

The management of safety in physical education and outdoor activities

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Introduction

1. The purpose of this report is to respond to the request from the Welsh Assembly Government for information on the management of safety in schools in physical education and outdoor activities. The report presents findings from:

- questionnaire responses from 15 out of 22 LEAs; and discussions with:
- 3 PE advisers;
- the managers of 5 outdoor activity centres;
- the Head of Inspection Services of the Adventure Activities Licensing Authority; and
- teachers from 3 secondary and 12 primary schools.

It also makes a number of recommendations for future action

Main findings

2. Both primary and secondary schools in Wales manage safety in National Curriculum physical education very well. However, in the 9 LEAs in Wales where there is no specialist PE adviser, teachers and schools are not clear how the LEA provides specialist PE safety advice, if it is needed urgently. Often, they are also not aware of the British Association of Advisers and Lecturers in PE (Baalpe) safety helpline, which is available to all schools in the UK, free of charge.

3. All LEAs in Wales advise schools to purchase the Baalpe 'Safe Practice in Physical Education' guidance to inform their policies and practice. Few LEAs provide this guidance to their schools free of charge. The guidance is updated every four years. However, a significant number of schools do not have the most up-to-date version of the guidance because it is costly.

4. Students' involvement in risk management makes them aware of potential danger and contributes towards their being able to take greater responsibility for their own and others' safety.

5. Outdoor education remains a minority activity in the physical education curriculum of most schools. Fewer secondary schools now lead off-site, residential experiences because of increased fears of litigation. Primary and secondary schools that continue to include outdoor activities in their programme, invariably take pupils to Outdoor Education Centres where the teaching is the responsibility of specialist, highly qualified instructors.

6. All LEAs include risk assessment and safety courses in their Continuing Professional Development (CPD) programmes, but the types of courses vary considerably across the Wales. Courses include:

- generic courses provided by local authority Health and Safety (H&S) officers;
- generic courses provided by national H&S experts;
- PE-specific courses provided by PE advisers; and

- PE-specific courses provided by PE H&S experts, such as Baalpe.
7. Activity-specific national governing bodies have records of qualified expert coaches and leaders in their particular activities. However, there is no central record of all experts in Wales which LEAs or individual schools can use to access advice and support.

Recommendations

8. In order to ensure that young people are able to participate safely in activities that are likely to prolong their lives and enhance their quality of life:

R1 The Welsh Assembly Government should:

- update and issue to schools in Wales the three supplementary Health And Safety Of Pupils On Educational Visits (HASPEV) guidance documents that the DfES has issued to schools in England;
- request the Adventure Activities Licensing Authority to hold a central register of specialist coaches/leaders of adventure activities in Wales;
- require all schools to have a trained Educational Visits Co-ordinator; and
- request an appropriate organisation to provide additional best practice advice on the safety management of school extra-curricular activities and overseas visits that may be potentially hazardous.

R2 LEAs should:

- ensure that they have access to specialist physical education advice and support;
- issue specific health and safety guidance for:
 - all curriculum physical education activities;
 - water activities, including activities that take place close to water;
 - activities on open or hazardous terrain; and
 - overseas visits.
- have a physical education and an outdoor activities (ODA) point of contact for schools;
- provide training in risk assessment for physical education and the use of available safety guidance;
- ensure that the providers of adventure activities follow best practice; and
- monitor ODA centres.

R3 Schools should:

- risk assess all curricular and extra-curricular physical education activities and off-site visits before and during the activity;
- ensure that physical education safety policies conform to H&S regulations; and
- ensure that staff are competent and have access to regular CPD.

Background

9. 'Physical education and school sport have the potential to address a wide range of issues facing schools. For example, they often have a positive impact on pupil disaffection; they can aid school improvement, raise the fitness levels of pupils and encourage them to follow healthy lifestyles.'¹

10. The national curriculum orders for physical education cover six areas of activity. One of these activities, outdoor and adventurous activities, is optional in both primary and secondary schools. Quality physical education contributes not only to physical, but also to personal and social, development. Through physical education, pupils can improve their confidence and self esteem. They also learn to:

- work together sensitively;
- understand their strengths and limitations, and appreciate those of others;
- take and share responsibility;
- be leaders, strategists and team workers;
- make informed decisions;
- develop a commitment to a healthy lifestyle;
- respect the environment;
- have due regard for safety; and
- enhance their key skills, particularly:
 - communication;
 - problem solving; and
 - taking responsibility for and improving their own learning

11. Most accidents to children result from them not having learned, or not being allowed to learn, how to look after themselves. Physical educators report that young people are clumsier and less aware of danger than young people were even 15 years ago. Involvement in physical education, sport and adventure activities would significantly increase their ability to look after themselves, particularly in unfamiliar circumstances, and reduce the number of accidents amongst children. Adventure activities, which are acknowledged to be the most potentially hazardous activities, account for only approximately 150 deaths per year over the whole of the UK.

12. Physical educators, outdoor activity specialists and health professionals argue that involving young people in challenging physical activities would also reduce deaths caused by cancers, heart attacks, alcohol, smoking related deaths and obesity. The Samaritans report that, of the 1,000 suicides in people aged between 15–25 years, the main contributory factor was leaving school with a poor sense of self-worth.

13. In 2002-2003, schools permanently excluded 439 young people, while 14,600 were subject to fixed-term exclusions². Evidence from a number of sources, including Ofsted in England, indicates that even an occasional

¹ Physical Education and School Sport Action Plan for Wales 2002

² NAW Statistics

involvement with adventure activities, particularly when residentially based, improves pupils' engagement.

The Legal framework

14. The legal basis for physical education and outdoor and adventurous activities in schools addresses two main areas of activity. The first area covers work in National Curriculum (NC) physical education on-site. The second area covers off-site experiences, which sometimes deliver the NC Orders for Outdoor and Adventurous Activities (KS2 and KS3) and Adventure Activities (KS4), but can also be extra-curricular, enrichment activities. Off-site activities include adventurous activities using licensed or unlicensed providers, non-residential and residential activities during and out of school time in the UK and overseas.

Publications

15. In 1998, the Department for Education and Science (DfES) published Circular 0803/2001 "Health and Safety on Educational Visits: Responsibilities and Powers." Since 2002, the DfES in England has published supplementary guidance for schools, local education authorities and teachers entitled:

- Standards for LEAs in Overseeing Educational Visits;
- Standards for Adventure;
- A Handbook for Group Leaders; and
- Group Safety at Water Margins.

16. The good practice guides indicate clearly who is responsible for health and safety (under the Health and Safety at Work etc Act 1974 and associated regulations). Responsibility for health and safety is with the:

- LEA as employer for community, community special, voluntary controlled, maintained, and nursery schools and for pupil referral units;
- governing body as the employer for foundation, foundation special and voluntary aided schools; and
- governing body or the proprietor, usually, in independent schools.

Failure to exercise reasonable care

17. A court would see a breach of duty by an LEA, school or teacher as a failure to meet the standard of a reasonable professional. However, what might be considered reasonable is not the same for all teachers and headteachers. For example, if training or experience has given a teacher a specific higher level of expertise in management or in outdoor pursuits, a higher standard would apply to that person.

18. In exercising reasonable care, schools need to ensure that they have a policy for off-site visits. This should set out how a school:

- takes account of any guidance provided by the LEA about off-site visits;

- informs the governing body of all activities taking place off the school site. (Some visits such as those abroad may require the governing body's approval before being offered to pupils and parents); and
- sets out procedures it will follow when planning and delivering an activity.

19. The LEA or employer should scrutinise the policy to ensure that the employer fully covers its responsibilities. The school should review the policy regularly to ensure it meets the needs of the school and make copies available for parents when required. Finally, a summary should be set out in the school prospectus.

Fear of litigation

20. Media reporting of 'compensation culture' stories over the last few years has encouraged a false public perception that we follow America as a litigious society. This has had a serious impact on the willingness of some teachers/youth leaders to take the risk of running an educational visit.³

21. Although parents and schools are making more and more enquiries to LEAs about incidents on school visits, the number of accident claims, including personal injury claims, is going down. This is particularly true of spurious claims. As a result of the dismissal of spurious claims, two of the largest claims management companies have collapsed.

22. The DfES states that teachers were 'deterred by the false perception that a high degree of risk attaches to outdoor education ...'. In fact, in England in 2003, there were between 7 million and 10 million pupil visits, but only one death. The chief inspector in England, David Bell, said:

'The benefits of outdoor education are far too important to forfeit, and by far outweigh the risks of an accident occurring. If teachers follow recognised safety procedures and guidance, they have nothing to fear.'

There is no reason to suggest that Wales should be any different from England in this respect.

23. Teachers' associations have issued guidance and advice to their members, covering a range of school activity visits at home and abroad. These include adventure activities that are centre-led, and those that are school-led, particularly those that include potentially hazardous activities or that take place in potentially hazardous settings. The associations also recommend that every school should have a trained, designated 'Educational Visits Co-ordinator'. However, the Assembly Government has not yet issued the full range of guidance similar to that which is available to schools in England, nor do we have a requirement, or procedures for training Educational Visits Co-ordinators.

³ Extract from Better Regulation Task Force study – www.oeap.info

Safety in physical education

On-site provision

24. As a result of the expertise and experience of specialist PE teachers, there is much good practice in safety awareness in on- and off-site, curricular and extra-curricular activities in secondary schools. There are also examples of good practice in primary and secondary schools in the management of safety in on-site PE provision, and in the education of pupils in the awareness of safety considerations.

25. In the nine LEAs in Wales where there is no specialist PE adviser, teachers and schools are often not clear how the LEA provides specialist PE safety advice, if it is needed urgently. In several cases, the first contact is with the local authority health and safety officer, who does not have specific knowledge and understanding of physical education activities. In other cases, the contact is with the PE and School Sport coordinators, who often do not have either the curriculum PE experience and expertise or specialist health and safety expertise.

26. LEAs follow the Baalpe recommendation that specialist companies should inspect and repair schools' gymnastics apparatus annually. Schools have to pay for the repairs from their delegated budgets, and many choose to remove the item from use rather than repair it, because repairs are so costly. This limits pupils' opportunities in PE, and therefore has a negative impact on standards.

27. Baalpe provides valuable guidance in its 'Safe Practice in Physical Education' publication. Most primary and secondary schools in Wales refer to the guidance when planning and delivering their physical education activities. In some of the 13 LEAs in Wales where there is a specialist PE adviser, the publication is supplied to schools at no cost to the schools' budgets. LEAs without a specialist PE adviser do not do this.

28. LEAs are increasingly aware of the need to offer advice on risk assessment to schools. The best guidance includes general sections on risk assessment, as well as sections on specific PE curricular and extra-curricular activities. Those LEAs with specialist PE advisers offer specific advice and support, with exemplar materials that schools can adapt to their own circumstances.

29. A minority of physical education departments in secondary schools, and very few primary schools, have undertaken comprehensive, formal risk assessments for all areas of PE activities. Where risk assessments have been done, the resulting documents are often bureaucratic and not easy to use from day to day. Consequently, they are rarely effective.

Off-site provision

30. Safety Management in specialist adventure activity centres is very good. Risk assessment documentation and practice are both detailed and thorough. Members of staff are well qualified and experienced, and in the best examples, many or all have qualified teacher status.

31. More and more primary schools take pupils to outdoor activity centres, often for a residential experience. These schools link the adventure activity opportunities with their personal and social development programme, and with their healthy and active lifestyles policies. Often the school identifies links with the Healthy Schools Scheme and the ECO schools initiative.

32. Outdoor education activities involve pupils in risk assessment and in the management of risk. Outdoor education can make a unique contribution by offering structured opportunities for pupils to identify hazards, calculate the related risks and decide the significance of the risk. In this way, they determine and implement the precautions necessary to eliminate and minimise that risk.

33. Pupils' involvement in risk management is making them aware of potential danger and contributing towards their being able to take greater responsibility for their own and others' safety.

34. Activity specific governing bodies, such as the Wales Mountain Leader Training Board and the Welsh Canoeing Association, keep records of trained leaders. However, there is no central register of technical experts in all specific adventure activities across Wales.

35. Most adventure activity centres are licensed by the Adventures Activities Licensing Authority. Centres offering the following activities must be licensed:

CLIMBING	WATER SPORTS	TREKKING	CAVING
Rock climbing Abseiling Ice climbing Gorge walking Ghyll scrambling Sea level traversing	Canoeing Kayaking Dragon boating Wave skiing White-water rafting Improvised rafting Sailing Sail boarding Windsurfing	Hill walking Mountaineering Fell running Orienteering Pony trekking Off Road Cycling Off-piste skiing	Caving Pot-holing Mine exploration

36. Some adventure centres do not need a licence because of the limited activities they offer. Those centres visited for this survey are thorough in their risk assessment and planning, and in ascertaining the suitability of the staff they employ.

37. All LEAs in Wales have safe practice guidelines, based on advice offered by the DfES, for schools wishing to take pupils on adventure activity visits. Many schools have their own additional safe practice requirements

and risk assessment procedures. Schools must comply with all requirements before the school and/or the LEA grant permission for the visit to go ahead.

38. Cardiff LEA has no specialist PE adviser. Yet in response to the lack of national guidance in Wales, the LEA offers termly training for Educational Visits Co-ordinators. A Baalpe safety expert provides these courses, based on the regulations that apply in England. Ceredigion and Conwy have also decided to introduce Educational Visits Co-ordinator training in the next financial year. However, other LEAs do not offer specific training for teachers to enable them to fulfil their responsibilities effectively.

Useful references

'Five steps to Risk Assessment' HSE Books (www.hse.gov.uk) ISBN 0717615650 HSE Books PO Box 1999 Sudbury Suffolk CO10 2WA

DfES guidance "Circular 0278/2002 Child protection: Preventing unsuitable people from working with children and Young Persons in the Education Service".

DfES 'Health and Safety of Pupils on Educational Visits' - guidance

DfES 'Guidance on First Aid for Schools – A good Practice Guide'.

Baalpe Health and Safety advice (www.baalpe.org)

Baalpe 'Safe Practice in Physical Education' – guidance document (www.baalpe.org)

The Outdoor Education Advisers' Panel – 'Overseas Expeditions' guidance document

Adventure Activities Licensing Authority 'Risk Assessments, Safety Statements and all that Guff' – guidance and advice (www.aala.org)

Better Regulation Task Force 'Better Routes to Redress' – advice (www.brta.gov.uk)