December 2021 Essex County Council

 Corporate Health and Safety

County Hall

Essex CM1 1QH

Tel: 0333 013 9818

Email: hs@essex.gov.uk

Dear Sir / Madam,

**Health and Safety Advisory Services 2022-2023**

All schools, large and small, have a legal, moral and economic duty to ensure the health and safety of their pupils, employees, visitors and contractors.

Essex County Council continues to offer its professional health and safety advisory services to schools. An outline of our team’s knowledge, experience and qualifications can be found under section 10. The service is supported by a team of health and safety professionals and provides dedicated phone and email support as well as access to health and safety procedures, guidance and templates on the schools Infolink. We deliver bespoke health and safety training courses which are advertised on the [Juniper website](https://junipercpd.org/cpd/portal.asp?sid=). If you cannot find what you are looking for or have any queries, please contact us on the above contact details.

Please note that this is an advisory service and as such ECC will **not** be acting as the school’s “competent person” as defined under section 7 of the Management of Health and Safety Regulations. Therefore, schools must still ensure they have access to internal and/or external expertise in order to help them apply the provisions of health and safety law.

**Summary of changes**

We are very pleased to inform you that our subscription will only be increasing by 1% for most schools. As you will be aware this is significantly below the current RPI. RPO charges and additional support charges remain unchanged.

Full details of the advisory service and terms and conditions can be found in the Service Level Agreement document below, including access to our health and safety Infolink pages.

Our new intuitive accident reporting system, MySafety, will once again be used for the annual Health and Safety Internal Monitoring system (HSIMs), making the whole process much more efficient. If you would like to discuss any aspect of the advisory service, please contact the Corporate Health and Safety team on 0333 013 9818 or e-mail our helpdesk hs@essex.gov.uk.

Yours sincerely,

Frank McKeown

Health and Safety Manager

Legal and Assurance

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| **HEALTH AND SAFETY****ADVISORY SERVICE** |



SERVICE LEVEL AGREEMENT

(1st April 2022 – 31st March 2023)



**This contract formally sets out the terms for the provision of the Essex County Council, Health and Safety Advisory Service.**

The Health and Safety Advisory Service will be provided as follows:

* Providing a telephone support desk and responding to e-mails and written requests for information/advice about health and safety matters which do not require a visit, extensive research or additional resources of more than 30 minutes\*;
* Enabling the setting up of logins, for staff authorised by the headteacher, to allow the organisation access to the health and safety web based guidance, templates, risk assessments and standards;
* The provision of health and safety updates on new legislation, HSE guidance and methods of compliance;
* The provision of a health and safety policy template and advice on its completion;
* Provide access to an online monitoring webpage with instructions on its use;
* Advice on RIDDOR requirements and provision of forms for recording accidents and incidents. See also the note below.

**RIDDOR and GDPR**

The MySafety system is available to all schools where ECC is the employer and this is also available, at no extra cost, to customer schools.

However, schools should be aware that it is their employer’s duty to comply with the requirements of both RIDDOR and GDPR and specifically that:

1. Although ECC can assist in capturing information on accidents and incidents and making decisions on which of these are RIDDOR reportable, these need to be reported to the HSE via their website or utilising the functionality of reporting on our new MySafety system;
2. As the data controller for the information, you may provide to us via the MySafety system, please ensure you do so in line with GDPR. You should consider data minimisation and anonymising the details, this includes the individuals involved and their legal representatives.

\*The support desk is operational Monday to Friday 9.00am to 4.30pm, excluding Public holidays.

**Please note that this is an advisory service and as such Essex County Council’s Corporate Health and Safety Team will not be acting as the school’s “competent person” as defined under section 7 of the Management of Health and Safety Regulations.**

**The appointment of the ECC Corporate Health and Safety Team does not absolve the employer from responsibilities for health and safety under the Health and Safety at Work Act but enables access to competent advice.**

1. **Terms of Agreement**

This Agreement shall commence on 1 April 2022 (for new customers) and shall continue for an initial period of 12 months (‘Initial Period’) at which point it will be renewed automatically for successive periods of 12 months (‘Renewal Period’). Either party may terminate the contract by giving the other party not less than 2 (two) months written notice, to expire at the end of the Initial period or the end of the Renewal period. For full cancellation process please see Cancellations – Page 6, section 9.

1. **Non payment of Invoices**

The Authority will take appropriate recovery actions in all cases where the customer has failed to make payment and there is no valid reason for non-payment, to ensure that income is recovered we may consider suspension of your subscription until invoices are settled.

1. **Additional Support**

Throughout the duration of the contract the following additional areas of health and safety support may be provided in agreement between both parties. This would be subject to capacity within the team at the requested time and the relevant subject area expertise availability:

* Health and safety inspections
* Health and safety audits
* Liaise with school in dealing with Enforcing Authorities
* Advice/support on school specific health and safety issues

The above will be charged at a rate of £88 per hour (travel time to be agreed).

If you wish to enquire about additional support, please contact us direct on our helpline 0333 013 9818 or e-mail hs@essex.gov.uk.

1. **Radiation Protection Officer (RPO) Service** (Please refer to page 9 for full information on this service).
* Where the school has bought in to the Corporate Health & Safety Service it will include the RPO element, where the conditions outlined in the RPO Information Sheet are met.
* Where an RPO monitoring visit is necessary as outlined in the RPO information sheet there will be an additional charge of £200.

**5. Training**

The Corporate Health & Safety Team delivers core health and safety training as detailed below which is managed and coordinated by Juniper ([www.Junipercpd.org](http://www.junipercpd.org/) ) and includes;

* Health and safety for Headteachers and H&S Co-ordinators
* Health and safety for Governors
* Health and safety for Site Supervisors
* Asbestos Management
* Legionella Management

**6. Purchasing our Health and Safety Advisory Service**

**New Customers**

To subscribe to our service please [click here](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fforms.office.com%2FPages%2FResponsePage.aspx%3Fid%3DTzK0qFwVFUKg8X7YzJqZL45ctUeGOTlMvjQ8r7LAQrNUOEVaNVQwQzlLMlJNUU1WSkhUNkRUVFNPQSQlQCN0PWcu&data=04%7C01%7C%7Ccf29c03696e24fbc760e08d896bb0ff7%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637425077450854862%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=RCHvicUCdp6PMFziz22ubUq%2F7%2FYG%2BETRVxDVQkixKp4%3D&reserved=0) and complete our online form.

To gain access to the secure H&S area of the schools Infolink please click on the ‘Register for access’ link and complete the Nomination Form, which can be found on the right-hand corner of the schools Infolink Home Page.

To do the latter enter “ECC Infolink” in your search engine or enter the following address in your browser: <https://schools-secure.essex.gov.uk>.

Then click on the ‘Register for access’ on the top right hand corner of the home page, complete and submit the Nomination Form, for each user to Password.EIM@essex.gov.uk.

 **Existing Customers – Auto-renewal**

If you currently purchase the health and safety advisory service and wish to continue to do so, there is no need to do anything. Your contract will be automatically renewed, and we will charge one single payment as set out below, **unless you inform us in writing at least 2 months in advance of the renewal date** that you wish to exercise your right to cancel.

**Note:** Existing passwords to the schools Infolink will remain valid, unless you cancel, so there is no need to submit a nomination form unless the details of those requiring access have changed.

**Part Year Contracts**

If your school converts from an ECC controlled school to an academy, part way through the financial year, we are happy to agree a pro-rata payment for the portion of the financial year for which the service is required.

**Billing/Invoicing**

All customers are required to pay one single annual payment in June which covers our services from 1st April to 31st March.

Charges for the Health and Safety Advisory Service are based on pupil numbers as set out in the below table.

|  |  |
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| **Pupil numbers** | **Cost for 2022/23** |
| 1 - 100 | £316.23 |
| 101 - 250 | £420.28 |
| 251 - 500 | £578.40 |
| 501 - 1000 | £1,260.84 |
| 1001 - 1200 | £1,576.05 |
| Over 1200 | £1,891.27 |
| Multi Academy Trusts | **Price on application** |

**Please note that a separate SLA is required for each DfE number except for Multi Academy Trusts (See No. 8 below).**

1. **Respecting Our Copyright**

Documents authored by ECC staff provided as part of this service are © Essex County Council. They may be copied internally by ECC employees or by schools who purchase services from Essex County Council. They may not be sent or used by others without the prior written permission of the Essex County Council Corporate Health and Safety Team. Please help us keep costs as low as possible for our customers by respecting our copyright.

1. **Multi Academy Trusts**

We offer a discount on our service to Academy Trusts if you can meet the following criteria:

1. You have more than three schools.
2. You can verify that the schools you wish to have our service are part of the same Trust;
3. You provide the ECC Corporate Health and Safety Team with the details to enable charging a single annual payment for the Academy Trust as a whole (not individual schools);
4. You supply details of no more than ten people who will require passwords for our website, or 2 people per school if over 5.

If the above are met we will agree a charge which equates to the sum of the cost of the schools concerned, minus the cost of the cheapest.

Additionally, for Multi Academy Trusts with more than 4 schools, there is a 5% discount for each school with less than 100 pupils or a 5% discount for the second smallest school, whichever is the larger discount.

If you wish to take up this discounted price for your Trust, please e-mail the ECC Corporate Health and Safety Team at hs@essex.gov.uk with information relating to items 1-4 above.

1. **Cancelling your contract**

If you are an existing customer and wish not to renew the contract for the next financial year, in order to do so you must inform us in writing at least 2 months in advance of the renewal date that you wish to exercise your right to cancel.

Please note that this must:

1. Be sent from the e-mail address of the Headteacher (or signed by them, if a hard copy);
2. Reach us no later than **31st January 2023**.

If the above criteria are not met, you will incur a charge for the new financial year.

Should you change your mind at any time before 31st March the cancellation can be easily reversed. However, once this date has passed your subscription will follow the New Customer procedure – see section 6 above.

10. **Health and Safety competent advice**

The Corporate Health and Safety team that delivers the ECC Health and Safety Advisory Service to schools have been trained to high standards. This includes formal qualifications in Health and Safety accredited to NEBOSH and the team are members of IOSH (Institute of Safety and Health). The team offers experience of dealing with schools, both internal and external to the Council.

**Frank McKeown – Health and Safety Manager**

**Experience**

As a chartered member of IOSH, Frank has 20 years of Health & Safety Experience in a variety of organisations including:

**Public Sector**

Ilford Council as their H&S manager

Havering Council as their H&S manager

Chelmsford Borough Council as their H&S manager

**Charity sector**

NSPCC as their national H&S manager

**Private Sector**

Mitie as a H&S manager

Community Health Partnership as their H&S manager

He also spent 22 years working as an engineer in the Royal Navy, most of it on submarines.

**Training**

Frank has a NEBOSH diploma and a NEBOSH certificate in Fire Safety management.  He has also attended courses on Asbestos, Legionella, CDM and stress management.

**Skills**

An excellent trainer, Frank has delivered courses on Asbestos, Legionella, Work at Height, Risk assessment and Stress management.

Frank is also an accredited auditor and has worked with a range of auditing tools including the RoSPA QSA audit.

**Nicholas Ringrose – Health and Safety Advisor**

**Experience**

Nicholas is a Chartered Member of IOSH as well as a Fellow of the International Institute of Risk and Safety Management and an Associate of the Institute of Workplace and Facilities Management. He has extensive experience in Health and Safety, advising on a wide spectrum of subjects including but not limited to asbestos, legionella, fire, premises safety and outdoor play equipment.

**Training**

Nicholas has a NEBOSH Level 6 Diploma and a FPA Certificate in Applied Fire Risk Assessment. He is a Key Instructor in Manual Handling and a BSI BS OHSAS 18001 Internal Auditor. He has attended courses on Asbestos, Legionella, Work at Height, Display Screen Equipment and Outdoor play equipment.

**Skills**

An experienced and versatile trainer, Nicholas delivers subject specialist courses such as Asbestos and Legionella as well as general health and safety. He is highly experienced in working with Enforcement Authorities and carrying out a range of audits and inspections. He is also a Radiation Protection Officer.

**Radiation Protection Officer (RPO) Service (2022/23):**

Secondary schools holding radioactive sources for teaching physics are deemed to be a ‘Radiation Employer’ and have legal responsibilities relating to this, including appointing an RPA (Radiation Protection Adviser).

CLEAPSS (the school Science Advisory Service) encourages schools to keep and use the radioactive sources they hold. Practical work in this subject provides a unique opportunity to undertake meaningful investigations at the atomic level.

CLEAPSS provide an RPA at a distance service which can be accessed through Essex County Council (ECC) Corporate Health & Safety as a brokering organisation. Under this scheme ECC H&S is the RPO (not a legal term but convenient term for the role).

There are 2 schemes through which schools can access the RPO Service from ECC Corporate H&S. **Both** schemes require that schools have access to CLEAPSS General membership.

In both options the RPO Service ensures you meet your legal responsibilities in managing sources and works in the following way:

* A ‘radiation employer’ is required to consult with and appoint a competent Radiation Protection Adviser (RPA) (competence set by HSE).
* Essex County Council has access to a competent RPA via CLEAPSS.
* A condition of this RPA service is that Essex County Council will be the Radiation Protection Officer (RPO).

**RPO Service Scheme 1 – part of the ECC Health and Safety Advisory Service:**

Where the school buys in to the corporate health and safety service, the RPO service is included as long as the following conditions are met:

* The school must have general membership to the CLEAPSS school Science Advisory Service *and*
* Where the school buys into CLEAPSS through a brokering organisation it must include the additional flat rate annual fee for CLEAPSS locally managed Radiation Protection Adviser (RPA) Service.
* An RPO monitoring visit must be undertaken every 3 years at a cost of £200 per visit.
* The school through their appointed Radiation Protection Supervisor (RPS) must follow the advice issued by the RPO, manage sources in line with CLEAPSS Guide L93 and inform the RPO of any changes or incidents relating to the sources.

**RPO Service Scheme 2 – stand-alone RPO service:**

If a school does not buy in to the ECC Health & Safety Advisory Service, there is an option for schools to buy a ‘stand-alone’ RPO Service. The conditions and cost are as follows:

* The school must have general membership to the CLEAPSS School Science Advisory Service *and*
* The school will also need to have paid the flat rate fee for the CLEAPSS locally managed Radiation Protection Adviser (RPA) Service. The school should be able to purchase this with the general CLEAPSS membership. If the school has not, it can be added on to the cost of the ECC Health and Safety RPO stand-alone service and ECC will then pay this on to CLEAPSS.
* The cost of the stand-alone RPO service is £375 + VAT per annum (£435 + VAT if RPA flat rate needed). This would include an RPO Monitoring Visit (if the school has not had one in the previous 2 years). The RPO would contact the school to agree a mutually agreeable date. If the school has had an RPO monitoring visit within the last 2 years (but not within the last year) and wants a visit this can be done at no additional charge if the school contacts ECC Health and Safety support desk number 03330 139818.
* **Note:** An RPO Monitoring Visit every other year should be satisfactory and would not be needed more than once in a year.

**RPO Service:**

Whichever way the school buys in to the RPO service it will include the following:

* Maintaining a database of sources held by each establishment. (schools are required to inform us of any changes and must keep a copy of the register on file).
* Providing advice on the management of sources where schools phone up with queries (or refer to CLEAPSS or RPA as appropriate).
* Ensure that where any advice in relation to the management of radioactive sources is issued by the RPA this is communicated to schools, e.g., new guidance, change in policy / legislation, general advice etc.
* Monitor the management and storage of sources appropriately through visits at appropriate interval / cost dependent on RPO service option. Where visit identifies actions, a report will be issued to the schools RPS.

**Definitions:**

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| **Acronym** | **Definition** |
| RPA | **Radiation Protection Adviser.** Legally required to be appointed by a Radiation Employer and who holds the competence set by the HSE. Appointed through CLEAPSS under the RPA at a distance model.  |
| RPO | **Radiation Protection Officer (Essex County Council).** This is not a legal term but a convenient term for the role undertaken. The RPO is the link between the school and the RPA.  |
| RPS | **Radiation Protection Supervisor** (School Staff – must be member of teaching staff. Preferably head of department / physics or similarly experienced teacher) |
| CLEAPSS | **School Science Advisory Service.** Essex Schools Service subscribes to CLEAPSS on behalf of all Essex maintained schools. Secondary school academies wishing to purchase CLEAPSS can do so via the Local Authority at a discounted rate.  |