



# Safety Statement

## Donabate/Portrane Educate Together National School

**Ballisk Common,  
Beaverstown Road,  
Donabate,  
Co. Dublin.**

Version	Date	Description	Prepared By	Approved By
1	Nov 2017	Safety Statement Review	Raymond Brett (TSP) Micheal Garvey (DPETNS)	
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3	Mar 2018	Safety Representatives Update	Raymond Brett (TSP) Micheal Garvey (DPETNS)	

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# Part Division(s)

**Part 1:           Management and Organisational Requirements**

**Part 2:           Risk Assessment**

**Part 3:           Associated Forms**

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# Part 1

## Management and Organisational Requirement

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# Contents of Safety Statement - Part 1

Section	Description
1	<b>Definitions</b>
2	<b>Outline of the School Safety Policy</b>
3	<b>School Policy Statements</b>
4	<b>Management and Training Implementation</b> <ul style="list-style-type: none"> <li>4.1 Management of Health, Safety and Environment</li> <li>4.2 Safety Management System</li> <li>4.3 Procedures for dealing with Health and Safety issues</li> <li>4.4 Training for Health &amp; Safety</li> <li>4.5 Induction and Refresher Training / Supervision</li> <li>4.6 Identification of Training Needs</li> <li>4.7 Job Training and Instruction</li> <li>4.8 Specialist Safety Training</li> <li>4.9 Training Records</li> <li>4.10 Employee Co-Operation</li> <li>4.11 Visitor and Contractor Control</li> </ul>
5	<b>Documentation, Procedures and Risk Assessments</b> <ul style="list-style-type: none"> <li>5.1 Carrying out Risk Assessments</li> <li>5.2 Location of Information, Documentation and Procedures</li> <li>5.3 Risk Assessments</li> </ul>
6	<b>Employer Responsibilities</b> <ul style="list-style-type: none"> <li>6.1 Legislative Requirements</li> <li>6.2 School Aims</li> </ul>
7	<b>Employees' Responsibilities</b> <ul style="list-style-type: none"> <li>7.1 Legislative Requirements</li> <li>7.2 School Requirements from Employees</li> <li>7.3 Disciplinary Procedures</li> </ul>

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# Contents of Safety Statement - Part 1

Section	Description
<b>8</b>	<b>Basic Safety and Prevention Rules</b> <i>8.1 Principle of Prevention</i>
<b>9</b>	<b>Organigram and Reporting Structure</b>
<b>10</b>	<b>Personal and Management Responsibilities</b> <i>10.1 Attached individual safety responsibilities as part of their Job Description</i>
<b>11</b>	<b>Consultation in the Place of Work</b> <i>11.1 Representation</i> <i>11.2 Safety Representative</i> <i>11.3 Safety Committee</i>
<b>12</b>	<b>Welfare Facilities</b> <i>12.1 Legislative Requirements</i> <i>12.2 Facilities</i> <i>12.3 Eye Sight Tests</i> <i>12.4 Occupational Safety, Health and Welfare Programmes</i>
<b>13</b>	<b>Personal Protective Equipment</b> <i>13.1 Legislative Requirements</i> <i>13.2 Requirements of the School</i> <i>13.3 What do Employees need to know and must do about Personal Protective Equipment</i> <i>13.4 Requirements of the Employee</i> <i>13.5 Control Measures</i>
<b>14</b>	<b>Fire Management and Prevention</b> <i>14.1 Legislation and the Responsibility on You</i> <i>14.2 Requirements of the School</i> <i>14.3 Requirements of the Employee</i> <i>14.4 Smoking Policy and Procedure</i> <i>14.5 Fire Routine Procedures</i> <i>14.6 Means of Escape</i> <i>14.7 Fire Extinguishers</i> <i>14.8 Suspect Packages and Bomb Threat Procedures and Response</i>

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# Contents of Safety Statement - Part 1

Section	Description
<b>15</b>	<b>First Aid at Work</b>
	15.1 Legislative Requirements
	15.2 Requirements of the School
	15.3 Recommended Numbers of Occupational First Aider
	15.4 Duties of the Occupational First Aider
	15.5 Requirements of the Employee
	15.6 Occupational Health
	15.7 Sight Test – VDU Users
	15.8 Checklist for First Aid Box Contents
<b>16</b>	<b>Reporting of Accidents and Incidents</b>
	16.1 Legislative Requirements
	16.2 Notification of Accidents and Dangerous Occurrences - Regulation 225
	16.3 In House Reporting of Incidents, Accidents, Near Misses and Dangerous Occurrences
	16.4 Safety Initiative - Incident Reporting
	16.5 Incident Definitions
	16.5.1 Road Vehicle Accident
	16.5.2 Spillages
	16.5.3 Personal Injury
	16.5.4 Time Losing Injury
<b>17</b>	<b>Health and Safety Audits, Inspection and Reports</b>
	17.1 Inspection and Safety Audits
	17.2 Statutory Inspection and Examinations
	17.3 Reviews of Safety Related Documentation
	17.4 Organisation Of Working Time
<b>18</b>	<b>Disciplinary Rules and Procedures</b>
	18.1 Introduction
	18.2 Investigation Procedure
<b>19</b>	<b>Bullying and Harassment at Work</b>
	19.1 Introduction
	19.2 Investigation Procedure

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# Contents of Safety Statement - Part 1

Section	Description
<b>20</b>	<b>Refusal to Work on Safety Grounds</b>
	20.1 Procedures Statement
	20.2 Refusal to Work
	20.3 Bilateral Work Stoppage
	20.4 Instruction to Management on Employee Refusal to Work on Safety Grounds
<b>21</b>	<b>Stress at Work</b>
	21.1 Legislative Requirements
	21.2 Causes of Stress
	21.3 Stress Risk Assessment
	21.4 Measures to Reduce Stress
<b>22</b>	<b>Pregnant Employees</b>
	22.1 Introduction
	22.2 Definitions
	22.3 When the Regulation Applies
	22.4 The Employers Requirements
	22.5 Outcome of the individual Risk Assessment
	22.6 School Procedures

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# Section 1

## Definitions

Description	Definition
<b>Employee</b>	means a person who has entered into or works under (or, where the employment has ceased, entered into or worked under) a contract of employment and includes a <i>fixed –term employee</i> and a temporary employee and references, in relation to an employer, to an employee shall be construed as references to an employee employed by that employment with <b>DPETNS</b>
<b>Employer</b>	means a person or school who employs, employees under a Contract of Employment. In this case <b>DPETNS</b>
<b>School</b>	<b>DPETNS - Donabate Portrane Educate Together National School</b>
<b>Office</b>	<b>Ballisk Common, Beaverstown Road, Donabate, Co. Dublin.</b>
<b>Contractor</b>	is a company and its employees or self-employed person who has been contracted by <b>DPETNS</b> to carry out work on their behalf.
<b>Competent Person</b> S.2 (2)(a)	for the purposes of the relevant statutory provisions, a person shall be deemed to be competent where, having regard to the task he or she is required to perform, and taking account of the size or hazards (or either of them) of the undertaking or establishment in which he or she undertakes work, he or she possesses <i>sufficient training, experience and knowledge appropriate</i> to the nature of the work to be undertaken.
<b>Reasonably Practicable</b> S.2 (6)	for the purposes of the relevant statutory provisions, “ <b><i>reasonably practicable</i></b> ”, in relation to the duties of an employer, means that an employer has exercised all due care by putting in place the necessary protective and preventive measures, having identified the hazards and assessed the risks to safety and health likely to result in accidents or injury to health at the place of work concerned and where the putting in place of any further measures is grossly disproportionate having regard to the unusual, unforeseeable and exceptional nature of any circumstance or occurrence that may result in an accident at work or injury to health at that place of work.

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## Section 1

# Definitions

Description	Definition
<b>Safety Representative</b>	is an employee, selected and appointed from amongst the other employees in the place of work, to represent them in consultation with their employer in relation to their safety, health and welfare within the work place.
<b>Place of Work</b>	<p>Includes any place, land or other location at, in upon or near which, work is carried on whether occasionally or otherwise and in particular includes-</p> <ul style="list-style-type: none"><li>a) a premises,</li><li>b) an installation on land and any offshore installation,</li><li>c) a tent, temporary structure or movable structure, and</li><li>d) a vehicle, vessel or aircraft;</li></ul>

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## Section 2

# Outline of the School Safety Policy

### Foreword

The Safety, Health and Welfare at Work Act, 2005 imposes on us all, duties of both a general and specific nature, aimed at ensuring and improving Health and Safety at work. The school wishes, through the preparation and issue of its procedures, to convey the importance it places on measures, which promote health and safety in the place of work.

The school recognises that to safeguard the health and safety of employees (including fixed-term and temporary employees), students, contractors, visitors and the general public who may be affected by our activities, it is the duty of all concerned to do everything reasonably practicable to create and maintain safe working conditions.

### Board of Management

The non-executive board of management have an overview responsibility to ensure that the school's **safety management system** is being implemented. They will ensure that the school's management implements health and safety policies and procedures, keeping the system under regular review and liaising with all school personnel to ensure that they have the information, resources and the training aids to communicate the school's safety and health policies and procedures.

### Consultation

The school recognises the rights for consultation within the place of work and actively encourages the selection of a Safety Representative. The effectiveness of our safety management system will only be achieved through co-operation between management and employees and this is best achieved through a forum of active participation and communication.

A safety committee has been established to facilitate co-operation between the board of management and school employees in instigating, developing and carrying out measures designed to ensure the matters arising from health and safety are addressed and to further assist in the development of standards, rules, policies, or procedures.

### Employees Duties

It is the duty of every employee to "take reasonable care to protect his or her own safety, health and welfare and the safety, health and welfare of any other person who may be affected by the employee's acts or omissions at work" (Section 13 of S.I 10 of 2005).

In brief the act requires all Employees: -

- to co-operate with their Employer in implementing the safety policy and procedures.
- to make correct use of suitable appliance and wear protective clothing as issued.
- to report accidents, incidents and defects.
- not to be under the influence of an intoxicant.
- not to engage in improper conduct or behaviour likely to endanger.
- to participate in training and where appropriate undergo assessment.

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## Section 2

# Outline of the School Safety Policy

The school has developed rules and procedures which cover safety and health practices and failure by any employee to observe these rules and procedures will result in the company's formal disciplinary / grievance procedure being invoked.

It is also important to note that the Health and Safety Authority can individually prosecute employees for breaches of the Safety, Health and Welfare at Work Act, 2005.

### Review

The safety management system will be reviewed as necessary due to changes in the workplace, equipment or other related matters. In addition, the safety management system will be formally reviewed on an **annual basis** and following this annual review the employees will be updated on its content.

Finally, I request that everyone take a fresh look at health and safety matters and go forward with a new interest and enthusiasm, to reduce accidents where possible and maintain a safe place of work.

**Signed:**

**Maeve Corish**

**Position: Principal**

**Date: March 2018**

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## Section 3

# School Policy Statements

### 3.1 School Policy Statements

- 3.1.1 The aim of the school policies is to provide safe and efficient management of the school. Copies of the policies and procedures can be reviewed at:

<http://www.dpetns.ie/Index.aspx>

- 3.1.2 The on-line version is the only approved version of a policy. Hard copies must be validated against the revision level of the on-line version.

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## Section 4

# Management and Training Implementation

### 4.1 Management of Health, Safety and Environmental

4.1.1 The school recognises the need to be active in health, safety and welfare and will:

- provide health, safety and welfare induction training for all new employees relevant to the job performed;
- provide suitable and sufficient training to enable all employees (see *Section 9 - Organigram and Reporting Structure*) assist in the implementation of the safety management system;
- provide periodic health, safety and welfare refresher training for all employees;
- provide resources both personnel and financial to assist in the on-going operation of the safety management system.
- create a positive health and safety culture which generates a commitment to health and safety by all employees;
- provide user friendly health, safety and welfare documentation for all employees to have access to it;
- provide access, for reference and training purposes, to full health, safety and welfare documentation;
- provide a regular review of the risk assessments of the place of work areas, the school equipment policies, procedures and activities;
- audit the school's health and safety policies, procedures and records, at intervals not greater than **one year**. This audit frequency may be increased for areas of specific concern;
- take all practicable measures to rectify any health, safety and welfare problems identified during the review of risk assessments or during an audit;
- establish and maintain conditions, practices and procedures which enable work to be performed safely and without risk to health;
- investigate all reported accidents or near misses and review working practices to prevent repeat occurrences where practicable; (**Section 16 - Reporting of Accidents and Incidents**)
- ensure that all employees at all levels understand their responsibilities and discharge them with care;

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## Section 4

# Management and Training Implementation

- require all who carry out work on behalf of, or under instruction from the school, to assist it in the attainment of these objectives.

- 4.1.2 The safety statement shall be made available to all employees. It will be reviewed and modified as necessary and will be implemented in appropriate cases by further procedures relating to the activities of the school.
- 4.1.3 As per the statutory requirement of *SHAWA, 2005 - Section 20 – Safety Statement, subsection 3, paragraph (a)*, the school shall bring the details of the updated safety statement to the attention of the employees at least **annually**.
- 4.1.4 This will be done in the form of a formal training presentation or briefings with the appropriate and updated documentation issued.

## 4.2 Safety Management System

- 4.2.1 The following documentation and plans forms part of the process by which the school's safety, health and welfare at work programme is to be achieved, through: -
- Safety Statement
  - Risk Assessments
  - Training and Instruction Documentation and Presentations
  - Operations and Maintenance Manuals
  - Statutory Codes of Practice
  - Planned Maintenance Programme
  - Various Safe Operating Procedures
- 4.2.2 The requirements laid down in each of these areas are mandatory and interdependent. Failure to comply with any of them could result in death or serious personal injury.
- 4.2.3 It is important, therefore that every member of management and the workforce make themselves totally familiar with, and comply with, all aspects of each component of our safety management system.

## 4.3 Procedures for dealing with Health and Safety issues

- 4.3.1 Where an employee raises a matter related to health, safety and welfare within the school,

### 4.3.1.1 The Employee must adopt the following procedures:

- inform a member of the **Senior Management Team** (see *Section 9 – Organigram and Reporting Structure*) and if they are not available report to the **Safety Coordinator** immediately;
- complete an Incident / Accident / Near Miss Report Form;

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## Section 4

# Management and Training Implementation

- in the case of adverse health or medical condition advise the **Principal or the Deputy Principal** and seek medical advice.

### 4.3.1.2 For its part, the school will:

- take all necessary steps to investigate the circumstances
- take corrective action where appropriate
- advise the Employee of the measures taken

## 4.4 Training for Health & Safety

- 4.4.1 The school provides and is committed to the continual provision of appropriate health and safety training for all Employees, which will be sufficient to meet the school's obligations under and above the requirements of *SHAWA, 2005 - Section 10 – Instruction, training and supervision of employees* and other relevant legislation.

## 4.5 Induction and Refresher Training / Supervision

- 4.5.1 All staff employed by the school will be required to fully understand the hazards of the processes carried out in the place of work and the necessary safety precautions and emergency procedures that have been put in place. In adhering to *SHAWA, 2005 - Section 10, subsection (3)*, training will be provided: -
- a) on recruitment,
  - b) in the event of the transfer of an employee or change of task assigned to an employee,
  - c) on the introduction of new work equipment, systems of work or changes in existing work equipment or systems of work,
  - d) on the introduction of new technology,
  - e) where client requirements must be met specific to their operations and sites,
- 4.5.2 Internal induction and refresher training will be undertaken by a member of the **Senior Management Team** whom the employees will be working under (see *Section 9 – Organigram and Reporting Structure*).
- 4.5.3 Where competence is required.
- 4.5.4 New employees shall be adequately supervised at all appropriate times.

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## Section 4

# Management and Training Implementation

### 4.6 Identification of Training Needs

4.6.1 The **Senior Management Team** will identify the health and safety training needs. The following are also used to assist in the identification of training needs: -

- legislative requirements that are applicable to the school's operations
- review of accident, incident and near miss data
- operational or development skills

### 4.7 Job Training and Instruction

4.7.1 On – the - job training and instruction is given and, as necessary refresher training is given to employees, to ensure that they have the necessary skills and knowledge to do their job properly.

### 4.8 Specialist Safety Training

4.8.1 Training is given, as appropriate, manual handling, new equipment, mechanical equipment, etc. The training provided shall meet the requirements of the appropriate legislation or standards and shall be given by competent instructors.

### 4.9 Training Records

4.9.1 Records of all the training provided are maintained and updated by the **Administration Secretariat** (see Section 9 – Organigram and Reporting Structure).

### 4.10 Employee Co-Operation

4.10.1 All employees are required to participate and co-operate with the school in the implementation of its training programme.

4.10.2 Employees MUST undertake the training provided by the school and correctly use the articles and substances provided for the task. This obligation has now been reinforced within the *SHAWA, 2005 - Section 13 – Duties of employees – (1)(f) & (g)*.

### 4.11 Visitor and Contractor Control

4.11.1 Employees must ensure that any visitors or contractors within the place of work must co-operate with and carry out their work in accordance to the safety requirements of the school. They also have a role to play in keeping our place of work safe.

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## Section 5

# Documentation, Procedures and Risk Assessments

### 5.1 Carrying out Risk Assessments

- 5.1.1 The school recognises and acknowledges that it must comply with the *Safety, Health and Welfare at Work Act, 2005 - Section 19 – Hazard identification and risk assessment* and shall implement systematic assessment on all work activities.
- 5.1.2 The **Safety Coordinator** (see *Section 9 – Organigram and Reporting Structure*) is responsible for carrying out risk assessments in the place of work, with support from the **Senior Management Team** and other sources of expertise as appropriate.
- 5.1.3 The school shall also analyse reports or incidents and take remedial action to ensure that similar occurrences are avoided in the future.
- 5.1.4 To enable the school discharge its duties it is essential that all employees comply with *Section 13 of the Safety, Health and Welfare at Work Act, 2005* and demonstrate their concern for their own safety and that of other employees by informing one of the following management personnel, **Safety Coordinator** (see *Section 9 – Organigram and Reporting Structure*) of hazards as they become apparent and all incidents including 'near misses' in addition to those involving injuries to staff, public and any damage to equipment.
- 5.1.5 The **Safety Coordinator** (see *Section 9 – Organigram and Reporting Structure*) will be expected to check for hazards in the place of work and take appropriate remedial action wherever possible. If the problem cannot be resolved immediately then they must ensure that the danger is isolated and obtain further advice.
- 5.1.6 Copies of the risk assessments pertinent to the place(s) of work are contained within this **Safety Statement Manual – Part 2 – Risk Assessments**. All employees are required to make themselves familiar with the control requirements of the risk assessments.

### 5.2 Location of Information, Documentation and Procedures

#### 5.2.1 Equipment

Procedures, manuals, inspections sheets, etc on mechanical and electrical equipment are located within the **Principal's Office**.

#### 5.2.2 Safety Statement

The controlled of the school's safety statement is located within the **Principal's Office**. Where employees require a copy of the safety statement then a copy of the controlled updated version will be issued.

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## Section 5

# Documentation, Procedures and Risk Assessments

### 5.3 Risk Assessments

- 5.3.1 It is the policy of the school to ensure that all tasks are within the competence and capability of the employees. The risk assessments are designed with that purpose in mind. It is clear that some processes necessarily give rise to risks, which can only be controlled by adherence to proper procedures. The training provided to our employees, identify areas where care and skill must be exercised.
- 5.3.2 Risk assessments will be compiled for all normal working operations, maintenance work, use of equipment, etc., and these systems are put in place to reduce the risk of health and safety to employees, contractors, visitors and clients.
- 5.3.3 Where new equipment is to be purchased or altered or changes in the working processes, these changes will be documented in **Part 2 – Risk Assessments**

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## Section 6

# Employer Responsibilities

### 6.1 Legislative Requirements

Under the requirements of the *Safety, Health and Welfare at Work Act, 2005 – Part 2 – Section 8: General Duties of Employer.*

*Section 8.*

- 1) Every employer shall ensure, so far as is reasonably practicable, the safety, health and welfare at work of all his or her employees.
- 2) Without prejudice to the generality of *subsection (1)*, the employer's duty extends, in particular, to the following:
  - a. managing and conducting work activities in such a way as to ensure, so far as is reasonably practicable, the safety, health and welfare at work of his or her employees;
  - b. managing and conducting work activities in such a way as to ensure, so far as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health or welfare at work of his or her employees at risk;
  - c. as regards any place of work concerned, ensuring, so far as is reasonably practicable -
    - i. the design, provision and maintenance of it in a condition that is safe and without risk to health,
    - ii. the design, provision and maintenance of safe means of access to and egress from it, and
    - iii. the design, provision and maintenance of plant and machinery or any other articles that are safe and without risk to health;
  - d. ensuring, so far as it is reasonably practicable, the safety and the prevention of risk to health at work of his or her employees relating to the use of any article or substances or the exposure to noise, vibration or ionising or other radiations or any other physical agent;
  - e. providing systems of work that are planned, organised, performed, maintained and revised as appropriate so as to be, so far as is reasonably practicable, safe and without risk to health;
  - f. providing and maintaining facilities and arrangements for the welfare of his or her employees at work;
  - g. providing the information, instruction, training and supervision necessary to ensure, so far as reasonably practicable, the safety and health at work of his or her employees;

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## Section 6

# Employer Responsibilities

- h. determining and implementing the safety, health and welfare measures necessary for the protection of the safety, health and welfare of his or her employees when identifying hazards and carrying out a risk assessment under *section 19 (Hazard identification and risk assessment)* or when preparing a safety statement under *section 20 (Safety statement)* and ensuring that the measures take account of changing circumstances and the general principles of prevention specified in *Schedule 3*;
  - i. having regard to the *general principle of prevention in Schedule 3*, where risks cannot be eliminated or adequately controlled or in such circumstances as may be prescribed, providing and maintaining such suitable protective clothing and equipment as is necessary to ensure, so far as is reasonably practicable, the safety, health and welfare at work of his or her employees;
  - j. preparing and revising, as appropriate, adequate plans and procedures to be followed and measures to be taken in the case of an emergency or serious and imminent danger;
  - k. reporting accidents and dangerous occurrences, as may be prescribed, to the Authority or to a person prescribed under *section 33*, as appropriate, and
  - l. obtaining, where necessary, the services of a competent person (whether under a contract of employment or otherwise) for the purpose of ensuring, so far as is reasonably practicable, the safety and health at work of his or her employees.
- 3) Any duty imposed on an employer under the relevant statutory provisions in respect of any of his or her employees shall also apply in respect of the use by him or her of the *services of a fixed-term employee or a temporary employee*.
  - 4) For the duration of the assignment of any *fixed-term employee or temporary employee* working in his or her undertaking, it shall be the duty of every employer to ensure that working conditions are such as will protect the safety, health and welfare at work of such an employee.
  - 5) Every employer shall ensure that any measures taken by him or her relating to safety, health and welfare at work do not involve financial cost to his or her employees.

## 6.2 School Aims

- 6.2.1 As part of our programme towards ensuring that we comply with all the required legislation and where possible that we go that step further than the general requirements laid down, the school aims to achieve the following:
  - to uphold and make real the commitment given in our safety policy statement;
  - to develop and promote safety, health and welfare awareness amongst the workforce;

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## Section 6

# Employer Responsibilities

- to ensure that all employees are aware of, adhere to and carry out established safety procedures;
- provide instruction for all employees to enable them carry out their specific work function safely;
- develop and update as required the risk assessments;
- provide suitable and safe equipment for the required jobs and ensure that all equipment are maintained in good and safe working order;
- identify hazards in and around the place of work and take action to eliminate or reduce the risk(s);
- to establish good housekeeping and hygiene standards;
- to prevent accidents / incidents and to ensure that all accidents / incidents are reported and investigated and to encourage the reporting of “near miss” incidents;
- by putting in place a structured safety audit and monitoring system;
- to ensure that all personnel are familiar with the place of work rules and the emergency action procedures to be taken in relation to fire or other emergencies;
- to ensure that records of training are maintained and updated.

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## Section 7

# Employee Responsibilities

### 7.1 Legislative Requirements

#### 7.1.1 Under the requirements of the *Safety, Health and Welfare at Work Act, 2005 - Section 13: Duties of Employee.*

**13.—(1)** An employee shall, while at work—

(a) comply with the relevant statutory provisions, as appropriate, and take reasonable care to protect his or her safety, health and welfare and the safety, health and welfare of any other person who may be affected by the employee's acts or omissions at work,

(b) ensure that he or she is not under the influence of an intoxicant to the extent that he or she is in such a state as to endanger his or her own safety, health or welfare at work or that of any other person,

(c) if reasonably required by his or her employer, submit to any appropriate, reasonable and proportionate tests for intoxicants by, or under the supervision of, a registered medical practitioner who is a competent person, as may be prescribed,

(d) co-operate with his or her employer or any other person so far as is necessary to enable his or her employer or the other person to comply with the relevant statutory provisions, as appropriate,

(e) not engage in improper conduct or other behaviour that is likely to endanger his or her own safety, health and welfare at work or that of any other person,

(f) attend such training and, as appropriate, undergo such assessment as may reasonably be required by his or her employer or as may be prescribed relating to safety, health and welfare at work or relating to the work carried out by the employee,

(g) having regard to his or her training and the instructions given by his or her employer, make correct use of any article or substance provided for use by the employee at work or for the protection of his or her safety, health and welfare at work, including protective clothing or equipment,

(h) report to his or her employer or to any other appropriate person, as soon as practicable—

(i) any work being carried on, or likely to be carried on, in a manner which may endanger the safety, health or welfare at work of the employee or that of any other person,

(ii) any defect in the place of work, the systems of work, any article or substance which might endanger the safety, health or welfare at work of the employee or that of any other person, or

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## Section 7

# Employee Responsibilities

(iii) any contravention of the relevant statutory provisions which may endanger the safety, health and welfare at work of the employee or that of any other person, of which he or she is aware.

(2) An employee shall not, on entering into a contract of employment, misrepresent himself or herself to an employer with regard to the level of training as may be prescribed under subsection (1)(f).

### 7.2 School Requirements from Employees

- 7.2.1 The law clearly defines the requirements and responsibilities to which the employees are required to co-operate with the school to enable it to carry out its own duties and responsibilities and not to interfere with abuse or misuse safety equipment, clothing or devices.
- 7.2.2 Additional requirements that are expected of all employees are contained within **Section 10 – Personal and Management Responsibilities**, detailing their safety responsibilities as part of their job description

### 7.3 Disciplinary Procedures

- 7.3.1 Both the employer and the employees have a responsibility to ensure that their working environment is a safe one. Failure by any employee to abide by the legal and school duties may result in disciplinary action being taken. The disciplinary procedure is outlined in **Section 18 - Disciplinary Procedure**.

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## Section 8

# Basic Safety and Prevention Rules

### 8.1 Principle of Prevention

8.1.1 The school recognises that the key to reducing incident or accidents in the workplace is to educate employees on prevention and adapting the workplace. This philosophy is also recognised in current safety legislation namely *Safety, Health and Welfare at Work Act, 2005 – Schedule 3 – General Principles of Prevention*. The outline of the principles is as follows: -

1. The avoidance of risks.
2. The evaluation of unavoidable risks.
3. The combating of risks at source.
4. The adaptation of work to the individual, especially as regards the design of places of work, the choice of work equipment and the choice of system of work, with a view, in particular, to alleviating monotonous work and work at a predetermined work rate and to reducing the effect of this work on health.
5. The adaptation of the place of work to technical progress.
6. The replacement of dangerous articles, substances or systems of work by safe or less dangerous articles, substances or systems of work.
7. The giving of priority to collective protective measures over individual protective measures.
8. The development of an adequate prevention policy in relation to safety, health and welfare at work, which takes account of technology, organisation of work, working conditions, social factors and the influence of factors relating to the working environment.
9. The giving of appropriate training and instructions to employees.

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## Section 9

# Organigram and Reporting Structure

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## Section 10

# Personal and Management Responsibilities

### 10.1 Attached individual safety responsibilities as part of their Job Description

- Board of Management
- Principal
- Employees
- Safety Coordinator
- Safety Representative
- Visitors / Contractors and Members of the General Public

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## Section 11

# Consultation in the Place of Work

### 11.1 Representation

- 11.1.1 The school recognises the need to consult with their employees so as to make and maintain arrangements so that all parties co-operate to promote and develop safety, health and welfare and to monitor the effectiveness of those measures.

The school maintain an “open door” on all matters relating to safety, health and welfare. All employees have the right to make representation to the school on matters affecting safety, health and welfare in their place of work. to appoint a Safety Representative as detailed in *Part 4 - Section 25 of the Safety, Health and Welfare at Work Act, 2005*.

- 11.1.2 The channels that are available to make their comments through are:

**Principal, Deputy Principal and Safety Coordinator**

- 11.1.3 In order to ensure that the safety message is being communicated from **Senior Management** down to all Employees and also the problems experienced by Employees are brought to the attention of **Senior Management**; the school will provide and undertake induction training, safety briefings with Employees and through this forum through the forms of meetings, etc.
- 11.1.4 It is recommended that not more than **3 months** (or sooner) should pass without a safety meeting.
- 11.1.5 The summary minutes and actions arising from the safety meeting shall be posted in a location that is accessible and visible to all workers e.g. staff notice board.

### 11.2 Safety Representative

- 11.2.1 The Company recognises the rights of Employees to appoint a Safety Representative as detailed in *Part 4 - Section 25 of the Safety, Health and Welfare at Work Act, 2005*.
- 11.2.2 **Where nominated the Safety Representative** shall consult with, and make representations to the **Safety Coordinator**.

The intention of these consultations is to prevent accidents and ill health, to highlight problems and identify solutions.

- 11.2.3 However within his / her role as Safety Representative he / she should actively encourage Employees to report and highlight unsafe conditions or unsafe practices.
- 11.2.4 Where Employees highlight unsafe conditions or unsafe practices to the Safety Representative; this should be brought to the attention of the **Safety Coordinator**.
- 11.2.5 The **Safety Coordinator** shall consider these representations and act on them as appropriate. If it is not practicable to put suggestions made into effect, the **Safety Coordinator** should

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## Section 11

# Consultation in the Place of Work

explain the reasons for this.

- 11.2.6 The Safety Representative should as a matter of courtesy refer back to the Employee verbally on the actions taken.
- 11.2.7 The **Safety Coordinator** shall ensure that there is a system in place for recording representations made by the Safety Representative and other Employees.
- 11.2.8 The Safety Representative shall be part of the Safety Committee and regularly partake in the meetings.
- 11.2.9 The Safety Representative must not use these meetings to make representations on matters other than Safety, Health or Welfare in the place of work.

### 11.3 Safety Committee

- 11.3.1 The school has established a safety committee to oversee and review the implementation of safety measures, procedures and audits.
- 11.3.2 The committee is made up of the following personnel:-

- **Safety Coordinator**
- **Member of the Board of Management**
- **Safety Representative**
- **Caretaker Personnel**
- **Employee Representative**
- **Parent Representative**

- 11.3.3 The safety committee will:-

- facilitates co-operation between the board of management and school personnel in instigating, developing, and carrying out measures designed to ensure health and safety at work.
- assists in developing any standards, rules, policies, or procedures relating to health and safety that are to be followed or complied with at the school.
- makes recommendations to the board of management about work health and safety.
- establish a system to obtain and review safety-related suggestions, reports of hazards or other information that would help in creating a safe work environment.
- establish procedures for investigating all safety-related incidents including injury accidents, illnesses and deaths for the purpose of recommending corrective action necessary to prevent similar events from recurring.

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## Section 12

# Welfare Facilities

### 12.1 Legislative Requirements

12.1.1 The school will ensure that: -

- adequate welfare facilities are provided for all employees
- adequate toilet facilities are provided and maintained in a good clean hygienic condition
- adequate washing facilities (including hot water where necessary) and washing and drying materials / equipment are provided and maintained
- arrangements for eating foodstuffs are provided

### 12.2 Facilities

12.2.1 Welfare facilities provided to the employees include canteen facilities, drinking water, toilets and washing facilities. These facilities are maintained in a suitable and hygienic manner.

12.2.2 The school maintains the highest standards of cleanliness and all employees are required to co-operate in achieving these aims.

### 12.3 Eye Sight Tests

12.3.1 All employees who work with visual display equipment can avail of a sight-screening test and this cost shall be borne by the school. Employees will be referred to an optician where appropriate.

### 12.4 Occupational Safety, Health and Welfare Programmes

12.4.1 As part of our commitment towards providing a safer working environment, we acknowledge that the health and welfare of our employees are vital to us, in helping us maintain and develop our school.

The Department of Education and Skills has put in place an employee assistance and wellbeing programme for teachers and special needs assistants provided by **EAP Consultants/Carecall**. The service is accessible through the **Freephone Helpline at 1800 411 057** and is available 24 hours a day, 365 days a year.

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## Section 13

# Personal Protective Equipment

### 13.1 Legislative Requirements

*S.I. No. 299 - Safety, Health and Welfare at Work (General Application) Regulations, 2007: Part 2 – Chapter 3: Personal Protective Equipment*

### 13.2 Requirements of the School

The school will: -

- assess the role of each individual employee to determine the level of risk
- issue to each employee personal protective equipment or devices to the level of risk identified, ensuring that the chosen equipment suits the wearer in size, fit and weight
- record the risk assessment and the personal protective equipment or devices subsequently issued to each employee
- instruct each employee in the recognition of hazards, the selection and training on the correct use of personal protective equipment or devices
- check the personal protective equipment or devices issued to each employee for damage or loss at regular intervals (this may be carried out by employees themselves in most cases)
- replace any personal protective equipment or devices lost or damaged
- issue personal protective equipment or devices free of charge to the user
- choose good quality safety products made to a recognized standard

Every employee must also recognise that they equally have to act in a responsible manner in order to help prevent injury to themselves and others.

### 13.3 What do Employees need to know and must do about Personal Protective Equipment

- Every employee must also recognize that they equally have to act in a responsible manner in order to help prevent injury to themselves and others.
- Employees must use PPE properly whenever it is required or instructed to be used.
- Employees must immediately report any defects in or damage to the PPE.
- Employees must participate in any training or instruction provided on PPE.
- Employee must inform their employer of any medical conditions they have that might be affected by the use of the PPE provided to them

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## Section 13

# Personal Protective Equipment

### 13.4 Requirements of the Employee

All employees will: -

- use all personal protective equipment or devices issued to them when it is appropriate to do so. The outcome of the risk assessments will deem the personal protective equipment or devices that must be used by employees i.e. gloves, sack trolley, podium ladders, etc.;
- care for all personal protective equipment or devices issued to them as recommended by the manufacturers;
- report any loss or damage to personal protective equipment or devices to the **Safety Coordinator** who will ensure the issue of replacements;
- identify to the **Safety Coordinator** any unusual risk which may require the use of personal protective equipment or devices not readily available to them.

It is the responsibility of all employees to use personal protective equipment (P.P.E.) and devices where issued. It is also the policy of the school to engineer out all hazards where possible and only use P.P.E. when further risk reduction is not feasible.

### 13.5 Control Measures

All safety equipment purchased by the school will be to approve standards. New PPE is also subject to a separate EU Directive (89/686/EEC) on design, certification and testing of PPE. PPE complying with this directive will be marked by the manufacturer with a "CE" mark.

All employees are requested to inform or stop any fellow employee(s) or contractor(s) if they feel that they are not observing or carrying out procedures which require the use of protective clothing or equipment as per statutory and/or school policy requirements. And those persons will be instructed not to continue working until protective clothing or equipment is obtained and used.

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## Section 14

# Fire Management and Prevention

### 14.1 Legislation and the Responsibility on You

The school is responsible for ensuring that:

- emergency instructions are given to employees, visitors and contractors
- emergency evacuation drills are carried out

*requirement under S.I. No. 10 - Safety, Health and Welfare at Work Act, 2005 – Section 11.*

The place of work **MUST** be regularly audited to confirm that personnel are complying and have knowledge of the procedures and action that is required to be carried out in the likely event of an emergency.

**Prevention**  
***saves the lives of the workforce***  
***saves premises which ultimately save jobs***

A review of all emergency management and prevention measures shall be carried out at least **annually** by the **Safety Committee**.

### 14.2 Requirements of the School

The school will ensure that:

- all means of escape can be safely and effectively used at all times
- all employees are trained in the procedures to follow in the event of a fire
- some employees are designated and trained as fire fighters
- all necessary fire fighting equipment are maintained in good working order
- adequate records are maintained for training, testing, maintenance and servicing of fire related equipment and procedures
- all visitors are aware of all fire precautions in force and evacuation procedure relating to the place of work

The **Principal** will be responsible for ensuring that the requirements in 14.2 are brought to the attention of Employees.

### 14.3 Requirements of the Employee

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## Section 14

# Fire Management and Prevention

All employees will: -

- participate in all training session in relation to emergency evacuation drills
- keep all exit areas and walkways free from obstruction
- in the event of an emergency (training or live situation) follow all instructions given
- report immediately to management if they discover defective fire fighting equipment

Further details on what is required from the employee by the school are detailed in **14.6 - Fire Routine Procedures**.

### 14.4 Smoking Policy and Procedure

The school recognise that some employees maybe unable to stop smoking and where possible the school will indicate areas / locations within the place of work that are designated for employees to smoke. Deviation from the Smoking Policy and Procedure will make the employee liable for disciplinary action to be taken against him/her.

### 14.5 Fire Routine Procedures

#### 14.5.1 Fire Evacuation Training

All persons who work within the school must inform themselves fully of the procedure to adopt in the event of fire.

For its part, the school will provide training based on the following requirements, note that this list is not exhaustive: -

- a. Action to be taken on discovering a fire
- b. Action to be taken on hearing a warning of fire
- c. The manner of raising the alarm in the event of fire
- d. The correct method of calling the fire brigade
- e. The designated escape routes to be taken whilst evacuating the place of work
- f. The evacuation procedure from the place of work and the location of the assembly points
- g. The location and practical use of firefighting equipment

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## Section 14

# Fire Management and Prevention

### NOTE

**IT IS VERY IMPORTANT THAT ALL EMPLOYEES, VISITORS AND OUTSIDE CONTRACTORS WITHIN THE SCHOOL AND SURROUNDING AREAS ARE AWARE OF THE SOUND OF YOUR FIRE WARNING SYSTEM, E.G. BELLS, SIRENS, HOOTER, HORNS OR KLAXONS.**

## 14.6 Means of Escape

### 14.6.1 Knowledge and Use of Escapes

All persons employed to work within and around the school must inform themselves fully of the procedure to adopt in the event of fire.

All escape routes and emergency doors shall be clearly identified with signage and floor markings.



Where physically handicapped personnel are employed / visiting, escape routes must be suitable to enable wheelchairs, walking aid, etc. to alight from the building safely. An employee should be nominated to act as a “buddy” to that person in the event of an emergency.

The means of escape shall be divided into sections, each section using a different route in order to avoid congestion.

All doors designated as the means of escape from the place of work **MUST BE UNLOCKED, EASY AND IMMEDIATELY** available to all personnel leaving the place of work.

## 14.7 Fire Extinguishers

Hand held fire extinguishers are mounted throughout the school, their locations are signposted and they must also undergo an **annual inspection** by an approved contractor.



Extinguishers purchased should be manufactured in accordance with the requirements of the EU's Pressure Equipment Directive. Under the Directive all portable fire extinguishing products manufactured after May 2002 must carry a CE mark certifying their compliance with stringent safety criteria.

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## Section 14

# Fire Management and Prevention

### 14.8 Suspect Packages and Bomb Threat Procedures and Response

#### 14.8.1 Person who discovers a suspect package

On discovering an unusual or suspect package all employees have being instructed **NOT TO HANDLE OR INTERFERE WITH IT**, but to clear the area and raise the alarm.

#### 14.8.2 Person who receives a bomb threat

This situation should be treated as an emergency evacuation and all employees must be made aware of the actions and evacuation procedure that must be taken to ensure that all personnel are evacuated safely from the school.

It is vital that the person, who receives the phone call, gathers as much information from the call as is possible and immediately initiates evacuation of the school.

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## Section 15

# First Aid at Work

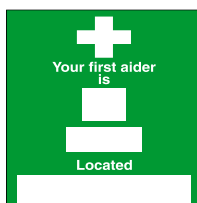
### 15.1 Legislative Requirements

Provisions for First Aid facilities in the workplace will be complied with under *Chapter 2 of Part 7: First-Aid of S.I 299 of 2007 Safety, Health and Welfare at Work (General Application) Regulations and S.I. No. 10 - Safety, Health and Welfare at Work Act, 2005 – Section 11.*

### 15.2 Requirements of the School

The school will:

- *provide and maintain suitably marked and easily accessible first-aid equipment, as is adequate and appropriate in the circumstances for enabling first-aid to be given to persons at every place where working conditions require it, at a place of work under the employer's control, (Reg 165 (1))*
- appoint a qualified occupational first aider(s) based on the findings of the risk assessment
- appoint a person within the school to provide cover in the absence of an occupational first aider
- provide suitable training for the appointed occupational first aider(s). The training must be recognised by the Health and Safety Authority as that necessary for any employee wishing to become a qualified occupational first aider or appointed person
- provide suitable first aid equipment within the school, in most areas a first aid box will suffice
- inform all new employees of the arrangements for first aid and the location of first aid boxes and the identity of all occupational first aid personnel
- ensure that a notice with the details of arrangements for first aid are posted throughout the school



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## Section 15

# First Aid at Work

### 15.3 Recommended Numbers of Occupational First-Aiders

Type of Workplace	Maximum number of employees present at any one time	Number of Occupational First-Aiders
<b>Other Workplaces</b>	Up to 99	1 if Safety Statement and Risk Assessment shows it necessary
	100 to 399	1
	400 to 699	2
	More than 700	1 extra for every 300 employees or part thereof.

### 15.4 Duties of the Occupational First Aider

All nominated occupational first aider personnel must attend an approved training course with refresher courses to be held **every three years**. A copy of their certificate shall be held by the **Principal**.

The appointed occupational first aider shall:

- take charge of any situation relating to an ill or injured person who does not require treatment by a medical practitioner or nurse. But where treatment is required from a medical practitioner or nurse the occupational first aider shall try and minimise any consequences of injury or illness until the medical practitioner or nurse arrives.
- ensure there are sufficient first aid kits or boxes available within the school.
- ensure the contents of all first aid boxes or kits are regularly inspected and replenished as soon as possible after use.
- train the appointed person to deal with the above areas in his / her absence.
- ensure that the **Principal** is advised of all developments.

It should be noted that occupational first aider is not allowed to dispense analgesics, tablets or medications. Under no circumstances is a supply of tablets or any other forms of medication be kept in the first aid boxes.

Individual employees who believe that they have a need of these items must be responsible for their own supplies.

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## Section 15

# First Aid at Work

### 15.5 Requirements of the Employee

Every employee must also recognise that they equally have a duty to act in a responsible manner in order to minimise injury to themselves and others. In the event of illness or accident at work all Employees shall:

- follow all instructions given to them by the occupational first aider or appointed person
- report the illness or accident to one of the following - **Principal or Deputy Principal** (see Section 9 – Organigram and Safety Structure) as soon as possible.
- enter all details in the **Incident Report Form** at the earliest opportunity.

### 15.6 Occupational Health

Any employee who is under medical supervision or on prescribed medication and who has been certified fit for work, should notify the **Principal** of any known side effects or temporary physical disabilities which could hinder their work performance and which may be a danger to either themselves or their fellow workers.

### 15.7 Sight Test – VDU Users

Any employee who uses a computer for a significant part of the day (usually for an hour or more at a time) and is classed as a VDU “user” will be offered an eye and eyesight test to be paid for by the school.

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## Section 15

# First Aid at Work

### 15.8 Checklist for First Aid Box Contents

Below is a table of the HSA's suggested contents for first aid boxes.

Recommended Contents of First-Aid Boxes and Kits				
Materials	First-Aid Travel Kit Contents	First-Aid Box Contents		
		1-10 persons	11 -25 persons	26-50 persons* 1
Adhesive Plasters	20	20	20	40
Sterile Eye Pads (No. 16) (bandage attached)	2	2	2	4
Individually Wrapped Triangular Bandages	2	2	6	6
Safety Pins	6	6	6	6
Individually Wrapped Sterile Unmedicated Wound Dressings Medium (No. 8) (10 x 8cms)	1	2	2	4
Individually Wrapped Sterile Unmedicated Wound Dressings Large (No. 9) (13 x 9cms)	1	2	6	8
Individually Wrapped Sterile Unmedicated Wound Dressings Extra Large (No. 3) (28 x 17.5 cms)	1	2	3	4
Individually Wrapped Disinfectant Wipes	10	10	20	40
Paramedic Shears	1	1	1	1
Pairs of Examination Gloves	3	5	10	10
Sterile water where there is no clear running water ** 2	2x20 mls	1x500 mls	2x500 mls	2x500 mls
Pocket Face Mask	1	1	1	1
Water Based Burns Dressing Small (10 x 10 cms) *** 3	1	1	1	1
Water Based Burns Dressing Large *** 3	1	1	1	1
Crepe Bandage (7cm)	1	1	2	3
* <b>Note 1:</b> Where more than 50 persons are employed, pro rata provision should be made.				
** <b>Note 2:</b> Where mains tap water is not readily available for eye irrigation, sterile water or sterile normal saline (0.9%) in sealed disposable containers should be provided. Each container should hold at least 20ml and should be discarded once the seal is broken. Eye bath/eye cups/refillable containers should not be used for eye irrigation due to the risk of cross infection. The container should be CE marked.				
*** <b>Note 3:</b> Where mains tap water is not readily available for cooling burnt area.				

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## Section 16

# Reporting of Accidents and Incidents

### 16.1 Legislative Requirements

Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (S.I. No. 370 of 2016).

### 16.2 Notification of Accidents and Dangerous Occurrences - Regulation 225

- Only fatal and non-fatal injuries (i.e. manual handling, fall from height, violence, etc) are reportable. Diseases, occupational illnesses or any impairments of mental condition are not reportable.
- Fatal accidents must be reported immediately to the authority (HSA) or Gardaí. Subsequently, the formal report should be submitted to the authority (HSA) within five working days of the death.
- Non-fatal accidents or dangerous occurrences should be reported to the authority (HSA) within ten working days of the event.

There are three situations in which an accident should be reported:

- a) arising in the course of employment resulting in personal injury to the person carrying out the work activity. This could be an injury to an employee who is actually doing the work. For example: an employee dislocates a shoulder while manually moving a heavy load or an employee dealing with the public is assaulted.
  - b) arising in the course of employment which results in personal injury to an employee who was not doing the work that is the subject of the accident. For example: a shelving system collapses and injures an employee who is passing by the scene at the time of the collapse.
  - c) arising from a work activity which results in personal injury to a person outside of the course of employment. This could be an injury to a non-employee or member of the public. For example: a load falls from a truck that is being used for work purposes, and causes an injury to a member of the public who is not at work.
- The injury of any employee as a result of an accident while at work where the injury results in the employee being unable to carry out their normal work duties for more than three consecutive days, excluding the day of the accident, must be reported.
  - Where an employee dies as a result of an accident at work within one year of that accident, even if you had already reported the accident.

**Note:** - Weekends and other normal days off are included when calculating the period of absence. For example, an Employee who normally has Saturday and Sunday off is injured on Wednesday and returns to work the following Monday, the incident is reportable.

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## Section 16

# Reporting of Accidents and Incidents

The **Principal** must be informed and then written notice must be given to the Health and Safety Authority.

Reporting of notifiable accidents and dangerous occurrences should be done on the online reporting system on the Authority's website ([www.hsa.ie](http://www.hsa.ie)).

**Health & Safety Authority,  
The Metropolitan Building  
James Joyce Street  
Dublin 1  
Tel : 1890 - 289389**

Or via the Internet at [www.hsa.ie](http://www.hsa.ie)

If the accident is fatal, then the scene of the accident must be left undisturbed, appropriate access should be restricted and items should not be removed other than for rescue purposes: -

- until it has been inspected by an H.S.A Inspector
- or where the employers feel in consultation with the Gardai that steps are necessary to make the scene safe
- until the expiration for three clear days after notification has been given to the Health & Safety Authority

All records of accidents or dangerous occurrences reported to the Health and Safety Authority must be kept on site for a period of **ten (10) years** from the date of the accident or dangerous occurrence.

The records can be kept in the same format as the report made – that is, a copy of the report submitted to the Authority will suffice to meet the obligation.

Copies of all records and correspondence forwarded to the Health and Safety Authority will be controlled and held by the **Principal**.

### 16.3 In House Reporting of Incidents, Accidents, Near Misses and Dangerous Occurrences

All accidents and injuries, however small must be reported to one of the following – **Safety Coordinator** (see *Section 9 – Organigram and Safety Structure*) or whoever is in charge in his/her absence, by appropriate means verbally and followed up via email.

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## Section 16

# Reporting of Accidents and Incidents

### 16.4 Safety Initiative - Incident Reporting

In the first instance an incident must be reported by the person or persons involved, using the fastest practical means and then they **MUST** complete an **Incident Report Form**

The **Safety Coordinator** will arrange for the collation of all information ensuring that all relevant details pertaining to the incident has been gathered.

The **Safety Coordinator** will log the incident and ensure that all details of the incident, their subsequent investigation findings, corrective action taken and any disciplinary action have been completed.

Failure by employees to report a safety Incident is a serious offence, which will be dealt with under the school's disciplinary procedure.

Persons directly involved in the incident **MUST** submit a detailed **Incident Report Form** within **24 hours**. If more than 1 person is involved then each person **MUST** submit his or her own **Incident Report Form**. The importance of this information being complete, promptly submitted and supported by diagrams, sketches of the area, photographs and witness's statements (if appropriate) cannot be overstated.

The **Safety Committee** will review the associated documents and reports and make efforts to identify the root cause(s) of the incident, review existing procedures to identify any failings and subsequent corrective actions necessary to prevent recurrence. Rewrite and re-issue those procedures as necessary.

Commence implementation of the corrective actions. If these include re-training do not overlook other employees if procedures have been changed.

Management will use the lessons learnt from each incident to alert other employees via briefings, etc.

### 16.5 Incident Definitions

#### 16.5.1 Road Vehicle Accident shall be taken to be:

- Any incident or occurrence which results in damage, from whatever cause, being inflicted upon any third-party motor vehicle, property, fixed object, plant or machinery as a consequence of it being struck by any motor vehicle or equipment, owned or being operated by the school employees or by any contractor and/or their employees or any other person engaged in any activity on behalf of the school.
- For the purpose of this procedure, in addition to obvious damage, the definition of damage is to be understood to include all minor knocks and scrapes; e.g. paint work scratches; glass; mirrors; and lights, etc. The category includes all instances of damage that occur in the school.

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## Section 16

# Reporting of Accidents and Incidents

### 16.5.2 Spillage shall be taken to be:

- The uncontrolled and/or unintentional escape or release of any volume of a product or commodity, for whatever reason, during the following operations: -

<b>Loading</b>	<b>Discharge</b>	<b>Storage</b>
<b>Transport</b>	<b>Unloading</b>	<b>Repairs</b>
<b>Transferring</b>	<b>Cleaning</b>	

- when they are being carried out by any employee of the school, or by any contractor or their employees,
- This is to be understood to include any spillage incurred whilst transferring products from one container to another or any similar or associated operation.

### 16.5.3 Personal Injury shall be taken to be:

- any incident or occurrence which results in the injury of any person or persons, whether they be an employee, contractor or his employees(s), visitors or other third-party personnel, during the conduct of their duties on behalf of, or as a consequence of, the school's activities. The injury sustained must result in the provision of some form of medical treatment.
- that any working time lost as a consequence of the injury shall not exceed that within the current shift or duty period, which is lost for the purpose of receiving medical treatment.
- that the term medical treatment shall be taken to include "on site" First Aid, given without recourse to a doctor or other qualified person, as well as such professional treatment given or received.

### 16.5.4 Time Losing Injury shall be taken to be:

- Any incident or occurrence which results in any person or persons, whether they be an employee, contractor or his employees(s), visitors or other third-party personnel sustained during the conduct of their duties on behalf of, or as a consequence of, the school's activities, any injury which results in their inability to resume their duties at the commencement of their next scheduled working period.
- It is to be expected that such injury will require, or result, in the provision of medical treatment by a doctor, hospital or similar facility.
- Absence or inability to work as a consequence of such injury should be supported by medical evidence stating that to be the case.

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## Section 17

# Health and Safety Audits, Inspection and Reports

### 17.1 Inspection and Safety Audits

Regular systematic inspections and audits of the place of work are essential to achieve and maintain a high standard of safety and health.

The **Safety Committee** shall include in the health and safety programmes a schedule of systematic formal inspections and audits which are required to be undertaken by members of the management team.

This programme will include: -

- Annual review of the safety statement
- Initial and on-going review of own insurance, safety reports and procedures
- Daily inspections of the place of work during the course of normal duties, to ensure that housekeeping is maintained to an acceptable standard.
- Overview of audit / inspection results, incidents reports

### 17.2 Statutory Inspection and Examinations

Where best business practice and safety inspections are required, such as fire equipment, etc., it will be the responsibility of the **Safety Committee** to ensure such inspections are carried out at the prescribed frequency.

Written schemes of examination should be in place for all systems coming under the insurers requirements, i.e. boiler house.

### 17.3 Reviews of Safety Related Documentation

- ***Safety Procedures / Instructions***

Review on an **ONGOING BASIS** or where the **PROCESS / METHOD HAS BEEN CHANGED** all documentation to be reviewed annually.

- ***Safety Statement***

Review **ANNUALLY** and when necessary when personnel or **PROCESS / METHOD HAS BEEN CHANGED** in the place of work, to work equipment or other related matters.

- ***Incident, Accidents and Near Misses***

To be reviewed when the **WRITTEN INCIDENT REPORT** has been received to determine the required corrective action.

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## Section 17

# Health and Safety Audits, Inspection and Reports

### 17.4 Organisation Of Working Time

The school recognises their obligations imposed by the *Organisation of Working Time Act 1997* in relation to rest periods and maximum weekly working times. Records, which will show whether the provisions of this act are being complied with in relation to employees, shall be retained for at least 3 years from the date of their making.

Compliance with the Organisation of Working Time Act is the responsibility of all those involved in a management role.

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## Section 18

# Disciplinary Rules and Procedures

### 18.1 Introduction

Both the employer and employees have an interest and responsibility in ensuring that persons who persistently breach the school's safety policies and procedures, safe working procedures and fail the standards of work and conduct required of them under their contract of employment are dealt with fairly.

### 18.2 Investigation Procedure

This requirement is formally addressed for teachers and principals by the Department of Education and Skills and are set out in circulars:

- **Circular 0071/2014 ETB Procedures**
  - *Procedures for Suspension and Dismissal of Teachers*
  - *Procedures for Principals relating to their work, conduct and matters of professional competence in their role as principals*
- **Circular 0060/2009 Primary/Post-Primary Procedures**
  - *Revised Procedures for Suspension and Dismissal of Teachers Section 24(3) of the Education Act (1998)*
  - *Revised Procedures for Suspension and Dismissal of Principals Section 24(3) of the Education Act (1998)*

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## Section 19

# Bullying and Harassment at Work

### 19.1 Introduction

The school recognises and accepts its responsibilities as an employer to provide a safe and healthy working environment for its employees and its students. As part of our policy of maintaining good employer practice, the school wishes to clearly state that **bullying or harassment of any kind will NOT be tolerated** and our commitment to this is borne out within this procedure and through our **Anti - Bullying at Work Policy Statement**.

"unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time"

(taken from the Anti-Bullying Procedures for Primary and Post-Primary Schools)

### 19.2 Investigation Procedure

This requirement is formally addressed for teachers and principals by the Department of Education and Skills and are set out in circulars:

- Responsibility for tackling bullying in schools falls to the level of the individual school.
- Anti-Bullying Procedures for Primary and Post-Primary Schools and the associated Department of Education and Skills Circular 0045/2013 apply to all recognised primary and post-primary schools and to centres for education (as defined in the Education Act 1998).

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## Section 20

# Refusal to Work on Safety Grounds

### 20.1 Procedure Statement

The school acknowledges an individual employee right to refuse work if they have reason to believe that it may endanger them or another employee.

### 20.2 Refusal to Work

- 20.2.1 An individual employee initiates a work refusal and a work refusal begins when an employee reports the circumstances of the refusal to the **Principal or Deputy Principal** (see Section 9 - Organigram and Safety Structure)
- 20.2.2 The **Principal or Deputy Principal** (see Section 9 - Organigram and Safety Structure) must investigate immediately in the presence of the employee and a safety representative (where appointed).
- 20.2.3 The first priority is to verify that a work refusal is in progress and to find out why the employee has refused.
- 20.2.4 **Principal or Deputy Principal** to investigate the issue highlighted and follow the process as layed out in **20.4 Instruction to Management on Employee Refusal to Work**
- 20.2.5 If the **Principal or Deputy Principal** agrees that an unsafe condition exists, they shall take the necessary steps to resolves the problem(s) and notifies the employee that it is safe to return to work.
- 20.2.6 If the **Principal or Deputy Principal** does not agree that an unsafe condition exists, or continues to exist, and the employee continues to refuse, the **Principal** will ask the chairman of the board of management to review.
- 20.2.7 Whilst the investigation is in progress, the **Principal or Deputy Principal** may assign the refused work to another person. No employee may be assigned the refused work without first being informed that a refusal is in progress, and of the reasons for the refusal. The **Principal or Deputy Principal** must give this advice in the presence of the safety representative (where appointed).
- 20.2.8 Meanwhile, the employee who refused to work may be asked by the **Principal or Deputy Principal** to remain in a safe place nearby or may be assigned to reasonable alternative work.

### 20.3 Bilateral Work Stoppage

This work stoppage could shut down work being performed that is considered dangerous.

Dangerous circumstances exist where three conditions are met:

- There is failure to comply with the Health, Safety and Welfare at Work Act;

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## Section 20

# Refusal to Work on Safety Grounds

- It poses a hazard to a worker;
- Any delay in controlling the danger or hazard may seriously endanger a worker.

The work stoppage provisions do not apply to a workplace where the hazard is inherent in the work or is a normal condition of employment or where the work stoppage would directly endanger another person. The risk assessment should highlight the hazards and put in place the required control measures.

### 20.4 Instruction to Management on Employee Refusal to Work on Safety Grounds

*SHOULD AN EMPLOYEE UNDER YOUR JURISDICTION REFUSE TO WORK UNDER CONDITIONS THEY BELIEVE TO BE UNSAFE, FOLLOW THIS PROCEDURE:*

1. Discuss with the complainant employee the reasons for the refusal to work.
2. Record those reasons given.
3. Arrange for the presence of a **fellow employee** to accompany you and the complainant employee in an investigation of the complaint.
4. Conduct the investigation.
5. Discuss with the complainant employee and a **fellow employee**, your findings and decision about the situation upon which the complaint is based.
6. Should you agree with the complainant employee, re-assign them to other suitable work and immediately take the necessary steps to have the situation corrected or isolated until corrective measures are available.
7. Notify the board of management and prepare a written report of the complaint.

*SHOULD THE COMPLAINANT EMPLOYEE CONTINUE TO MAINTAIN THAT THE UNSAFE SITUATION REMAINS AFTER YOUR DECLARATION THAT IT IS SAFE, FOLLOW THIS PROCEDURE:*

1. Keep in mind that the complainant's employee original "reason to believe" basis for the complaint must now become "reasonable grounds" (good or strong evidence).
2. Immediately notify the **Principal** of the refusal to work and request their presence for an investigation.
3. The **Deputy Principal** to carry out a new investigation and the **Principal** must be available to response to questions posed.

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## Section 20

# Refusal to Work on Safety Grounds

4. Prior to **Principal's** arrival, you may request the complainant employee to remain at a safe place near their work area e.g. office, canteen during their normal working hours, unless they are re-assigned to suitable alternate work during such hours.
5. You may assign a second employee to the task considered by the complainant employee to be unsafe provided you first advise the second worker of the complainant's refusal to work and the reasons given for the refusal. A further risk assessment must be carried out to highlight the hazards and put in place the required control measures.
6. The complainant is entitled to regular pay during the work refusal investigation.

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## Section 21

# Stress at Work

### 21.1 Legislative Requirements

The school where reasonably practicable adheres to all aspects of the *Safety, Health and Welfare at Work Act 2005*, which obliges employers to identify and safeguard against all risks to health and safety, including stress.

### 21.2 Causes of Stress

Workplace stress arises when the demands of the job and the working environment on a person exceed their capacity to meet them. Causes of stress in the workplace can include:

- Excessive workload
- Poor work organisation
- Challenging working relationships
- Poor communication at work
- Badly organised shift work
- Ill defined work roles
- Lack or no support to staff
- Dull repetitive work
- Highly demanding tasks and unreasonable deadlines
- Dealing directly with the public
- The threat of violence

(Note list is not exhaustive)

### 21.3 Stress Risk Assessment

Safeguarding health and safety from the effects of stress is based on the same approach as that of any other hazard:

- Identification of potential problems;
- Assessment of risks;
- Implementation of safeguards; and
- Monitoring the effectiveness of safeguards.

### 21.4 Measure to Reduce Stress

The school will utilise the following methods of managing stress where appropriate:

- Ensure that employees are instructed to raise any issues of stress with the **Senior Management Team** as soon as possible.
- Ensure that personnel appointed in a management role are aware of the potential causes of stress and the early warning signs.
- Ensure that all complaints that may be related to stress are listened to and appropriate

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## Section 21

# Stress at Work

measures taken.

- Employees experiencing difficulties are encouraged to bring issues that are troubling them to the **Senior Management Team**.
- The Department of Education and Skills provides an employee assistance and wellbeing programme for employees which is accessible through **EAP Consultants / Carecall** on freephone helpline number **1800 411 057**

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## Section 22

# Pregnant Employees

### 22.1 Introduction

The school recognises and accepts its responsibilities as an employer to provide a safe and healthy working environment for its employees. It also recognises that during pregnancy and immediately afterwards, the pregnant employee and the developing child may be particularly at risk from certain working conditions.

### 22.2 Definitions

**a pregnant employee** - is a woman who has given her employer a medical certificate (or similar) stating she is pregnant ;

**an employee who has recently given birth** - this means an employee during the 14 weeks immediately after giving birth ( even if this was a miscarriage or stillbirth ) ;

**employee who is breast feeding** - this means an employee who is breast feeding during the 26 weeks after giving birth ;

Any reference to a pregnant woman in the following procedure will include women during pregnancy, immediately after pregnancy and while breast-feeding.

### 22.3 When the Regulation Applies

The above regulations will apply to the employee when they provide the school with the appropriate medical certificate. The employee's medical practitioner should give to or confirmation on the issues of this certificate by contacting the **Principal**.

The medical certificate must show that the employee is: -

- Pregnant;  
or
- just had a baby (within the past 14 weeks)  
or
- breast - feeding (within the first 26 weeks after birth).

As the earliest stages of pregnancy are the most critical ones for the developing child it is in the employee's interest that she let the school know that she is pregnant as soon as possible.

### 22.4 The Employers Requirements

Risk assessments have already been carried out by the school, but the school recognizes that they must assess the *specific* risks to the pregnant employee and take action to ensure that she is not exposed to anything which will damage either her health or that of the developing child.

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## Section 22

# Pregnant Employees

Pregnant employees risk assessment will be carried out to determine: -

- a. what the pregnant woman is exposed to;
- b. how often the exposure occurs and for how long.

### 22.5 Outcome of the individual Risk Assessment

Where the assessment reveals there is a risk, the employer must inform the woman about the risk and what will be done to ensure neither she nor the developing child is not harmed.

If risks do exist the school will implement practical ways to reduce or avoid the risks by:

- Adjusting the working conditions and / or hours of work.

#### ***If this doesn't remove the risk(s) identified***

- by providing suitable alternative work; or
- a medical certificate been issued by her medical practitioner stating that this will damage her health she must also be found alternative work.

#### ***If that isn't possible***

- The school will give the employee safety and health leave under Section 18 of the Maternity Protection Act, 1994.

### 22.6 School Procedures

This requirement is formally addressed for teachers and principals by the Department of Education and Skills and are set out in circulars:

- *Maternity Leave for Registered Teachers in Recognised Primary and Post Primary Schools - Edition 2, 27th June, 2017*
- *Terms & Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools - Edition 2, 27th June, 2017*

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