible	3 Major injury
4 Probable	4 Fatality
5 Almost Certain	5 Multiple Fatality
Risk factor – multiply likelihood with Severity	
Risk is Low if score 1–5	
Risk is Medium if score 6–10	
Risk is High if score 11-15	
Risk is Very High if score is above 16 (do not proceed without authorisation by Headteacher)	

Safe Systems of Work

Good practice will result in production of 'safe systems of work' following a risk assessment.

These provide guidelines to follow on safe practice, in order to minimise hazards and thus prevent harm to a person. These guidelines act as a checklist or reminder. For example, if a learner requires physical support, risk-assessment documentation identifies the need for staff to have accompanying safe systems of work, which may include the following suggestions:

- Never attempt to take a wheelchair upstairs or across uneven terrain.
- Don't attempt to lift a person from their chair unless you have had specific 'people moving people' training (manual handling).
- Obtain the learner's consent prior to any physical handling.
- Afford the learner dignity and respect at all times

Conclusion

If you are concerned whether to conduct a Pupil Risk Assessment or concerned with the child's progress, or the appropriateness of the controls, the **Schools' Health and Safety Team Advisor** should be consulted before action is taken.

It is important to remember that such a risk assessment is an aid for schools to manage potential health and safety concerns effectively relating to a child.

All persons involved with an individual child need to be consulted in order to agree the most suitable arrangements. The assessment should be a 'live' document and continually reviewed to be supportive for the child.

Further Information

Associated Documents

Schools Health and Safety Team Guidance Note – Risk Assessments
DfES Code of Practice for Children with Special Educational Needs, 2001
Successful Health and Safety Management – HSG 65

References

Rose.C. (2005), *Guidance for colleges and other post-16 education providers on implementing the Disability Discrimination Act*, Learning and skills development agency (LSDA), Blackmore Ltd, Shaftesbury, Dorset.

Health and Safety Executive (2002), *five Steps to risk assessment*, INDG 163(rev1), London: HSE Books. Sudbury.

Health and Safety Executive (2006), *Health and safety matters for special educational needs: Legal issues including risk assessment*. EDIS 03/06, [Electronic version], HSE Books. Sudbury.

Department for Children, Schools and Families, (2003) *Specimen Risk Assessment Pro-forma for assessing and managing foreseeable risks for children who present challenging behaviours*. LEA/0264/2003, Retrieved March 2008 from:
<http://www.teachernet.gov.uk/docbank/index.cfm?id=5334>

Relevant Statutory Documents

Management of Health and Safety at Work Regulations