

'They will soar on wings like eagles...'
Isaiah 40:31

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Multi Academy Trust Policy

Common Trust Policy, Use as Published

**Health and Safety Statutory Compliance Policy for Aquila the Diocese of
Canterbury Academies Schools**

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Contents

Introduction	2
Section 1 – Roles and responsibilities defined	3
Section 2 - General Risk Assessment (GRA) and Fire Safety Overview	3
Section 3 – Guide to statutory compliance responsibilities	4
Section 4 – Asbestos Management	6
Section 5 – Water Hygiene	7
Section 6 – Fire Safety Management	8
Section 7 – Electrical Compliance	9
Section 8 – Gas, Liquid Petroleum Gas (LPG), Oil Appliances	10
Section 9 – Lifts & Hoists	10
Section 10 – Local Exhaust Ventilation (LEV) and Extraction Equipment including kitchens	11
Section 11 – Trees	11
Section 12 – Playground Equipment	12
Section 13 – F-GAS & TM-44	12
Section 14 – Specialist Plant and Equipment	13
References	13

Introduction

This document defines the roles and responsibilities of duty holders, responsible persons and contractor management arrangements, to assist school Governing Bodies and Headteachers in understanding the statutory and legal requirements of health and safety statutory compliance within the school environment.

The document is aimed solely at Aquila Academies Trust schools where The Diocese of Canterbury Academies Trust (the Trust) is recognised as the employer under the Health and Safety at Work Act 1974 and Management of Health and Safety at Work Regulations 1999.

Where training is a requirement, the compliance and health & safety e-learning courses and training modules provided in the Aquila WorkNest/learningNest catalogue have been provided for this purpose. On completion a CPD certificate should be downloaded and retained as evidence of completion. <https://myworknest.com/>

This document is divided into 14 sections. The sections hold key information for reference purposes and may be supplemented by further detailed policy and guidance information.

Section 1 – Roles and responsibilities defined

This section defines the roles and responsibilities of the key stakeholders within the statutory compliance management and supply chain.

Duty Holder

The Trust is the recognised “Duty Holder” for all Trust schools. The Trust is recognised under the Health and Safety at Work Act 1974 and Management of Health and Safety at Work Regulations 1999 to be the employer and therefore all duties apply, including those of subsequent regulations. This duty cannot be relinquished or delegated. However, tasks and responsibilities can be delegated to relevant responsible bodies / people when competent and clearly defined within policy.

Responsible Persons / Bodies

The headteacher and governing body are responsible for the day-to-day operation / functioning of the school and are responsible for reasonable maintenance of the premises in this respect. They are defined as responsible persons and have delegated duties from the “Duty Holder” (Aquila). These responsibilities are defined within policy and guidance and each school is expected to manage health and safety in accordance with these.

Contractors & Contract Management

Contractors are to be managed in accordance with the [Contractor Code of Conduct Risk Assessment Process v2](#) and [Education Selection of Contractors Checklist](#), which includes guidance for procurement, safeguarding and the local contractor management.

E-Learning Management of Contractors (5.1) (General)

Financial Threshold

The financial threshold for repair and replacement for all Trust schools is the value equal to 50% of the individual school’s annual building maintenance budget.

Maintenance, repair and replacement below this threshold is deemed the school’s responsibility, tasks with a financial value greater than the threshold or are identified as capital expenditure should be identified to the Trust for review and guidance.

Section 2 - General Risk Assessment (GRA) and Fire Safety Overview

The Trust as the “Duty Holder” is required to monitor schools’ health and safety performance under The Health and Safety at Work Act 1974 and related legislation.

To comply with the legislation and target support for schools, the Trust will carry out an annual General Risk Assessment (GRA) and Fire Safety Overview audit. This is an assessment of the health and safety risks arising from the premises and the activities within it, to determine the adequacy of the existing controls and to provide information and guidance on the further actions to reduce risks in line with current legal requirements and best practice. The audit findings will be recorded and archived electronically for review in WorkNest/SafetyNest/Audits.

The following subjects are included:

- Headteacher / business manager health and safety questions – training
- health and safety policy
- asbestos management
- legionella management
- fire safety management
- electrical installations
- gas safety inc kitchens (if applicable)
- oil storage and use (if applicable)
- health and safety inspections
- risk assessments
- other curriculum health and safety
- accident reporting
- data protection

Section 3 – Guide to statutory compliance responsibilities

Detail	Responsibilities		Further information
	Aquila Trust	School	
Asbestos Management	Asbestos Survey – every 3 years. Resultant works from above survey.	Regular visual inspection of asbestos “in situ” in accordance with survey findings and asbestos management plan. School managed projects – an asbestos refurbishment survey must be undertaken. Resultant works required from school managed projects.	For further information see section 4 of this guide. Asbestos management contractor: Lucion Services (Risk Assessments) Medway Insulations Ltd, immediate action/emergency and works (not contracted)
Water Hygiene	Water Hygiene risk assessment every 2 years. Follow up annually by water hygiene contractor.	Resultant works from the risk assessment subject to financial threshold. Temperature monitoring and flushing on site. Water tank disinfection, inspection and cleaning as per the water hygiene scheme	For further information see section 5 of this guide. Contractor, HSL compliance Ltd, WRA, testing and immediate action (not contracted)
Fire Safety Management	Fire alarm service on annual basis (may be split - quarterly/half yearly inspections). Emergency lighting annual 3-hour discharge test. Resultant works if replacement or upgrade.	Annual review of Fire Risk Assessment and complete any actions identified. Fire alarm maintenance and resultant works from servicing, in accordance with the financial threshold.	For further information see section 6 of this guide. Fire alarm contractor, BBC/Marlowe Fire & Security (contracted)

	<p>Full Fire Risk Assessment every 3 years.</p> <p>Complete a Fire Risk Assessment review annually.</p>		
Electrical Safety	<p>EICR (fixed wiring test) 5-year inspection for education establishments.</p> <p>C1 & C2 remedial works from all inspections.</p>	<p>C3 & H&S remedials from all fixed electrical inspections.</p> <p>Portable Appliance Testing on an annual basis or in line with PAT testing schedule complying with HSE guidance.</p>	<p>Aquila – Electricity at work guidance.</p> <p>PAT testing schedule table.</p> <p>For further information see section 7 of this guide.</p> <p>Contractor, Onic Electrical Ltd (not contracted)</p>
Gas, Oil & Liquid Petroleum Gas (LPG)	<p>Annual service of fixed gas and LPG boiler and kitchen appliances.</p> <p>Oil fired boiler service (6 monthly)</p> <p>Oil storage tanks inspection annually</p>	<p>Siting of carbon monoxide detector as advised by Gas Safe engineer. To be checked monthly.</p> <p>Oil – spill training. – Emergency spill procedures.</p> <p>Maintenance of all gas, oil and LPG equipment and appliances in accordance to the financial threshold.</p>	<p>For further information see section 8 of this guide.</p> <p>Contractor, Kent Boiler Care Ltd</p>
Lifts & hoists	<p>Thorough examination at least every 6 months.</p>	<p>Servicing every 6 months.</p> <p>Local escape procedure and training.</p> <p>Resultant works from examination and service in accordance to the financial threshold.</p>	<p>Aquila – Lift Policy</p> <p>For further information see section 9 of this guide.</p> <p>Contractor, Bureau Viritas UK Ltd (Thorough examination)</p> <p>Servicing contractor to be identified and instructed by the individual school</p>
Local Exhaust Ventilation (LEV) and Extraction Equipment including kitchens		<p>Annual deep clean of kitchen extraction and regular cleaning of vents and traps.</p> <p>LEV testing and inspection at a minimum of 14 months and resultant works. i.e., Fume Cupboards and DT equipment LEV.</p> <p>Extraction equipment testing in line with manufacturers recommendation or 12-monthly.</p>	<p>For further information see section 10 of this guide.</p> <p>Contractor, Kent Boiler Care Ltd</p>

Trees	Maximum 5 - yearly professional tree survey for school.	Resultant works from the tree survey. Regular safety inspection and tree maintenance tasks up to the threshold budget.	For further information see section 11 of this guide. Contractor, The Living Forest Ltd
Playground Equipment	Annual thorough inspection of outdoor playground equipment carried out by contractor	Resultant works up to the value of the financial threshold. Annual thorough inspection and maintenance of indoor play and gym equipment	For further information see section 12 of this guide. Contractor, The Play Inspection Company
F-Gas TM-44		12 monthly service of aircon and appliances containing refrigerant. 5 yearly inspection and certification of air conditioning and other appliances that contain refrigerant.	For further information see section 13 of this guide. Servicing contractor to be identified and instructed by the individual school
Ground Source Heat Pump	Annual servicing and inspection	Resultant works from service and inspection subject to financial threshold.	For further information see section 14 of this guide
Air Source Heat Pump	Annual servicing and inspection	Resultant works from service and inspection subject to financial threshold.	For further information see section 14 of this guide
Solar photovoltaic (PV)	Annual servicing and inspection (<i>only if PV installed as part of a Trust project</i>)	Regular cleaning of solar panels Resultant works from service and inspection subject to financial threshold.	For further information see section 14 of this guide
Pressure Vessels		Annual servicing and inspection Resultant works from service and inspection subject to financial threshold.	For further information see section 14 of this guide
Lift stations, septic tanks and treatment plant		Annual servicing and inspection Resultant works from service and inspection subject to financial threshold.	For further information see section 14 of this guide

Section 4 – Asbestos Management

The requirements for an asbestos management system are set out in the [Control of Asbestos Regulations 2012](#). Regulation 4 requires Duty Holders to assess and manage the risks from asbestos in non-domestic premises.

The school headteacher as the responsible person within the school should identify their management responsibilities within the school Asbestos Management Plan/Programme, further guidance can be sought, [Managing asbestos in buildings: A brief guide](#).

The process

- The Trust through its contract management, will carry out an asbestos management survey every 3 years. The Trust will also ensure that any works identified within this survey are carried out accordingly and in a timely manner. The report will be delivered to site and a signature is required from responsible person and/or a school representative.
- The Headteacher / Governing Body will ensure that any asbestos remaining on site is inspected on a regular basis and recorded. The frequency is defined in the risk assessment within the asbestos management survey.
- If the school wish to conduct works which interferes with the fabric or are intrusive to the building, they must ensure that further asbestos refurbishment survey is undertaken at their cost. Any resultant works from this survey must be carried out prior to works commencing and at the cost of the school.
- If any asbestos is suspected to have been damaged, discovered or suspected, please refer immediately to the asbestos emergency procedures of your asbestos management plan.

Training

As duty holder the Trust requires that all Headteachers and those involved in the management of asbestos attend the online Statutory Compliance training. This training is targeted at Headteachers; deputies and site staff to explain what the legal statutory compliance responsibilities are. All Headteachers plus any school leaders / site managers or caretakers with delegated responsibilities are required to attend within 6 months of appointment. Non-compliance with this reasonable management instruction will be addressed via agreed personnel management procedures.

Governors with health and safety responsibilities are also encouraged to undertake the relevant training.

E-learning module: Asbestos Management

Section 5 – Water Hygiene

The Control of Substances Hazardous to Health Regulations (COSHH) 2002 requires the Trust as the “Duty Holder” to undertake a risk assessment to identify and control known hazards associated with Legionella bacteria.

The Trust as the employer, is the Duty holder for the school and set out their management responsibilities in accordance with the Water Risk Assessment and the [Code of Practice for the Management of Hot and Cold-Water Systems](#).

The Process

The Trust through its contract management, will carry out a Water Hygiene risk assessment every 2 years. The report will be delivered to the school and uploaded to SafetyNest.

The school is responsible for ensuring that any resultant works identified are completed in order of priority and funded from the school budget subject to the financial threshold.

Training

As duty holder The Trust requires that all Headteachers and those involved in the management of Hot and Cold-water systems to attend the online Statutory Compliance training. This training is targeted at Headteachers; deputies and site staff to explain their legal statutory compliance responsibilities are. Relevant staff are required to attend within 6 months of appointment. Non-compliance with this reasonable management instruction will be addressed via agreed personnel management procedures.

Governors with health and safety responsibilities are also encouraged to undertake relevant training.

E-learning module: Health & Safety – Legionella and Water Safety
Advanced Legionella

Section 6 – Fire Safety Management

The Trust as the “Duty Holder” has identified School Headteachers as the responsible person for managing fire safety as they are in control of the premises. The Regulatory Reform (Fire Safety) Order 2005 (RRO) defines the responsible person as:

the employer, if the workplace is to any extent under their control;

or

the person who has control of the premises (as occupier or otherwise) in connection with his work activity of a trade, business or other undertaking.

The Trust will ensure that a competent person completes a suitable and sufficient fire risk assessment for their site on a 3-yearly basis; a documented fire risk assessment review will be undertaken between the fire risk assessments annually. The review and actions as identified in the fire risk assessment or annual review shall be actioned by the school within the budget threshold.

The Process

The Trust will arrange for a comprehensive fire risk assessment to be completed every 3 years by a competent person. If significant changes to layout or use occur, then a full fire risk assessment must be undertaken prior to building use.

The school must take necessary steps if remedial actions are identified within the risk assessment.

The school must review the risk assessment on an annual basis in the intervening years.

The Aquila fire guidance and logbook identifies school responsibilities for:

- record faults on alarm systems, emergency lights, extinguishers
- fire extinguisher testing and visual inspection
- means of escape, emergency evacuation
- emergency lighting maintenance and tests
- fire detection and warning systems maintenance and weekly testing
- record of fire safety training
- fire drill records – minimum 3 times per year, one each term.

Training

As duty holder the Trust requires all Headteachers and those involved in the management of fire safety to attend the online statutory compliance training. This training is targeted at Headteachers; deputies and site staff to explain what their legal statutory compliance responsibilities are. Staff are required to attend within 6 months of appointment. Non-compliance with this reasonable management instruction will be addressed via agreed personnel management procedures.

Governors with health and safety responsibilities are also encouraged to attend relevant training.

E-learning module: Health & Safety – Fire Safety
Fire Safety Toolbox talks
Take 5 – Don't get burnt

Section 7 – Electrical Compliance

The Trust as the “Duty Holder” is required to meet The Electricity at Work Regulations 1989.

The Process

- The Trust arranges for a fixed wired installation inspection, in line with your schools' requirements, outlined in the fixed electrical schedule below and deliver this report to site and upload to SafetyNest.
- The Trust is responsible for completing C1 & C2 resultant works from the fixed wire electrical survey.
- The school is responsible for C3 and Health and Safety recommendations resultant works from the fixed wire electrical survey.
- The school is responsible for arranging the testing and inspection of Portable Appliances (PAT testing). A schedule of PAT testing requirements should be recorded.

Training

If PAT testing is conducted “in-house”. The person carrying out the combined inspection and testing needs to be competent to do so and is required to have attended suitable training to obtain the required level of knowledge and experience.

The competent person will need:

- the right equipment to do the tests
- equipment to be regularly calibrated in accordance with OEM recommendations and certificated
- the ability to use this equipment properly
- the ability to properly understand the results.

Fixed Electrical Schedule

- *Educational Establishments – 5 years (maximum interval between testing)*
- *Leisure Complex excluding swimming pool – 3 years (maximum interval between testing)*
- *Swimming Pool – 1 year (maximum interval between testing)*

E-learning module: Electrical Safety

Section 8 – Gas, Liquid Petroleum Gas (LPG), Oil Appliances

The Trust as the “Duty Holder” is required to meet The Gas Safety Regulations 1998. The Trust ensures through contract management arrangements, that sites that contain gas, LPG and oil and gas fire appliances are regularly inspected and maintained by a competent person, as per the regulations. The specific details can be found below.

The Process

- Gas, oil and LPG installations
- The Trust ensures that a competent person services fixed gas and LPG every 12 months.
- The Trust ensures that oil fired boilers are serviced 6 monthly and oil storage tanks are formally inspected every 12 months.
- Schools are responsible for remedial works based upon the agreed threshold and maintenance criteria.
- Schools must regularly visually inspect and record the condition of oil storage tanks and pipework.

Carbon Monoxide Detectors

Schools are responsible for fitting carbon monoxide detectors as advised by a competent person.

Batteries, where fitted, should be checked and recorded on a monthly basis.

Training

Schools are required to ensure that staff who may be involved with the operation of oil storage tanks are adequately trained in the event of an emergency and specifically on oil spill training.

Section 9 – Lifts & Hoists

The Trust as the “Duty Holder” is required to meet The Lifting Operations and Lifting Equipment (LOLER) Regulations 1998. The Trust ensures through contract management arrangements, that school lifting equipment is regularly maintained by a competent person and also has a thorough examination as per the regulations.

The Process

Service / Maintenance inspections

- The school will ensure that a competent person will service the passenger lifts and fixed hoists i.e., ceiling track hoists every 6 months.
- The school is responsible for the resultant works that arise from the inspection based upon the agreed financial thresholds.
- The school is responsible for arranging maintenance for any and all other lifting equipment i.e., mobile hoists.

Thorough Examination

- The Trust will ensure that a competent person will conduct a thorough examination of the passenger lifts and fixed hoists i.e., ceiling track hoists every 6 months.
- The school is responsible for the resultant works that arise from the inspection based upon the agreed financial thresholds.
- The school is responsible for arranging thorough examinations for any and all other lifting equipment i.e., mobile hoists.

Other school responsibilities

- Schools are responsible for conducting pre-use inspections on all lifting equipment
- Schools are responsible for ensuring that an emergency evacuation procedure for lifts is in place and that staff have been suitably trained.

E-learning module: Lifting Operations and Lifting Equipment Regulations (5.0) (General)

Section 10 – Local Exhaust Ventilation (LEV) and Extraction Equipment including kitchens

The Trust as the “Duty Holder” is required to meet The Control of Substances Hazardous to Health (COSHH) Regulations 2002. Regulation 9 of COSHH relates directly to LEV systems and requires regular examination and testing at least once every 14 months.

Other extraction equipment i.e., kitchen extraction hoods do not require examination and testing under regulation 9. However, they do require regular maintenance from a competent person, in line with the manufacturer’s recommendations.

Schools responsibilities LEV equipment

- The school is responsible for arranging the examination and testing of LEV equipment once every 14 months.
- The school is responsible for the remedial works of the LEV equipment, subject to the financial threshold and maintenance criteria.

Schools responsibilities for extraction equipment

The school is responsible for arranging servicing and maintenance of extraction equipment in line with manufactures instructions, see guidance, [Ventilation in catering kitchens](#).

The school is responsible for arranging for kitchen extraction hoods grease traps to be cleaned at regular intervals and an annual deep clean to be conducted by competent persons.

Section 11 – Trees

The Trust as the “Duty Holder” is required to meet The Health and Safety at Work Act 1974 in particular to do all that is reasonably practicable to ensure that people are not exposed to risk to their health and safety.

In addition to these duties there are a number of reasons why we want to manage the tree stock:

- reduce risk of property damage from subsidence
- maintain stocks to preserve their amenity, conservation and environmental value
- prevent personal injury through trips and falls on footways disturbed by tree roots
- prevent vehicle damage and person injury from obscure sightlines on the highway.

The Trust works to the following assessment of risk to identify the frequency of tree inspections:

The Process – Tree Surveys

The Trust is responsible for arranging for the UK Government recommendation of a minimum of 5 yearly professional tree inspections. More frequent tree inspections can be requested to be conducted if the trees are assessed and recorded to be of high risk at the original tree inspection.

The school is responsible for ensuring that any remedial works identified during the survey are carried out within the financial threshold. Regular visual inspection particularly during extremes of weather and high winds should be conducted by the school, if you notice an obvious issue with your tree, you should contact an arboriculture consultant as soon as possible.

Section 12 – Playground Equipment

Annual playground inspections

The Trust will provide in accordance with the British and European safety standard BS EN1176 and the Health and Safety Executive guidance, who strongly recommend that all play areas have at least one inspection every year from an independent suitably qualified body such as RoSPA.

Children's playgrounds should be inspected annually by an independent specialist to ensure the long-term safety of the site, equipment and ancillary items. This will also meet legal and insurance responsibilities as well as complying with the requirements of EN1176 (the European Playground Standard).

A written report will be supplied covering site safety and condition, equipment, surfacing, and ancillary item safety and condition, and compliance with EN1176 where relevant. This is to be uploaded to SafetyNest.

Recommendations for any remedial action required are given together with risk ratings for each item. The recommended works are a school responsibility.

Section 13 – F-GAS & TM-44

F gases are fluorinated gases that include HCFCs, HFCs and CFCs used in refrigerated applications and equipment, including air conditioning. Certain F gases have been proven to deplete the ozone layer, whilst others directly contribute to greenhouse gases associated with global warming. EU legislation has been put into place in order to limit the use of these gases,

controlling how much F gas is released into the Earth's atmosphere in an effort to protect the environment.

Legally, air conditioning installations and equipment that contain more than 2.14kg (5 Tonnes CO₂) of an F gas refrigerant should be leak checked once a year. If the system contains more than 24kg (50 Tonnes CO₂) of F gas refrigerant, then they should be check checked every 6 months for leaks and damage by a contractor certified to work with F gases.

Owners of equipment that use and contain HFCs should, according to the legislation:

- use qualified, specialist and appropriately trained contractors to repair, maintain, dispose of and service refrigerant and equipment
- Use any and all measures to help prevent refrigerant leaks
- Repair leaks as soon as they have been detected

Owners of equipment or systems that contain 2.4kg (5 Tonnes CO₂) or more of an F gas refrigerant are under additional obligations, which include:

- Conducting regular, scheduled testing (annually, bi-annually or quarterly if a system meets the certain threshold) by qualified and certified contractors with the intention of identifying leaks
- Maintaining the appropriate records, detailing: the date of each leak check along with the results, the quantity and type of each refrigerant used, the quantity, type and equivalent CO₂ in Tonnes of each refrigerant which has been disposed of, recovered from or added to the system and the identity and details of the company and contractor who carried out the maintenance or service

Contractors should be approved and accredited by agencies including DEFRA and REFCOM to carry out F gas testing. If necessary, annual F gas checks can easily be incorporated into a Planned Maintenance Contract.

Section 14 – Specialist Plant and Equipment

Specialist plant and equipment as detailed in the **table at Section 3** shall be maintained in accordance with the original manufacturers and/or the specialist installers guidance at the recommended intervals.

Training

Plant specific training, if required, should be sought from a specialist supplier.

References

The Health and Safety at Work etc Act 1974.

<https://www.legislation.gov.uk/ukpga/1974/37/contents>

Management of Health and Safety at Work Regulations 1999

<https://www.legislation.gov.uk/uksi/1999/3242/contents/made>

[Aquila Health & Safety Policy Statement2022](#)