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Topics   **Government activity**

→ **Coronavirus (COVID-19)** | Latest updates and guidance

Home > Coronavirus (COVID-19) > Education, universities and childcare during coronavirus
> Funding and support for education providers during coronavirus
> Actions for FE colleges and providers during the coronavirus pandemic

Department
for Education

Guidance

Annex A: health and safety risk assessment

Updated 6 January 2022

Contents

Coronavirus (COVID-19) specific

Everyone needs to assess and manage the risks from coronavirus (COVID-19). This means you are required by law to think about the risks the staff and students face and do everything reasonably practicable to minimise them, recognising you cannot completely eliminate the risk of coronavirus (COVID-19).

You must therefore make sure that a risk assessment has been undertaken to identify the measures needed to reduce the risks from coronavirus (COVID-19) so far as is reasonably practicable. General information on how to make a workplace COVID-secure, including how to approach a coronavirus (COVID-19)

🖶 Print this page

risk assessment, is provided by the HSE guidance on working safely.

You should undertake a coronavirus (COVID-19) risk assessment by considering the measures in this guidance to inform your decisions and control measures.

A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control the risks in the workplace, and the role of others in supporting that.

The risk assessment will help you decide whether you have done everything you need to. Employers have a legal duty to consult their employees on health and safety in good time.

It also makes good sense to involve students and parents (where applicable) in discussions around health and safety decisions to help them understand the reasons for the measures being put in place. You can do this by listening and talking to them about how you will manage risks from coronavirus (COVID-19) and make the setting COVID-secure. The people who do the work are often the best people to understand the risks in the workplace and will have a view on how to work safely. Involving them in making decisions shows that you take their health and safety seriously.

Sharing your risk assessment

You should share the results of risk assessments with your workforce, ensuring this is accessible. You should consider publishing on your website to provide transparency (we would expect all employers with over 50 staff to do so).

Monitoring and review of risk controls

It is important that you know how effective your risk controls are. You should monitor and review the preventive and protective measures regularly, to ensure the measures are working, and take action to address any shortfalls.

Roles and responsibilities

All employers are required by law to protect their employees, and others, from harm. Under the Management of Health and Safety at Work Regulations 1999, the minimum employers must do is:

● Identify what could cause injury or illness in the organisation (hazards).

- Decide how likely it is that someone could be harmed and how seriously (the risk).

- Take action to eliminate the hazard, or if this isn't possible, control the risk.

Given the employer landscape in school and FE is varied, we have set out the existing health and safety responsibilities and duties for schools. The employer is accountable for the health and safety of school staff and students.

The principal, or risk management owner, is responsible for ensuring that risks are managed effectively. This includes health and safety matters.

The Health and Safety Executive (HSE) provides more information on the role of headteachers and employers which can be applied to FE settings in:

- the guidance on the role of school leaders - who does what
- a simple guide to who the employer is in each type of school setting in its FAQs section, under 'who is accountable for health and safety within a school?'

FE principals and management teams may in practice carry out the actions by employers in this guidance. But the employer will need to assure themselves that they have been carried out, as they retain the accountability for health and safety. If not already done, employers should ensure that a coronavirus (COVID-19) risk assessment for their setting is undertaken as soon as possible.

Wider guidance on the risk assessment process

Health and safety risk assessments identify measures to control risks during education and childcare setting activities. Health and safety law requires the FE employer to assess risks and put in place measures to reduce the risks so far as is reasonably practicable. The law also requires employers to record details of:

- risk assessments
- the measures taken to reduce these risks
- expected outcomes

You need to record significant findings of the assessment by identifying:

- the hazards
- how people might be harmed by them
- what they have in place to control risk

Records of the assessment should be simple and focused on controls. Outcomes should explain to others what they are required to do and help staff with planning and monitoring.

Risk assessments consider what measures you need to protect the health and safety of all:

- staff
- students
- visitors
- contractors

You need to think about the risks that may arise in the course of the day. This could include anything related to the premises or delivery of its curriculum or activities, whether on-site or in relation to activities off-site.

Consulting employees (general)

It is a legal requirement that employers must consult with the health and safety representative selected by a recognised trade union or if there isn't one, a representative chosen by staff. As an employer, you cannot decide who the representative will be.

At its most effective, full involvement of staff creates a culture where relationships between employers and staff are based on collaboration, trust and joint problem solving. As is normal practice, staff should be involved in assessing workplace risks and the development and review of workplace health and safety policies in partnership with the employer.

Consultation does not remove the employer's right to manage. They will still make the final decision but talking to employees is an important part of successfully managing health and safety.

Resolving issues and raising concerns

Employers and staff should always come together to resolve issues. As providers widen their opening, any concerns in respect of the controls should be raised initially with line management and trade union representatives and employers should recognise those concerns and give them proper consideration. If that does not resolve the issues, the concern can be raised with HSE.

Where the HSE identify employers who are not taking action to comply with the relevant public health legislation and guidance to control public health risks, they will consider taking a range of actions to improve control of workplace risks. The

actions the HSE can take include the provision of specific advice to employers through to issuing enforcement notices to help secure improvements.

Approach to risk estimation and management

Some types of control are more effective at reducing risks than others. Risk reduction measures should be assessed in order of priority, you should not simply adopt the easiest control measure to implement.

Controls should be practical to be implemented and, ideally, should be able to be maintained easily over time. It is critical to remember that it will only rarely be feasible to eliminate individual risks completely.

The combination of controls introduced should aim to reduce the risk to as low as reasonably practicable and prioritise structural, environmental interventions over individual level ones. This does not just mean considering risks of transmission, but also balancing these against risks to wider health and wellbeing and to education

You have the flexibility to respond to risks in a way that suits your circumstances, whilst complying with your duties under health and safety legislation.

You should work through these steps to address your risks, considering for each risk whether there are measures in each step you can adopt before moving onto the next step.

- Elimination: stop an activity that is not considered essential if there are risks attached.

- Substitution: replace the activity with another that reduces the risk. Care is required to avoid introducing new hazards due to the substitution.

- Engineering controls: design measures that help control or mitigate risk.

- Administrative controls: identify and implement the procedures to improve safety (for example, markings on the floor, signage).

- Having gone through this process, PPE should be used in circumstances where the guidance says it is required.

Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

Services and information

Benefits

Births, deaths, marriages and care

Business and self-employed

Childcare and parenting

Citizenship and living in the UK

Crime, justice and the law

Disabled people

Driving and transport

Education and learning

Employing people

Environment and countryside

Housing and local services

Money and tax

Passports, travel and living abroad

Visas and immigration

Working, jobs and pensions

Brexit

Check what you need to do

Departments and policy

How government works

Departments

Worldwide

Services

Guidance and regulation

News and communications

Research and statistics

Policy papers and consultations

Transparency and freedom of information releases