Esland North Limited

ED0073 - Risk Management & Assessment Policy

Introduction & Statement

Esland is the proprietor of independent special schools educating children and young people with special educational needs and disabilities (SEND), including social, emotional and mental health (SEMH) needs. Many of our pupils are looked after, have experienced trauma, and present behaviours that carry risk to themselves and to others. Effective risk assessment is therefore not a paper exercise: it is a core safeguarding activity and a condition of our registration.
Esland is committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of pupils, staff, volunteers, visitors and contractors at all of its schools, whether on or off the school site.
To give effect to this commitment, Esland will:

- meet its objectives and strategies in line with all legal and regulatory requirements;
- assign clear accountabilities and responsibilities for risk assessment and risk management at every level of the organisation;
- allocate the resources – people, time, training and finance – necessary to manage risk properly;
- ensure that all risks capable of causing injury or harm to pupils, staff, visitors and contractors are identified and that all reasonably practicable control measures are in place;
- ensure that risk assessments are carried out, recorded and reviewed on a regular basis by competent persons;
- take a proactive approach that anticipates risk rather than reacting to it, and that reduces the likelihood of harm arising from lack of foresight or planning;
- balance the management of risk against the entitlement of pupils to a broad, ambitious and enriching education, including educational visits, work experience, sport, practical subjects and outdoor learning; and
- use risk assessment as a means of enabling participation, not of restricting it – the purpose is safe access to opportunity, not the removal of opportunity.

Regulatory basis. Paragraph 16 of Part 3 of the Schedule to The Education (Independent School Standards) Regulations 2014 is met only where the proprietor ensures that the welfare of pupils is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy, and that appropriate action is taken to reduce risks that are identified. Both limbs matter: a compliant document that is not implemented does not meet the standard.

Scope & Application

This policy applies to:

- all Esland independent special schools registered with the Department for Education (DfE) in England;
- all employees, agency and supply staff, volunteers, apprentices, trainees and students on placement;
- all pupils on roll, and any child accessing Esland education provision;
- contractors, consultants and visitors on Esland school premises; and

- all activities carried out in the name of the school, including educational visits, off-site alternative provision, transport, work experience, residential activity and remote or home-based education delivery.

Where an Esland school is co-located with, or educates pupils resident in, an Esland children's home, risk assessment must be integrated across education and care. Education risk assessments and care placement risk assessments must be consistent with one another and cross-referenced, so that a single, coherent picture of risk to the child is maintained across the 24-hour day. Where they conflict, the more protective control applies until the conflict is resolved by the Headteacher and Registered Manager jointly.
This policy does not replace the Health and Safety Policy; it sets out how risk is identified, assessed, controlled and monitored in support of it.

Legislation, Regulation & Statutory Guidance

This policy is based on the following legislation and guidance. Where guidance is non-statutory for independent schools, this is stated.
Primary health and safety duties

- Health and Safety at Work etc. Act 1974 – sections 2 and 3 place duties on the employer to ensure, so far as is reasonably practicable, the health, safety and welfare of employees and of persons not in its employment (including pupils and visitors) who may be affected by its undertaking. As proprietor, Esland is the employer for these purposes.
- Management of Health and Safety at Work Regulations 1999 – regulation 3 requires a suitable and sufficient assessment of risks; regulation 5 requires arrangements for planning, organisation, control, monitoring and review; regulation 10 requires information to be given to employees; regulation 13 requires capabilities and training to be taken into account; regulation 16 requires specific assessment for new and expectant mothers; and regulation 19 requires specific assessment for young persons under 18, including our own apprentices and pupils undertaking work experience.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) – requires the recording and reporting of specified injuries, occupational diseases and dangerous occurrences to the Health and Safety Executive (HSE), including certain incidents involving pupils where the injury arises out of or in connection with work activity.
- Occupiers' Liability Acts 1957 and 1984 – duty of care to lawful visitors and, in defined circumstances, to trespassers.
- Common law duty of care – staff in charge of pupils are required to act as a careful and prudent parent would, taking account of the age, needs and vulnerability of the pupils concerned.

Independent school regulation

- The Education (Independent School Standards) Regulations 2014 – in particular Part 3 of the Schedule: paragraph 11 (compliance with health and safety law and having regard to DfE health and safety guidance), paragraph 12 (fire precautions and risk assessment under the Regulatory Reform (Fire Safety) Order 2005), paragraph 13 (first aid), paragraph 14 (proper supervision of pupils), and paragraph 16 (written risk assessment policy and action to reduce identified risks). Part 5 (premises and accommodation) and Part 6 (provision of information to parents) are also engaged.
- The Independent School Standards: guidance for independent schools (DfE, non-statutory) – states that well-run schools apply risk assessment across the whole range of activities affecting pupils, systematically and not merely to the most obvious hazards. Inspectors take this guidance into account when reporting on whether the standards are met.
- Education and Skills Act 2008, Part 4 – the framework under which the standards are inspected and enforced.
- Children's Wellbeing and Schools Act 2026 – strengthens the regulation of independent educational institutions, including a revised definition of an independent educational institution, an expanded fit and proper person test, extended material change categories (notably premises and SEND provision) and a new power to suspend registration. Commencement is staged; Esland will review this policy and the assurance arrangements at section 12 as provisions are commenced.

Hazard-specific regulations

Regulation	Risk assessment requirement
Control of Asbestos Regulations 2012 (reg. 4)	Duty to manage asbestos in non-domestic premises; asbestos management survey, register, written management plan and assessment of risk from asbestos-containing materials.
Control of Substances Hazardous to Health Regulations 2002 (reg. 6)	Assessment of risk to health from hazardous substances, including cleaning chemicals, science and design technology materials, and legionella bacteria in water systems.
Health and Safety at Work etc. Act 1974 / HSE ACOP L8 and HSG274	Legionella risk assessment for hot and cold water systems, including flushing regimes and low-occupancy periods such as school holidays.
Health and Safety (Display Screen Equipment) Regulations 1992 (reg. 2)	Assessment of workstations used by employees who are habitual display screen equipment users.
Regulatory Reform (Fire Safety) Order 2005, as amended by the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022 (art. 9)	Fire risk assessment by a competent person, recorded in full, kept under review, and covering structure, external walls and flat entrance doors where applicable.
Manual Handling Operations Regulations 1992 (reg. 4)	Assessment of manual handling operations that cannot reasonably be avoided, including moving and handling of pupils where relevant.
Work at Height Regulations 2005	Assessment and planning of any work at height, including access to roofs, high-level storage and displays.
Provision and Use of Work Equipment Regulations 1998 and Lifting Operations and Lifting Equipment Regulations 1998	Assessment of work equipment suitability, maintenance and inspection, including workshop and design technology equipment and any lifting or hoisting equipment used for pupils with physical disabilities.
Electricity at Work Regulations 1989	Assessment and maintenance of fixed and portable electrical systems.
Control of Noise at Work Regulations 2005 and Control of Vibration at Work Regulations 2005	Assessment where staff are exposed to noise or vibration, for example in workshops or grounds maintenance.
Personal Protective Equipment at Work Regulations 1992 (as amended 2022)	Assessment of the need for and suitability of PPE, extended to limb (b) workers.
Equality Act 2010	Reasonable adjustments for disabled pupils, staff and visitors must be built into risk assessments and into the accessibility plan; risk assessment must never be used as a route to exclude a disabled pupil from an activity that could be made accessible.

Safeguarding, welfare and behaviour

- Keeping Children Safe in Education (DfE statutory guidance, 2026 edition in force from 1 September 2026) – safeguarding is a risk-assessed activity. Risk assessment is required in relation to, among other matters, child-on-child abuse, children missing from education, online safety and the filtering and monitoring standards, contextual and extra-familial harm, and safer recruitment and site security.
- Restrictive interventions, including use of reasonable force, in schools (DfE, in force 1 April 2026) – replaces the 2013 "Use of reasonable force in schools" guidance and applies to independent schools. It distinguishes reasonable force, restraint, seclusion and non-physical restrictive practices; imposes a statutory duty under section 93A of the Education and Inspections Act 2006 to record every significant incident involving the use of force and to report it to parents or carers no later than the same day; extends recording and reporting to seclusion; and requires

proprietors and governance to analyse restrictive intervention data to inform policy and training. Given the profile of Esland's pupils, this is the single most operationally significant change reflected in this version of the policy – see section 9.

- Working Together to Safeguard Children (DfE statutory guidance) – multi-agency arrangements for children at risk of significant harm.
- Counter-Terrorism and Security Act 2015, section 26 (the Prevent duty) – the proprietor of an independent school is a specified authority under Schedule 6 and must have due regard to the need to prevent people being drawn into terrorism, informed by an assessment of local and setting-specific risk, in line with the revised Prevent duty guidance.
- Terrorism (Protection of Premises) Act 2025 ("Martyn's Law") – received Royal Assent on 3 April 2025 with statutory section 27 guidance published in 2026 and enforcement, overseen by the Security Industry Authority, expected from April 2027. Early years, primary, secondary and further education settings fall within the standard duty tier regardless of capacity. Standard duty does not require physical alteration of premises; it requires public protection procedures covering evacuation, invacuation, lockdown and communication, and that these are recorded, shared with staff and practised. Esland will be compliant in advance of the enforcement date – see Appendix 1.
- Children's Wellbeing and Schools Act 2026 ("Benedict's Law" provisions) and the DfE "Allergy safety in schools" statutory guidance (in force September 2026) – requires an allergy policy, an allergy register and spare adrenaline auto-injectors. These duties bite on maintained schools and academies first; their application to independent schools depends on amendment of the Independent School Standards, which had not been made at the date of this review. Esland will implement allergy risk assessment as good practice from September 2026 regardless, and will treat it as mandatory from the date any amending regulations are commenced.
- Supporting pupils at school with medical conditions (DfE) – the section 100 Children and Families Act 2014 duty does not extend to independent schools, but Esland adopts the guidance as good practice and requires individual healthcare plans to be risk assessed.
- Health and safety: responsibilities and duties for schools (DfE) – confirms that accountability rests with the proprietor in an independent school, that a named individual must be appointed to ensure health and safety duties are met, and that risk assessments are living documents to be reviewed as circumstances change.
- Health and safety on educational visits (DfE) and OEAP National Guidance – the framework for off-site activity, including the role of the Educational Visits Co-ordinator (EVC).

Definitions

Term	Definition
Hazard	Something with the potential to cause harm – for example a chemical, working at height, a vehicle, an unsecured window, or a known behavioural trigger.
Risk	The chance, high or low, that somebody could be harmed by a hazard, together with an indication of how serious the harm could be.
Risk assessment	A structured examination of the hazards linked to an activity, situation or individual, establishing whether sufficient precautions have been taken to prevent harm, based on likelihood and severity.
Suitable and sufficient	The legal test for a risk assessment: proportionate to the risk, identifying the significant risks, considering who might be harmed, remaining valid for a reasonable period, and reflecting what is actually done rather than what is written down elsewhere.
Control measure	An action taken to prevent or reduce harm, selected in accordance with the hierarchy of control at section 6.
Residual risk	The level of risk remaining once existing control measures have been applied.
Reasonably practicable	A judgement weighing the level of risk against the time, trouble, cost and physical difficulty of the measures needed to avert it. Where the risk is high, the presumption is that the measure must be taken.

Term	Definition
Dynamic risk assessment	The continuous professional judgement made by staff during an unfolding situation, where circumstances differ from those anticipated in the written assessment.
Competent person	A person with sufficient training, experience, knowledge and other qualities to carry out the task safely and to recognise the limits of their own competence.
Restrictive intervention	Any action that limits a pupil's freedom of movement, liberty or choice, including reasonable force, restraint, seclusion and non-physical restrictive practices, as defined in the DfE guidance in force from 1 April 2026.

Roles and Responsibilities

The proprietor – Esland North Limited
Esland North Limited is the proprietor and the employer, and holds ultimate legal accountability for health and safety and for compliance with the Independent School Standards. The proprietor:

- takes all reasonable steps to ensure that pupils, staff, visitors and contractors are not exposed to risks to their health and safety, whether on or off school premises;
- ensures that the risks arising from school activities are assessed and that the measures identified are introduced and resourced;
- appoints a named individual with overall responsibility for ensuring health and safety duties are met;
- informs employees about risks and the measures in place to manage them; and
- approves this policy and receives assurance on its implementation.

The Governance Committee
The proprietor delegates strategic oversight of health, safety and risk to the Governance Committee, which:

- scrutinises the school risk register, health and safety performance data, accident and near-miss trends, and restrictive intervention data;
- satisfies itself that this policy is understood and implemented, not merely adopted;
- receives an annual health, safety and risk report for each school; and
- escalates unresolved or organisation-wide risk to the proprietor.

Chief Operating Officer
The Chief Operating Officer holds executive accountability for health, safety and risk across the organisation, ensures resources are allocated, and approves this policy on behalf of the proprietor.
Head of Estates and Health and Safety Officer
Responsible for:

- maintaining the schedule of statutory risk assessments at Appendix 1 and confirming that each is in date;
- commissioning specialist assessments – fire, asbestos, legionella, electrical, equipment – from competent persons;
- quality-assuring school-level risk assessments and providing technical challenge;
- maintaining the asbestos register and management plan, and ensuring contractors sign it before work begins;
- reporting under RIDDOR; and
- providing termly assurance to the Governance Committee.

The Headteacher
The Headteacher, or in their absence the Deputy Headteacher, holds day-to-day responsibility for risk management within the school and is responsible for ensuring that all risk assessments are completed, communicated, implemented and reviewed. Specifically the Headteacher:

- ensures every pupil has a current individual risk assessment and positive behaviour support plan where required (section 9);

- ensures staff are trained and briefed, and that new, agency and supply staff receive risk information before contact with pupils;
- ensures significant incidents involving restrictive intervention or seclusion are recorded and reported to parents or carers on the same day, and that the resulting data is analysed;
- authorises educational visits in line with the schedule of delegation, on advice from the EVC; and
- escalates risks that cannot be controlled at school level.

Designated Safeguarding Lead
The Designated Safeguarding Lead ensures that safeguarding risk – including child-on-child abuse, contextual and extra-familial harm, online risk, children missing from education or care, and risk of radicalisation – is assessed, recorded and shared with those who need to know, and that safeguarding risk assessments and health and safety risk assessments are joined up rather than held separately.
School staff and volunteers
All staff and volunteers are responsible for:

- participating in and contributing to risk assessment – staff who deliver an activity usually understand its hazards best;
- reading, understanding and implementing the risk assessments relevant to their role, including individual pupil risk assessments, before working with a pupil;
- exercising dynamic risk assessment and stopping an activity where risk becomes unacceptable;
- reporting hazards, accidents, near misses and control measure failures promptly; and
- alerting the Headteacher to any risk that has not been assessed.

No member of staff is required to undertake an activity they reasonably believe to be unsafe, and no member of staff will be disadvantaged for raising a concern in good faith.
Pupils, parents and carers
Pupils are supported to understand risk at a level appropriate to their age, understanding and needs, and are expected to follow the school's advice on and off site and to report hazards to a member of staff. Parents, carers and, where relevant, the placing local authority and the child's social worker are expected to share information relevant to risk, and are given the information they need about controls that affect their child, including any planned use of restrictive intervention.
Contractors and visitors
Contractors must, before any work starts:

- provide risk assessments and method statements for the planned work;
- complete the Esland contractor induction, including safeguarding expectations and site rules;
- consult and sign the asbestos register;
- provide evidence of competence, insurance and, where the work involves regulated activity or unsupervised contact with pupils, appropriate DBS clearance; and
- agree arrangements for segregation from pupils, permits to work, and out-of-hours working where appropriate.

The school retains responsibility for assessing the risk that the contractor's presence and work create for pupils and staff. Visitors are subject to site induction and supervision proportionate to their reason for attending.

Risk Assessment Process

Staff are involved throughout, to ensure hazards are identified realistically and that control measures are workable in practice.
Step 1 – Identify the hazards
Consider the activities, processes, substances, environments and individual pupil needs within the school and establish what could cause injury or harm to pupils, staff, visitors or contractors. Draw on staff knowledge, accident and near-miss records, incident and behaviour data, specialist reports, manufacturer information and lessons from other Esland settings.
Step 2 – Decide who might be harmed and how
For each hazard, identify who might be harmed, listing groups rather than individuals – for example "pupils", "cleaning staff", "contractors". Take specific account of groups with particular vulnerability: pupils with SEND and SEMH needs,

pupils with sensory processing or communication differences, pupils with medical conditions or allergies, looked after children, new and expectant mothers, young persons under 18 including apprentices, lone workers, and disabled staff or visitors. Then establish how each group might be harmed.

Step 3 – Evaluate the risk and decide on control measures

Establish the level of risk using the matrix at Appendix 2, review the control measures already in place, and identify what more is reasonably practicable. Control measures must be selected in the following order of preference – the hierarchy of control:

- eliminate the hazard altogether;
- substitute it for something less hazardous;
- apply engineering controls – guarding, ventilation, restricted access, anti-ligature fittings, safety glazing;
- apply administrative controls – safe systems of work, supervision ratios, staff training, timetabling, sequencing;
- provide personal protective equipment, as a last resort and never as a substitute for the measures above.

Personal protective equipment and "staff will be vigilant" are the weakest forms of control. An assessment that relies principally on either has not usually discharged the reasonably practicable test.

Step 4 – Record the significant findings

The findings of steps 1 to 3 are recorded on the template at Appendix 3 (or Appendix 4 for individual pupils). The record must state clearly who is responsible for each additional control measure and by when. A risk assessment naming no owner and no date is not an action plan.

Step 5 – Communicate and implement

The assessment is shared with everyone it affects, in a form they can use. Staff sign to confirm they have read and understood assessments relevant to their role; this record forms part of the school's assurance evidence. Control measures are implemented before the activity proceeds.

Step 6 – Review and update

Risk assessments are reviewed at least annually, and immediately where any of the following apply:

- there has been a significant change to the activity, environment, equipment, staffing or pupil cohort;
- a pupil's presentation, needs or risk profile changes, or a new pupil is admitted;
- an accident, near miss, restrictive intervention or safeguarding incident indicates the assessment was inadequate;
- staff or pupils identify a problem, or a control measure proves unworkable;
- new legislation, guidance or specialist advice is issued; or
- there is reason to believe the assessment is no longer valid.

Review is a substantive re-examination, not a change of date on the front sheet.

Step 7 – Retain and dispose

See recording, retention and data protection section.

Risk Rating & Tolerance

Risk is scored as likelihood multiplied by severity using the 5 x 5 matrix at Appendix 2. The resulting rating determines the action required and the level at which the risk must be signed off.

Rating	Level	Required action
1–4	Low	Acceptable. Monitor and review at the scheduled interval. No further action required beyond maintaining existing controls.
5–10	Medium	Additional controls to be considered and implemented where reasonably practicable. Named owner and target date required. Signed off by the Headteacher.
12–16	High	Activity may not proceed until further controls reduce the risk. Signed off by the Headteacher and Head of Estates and Health and Safety. Entered on the school risk register.

Rating	Level	Required action
20–25	Very high	Activity must stop or must not commence. Immediate escalation to the Chief Operating Officer and reported to the Governance Committee. Only the Chief Operating Officer may authorise continuation, with documented rationale and enhanced controls.

The rating is applied twice: once to the inherent risk, before controls, and once to the residual risk, after controls. Recording only the post-control score conceals how much the controls are doing and makes it impossible to judge what happens if one fails.

Types of Risk Assessment

Type	Purpose and when required
Generic	Covers activities common across the school – corridors, dining, playground, ICT suite, general classroom use. Reviewed annually.
Activity or task specific	Practical subjects, science, design technology, food technology, PE and sport, horticulture, animal care, workshop use, off-site work experience.
Individual pupil	Required for every pupil where behaviour, health, mental health or vulnerability generates risk to self or others. See section 9.
Personal emergency evacuation plan (PEEP)	Required for any pupil, member of staff or regular visitor who cannot evacuate unaided.
Educational visits and off-site activity	Required for every visit, proportionate to the activity, with pupil-specific annexes and a plan for what happens if a pupil absconds or dysregulates off site.
Transport	Minibus and vehicle use, driver competence, escort arrangements, pupil seating and behaviour in transit, journeys to and from home or placement.
New and expectant mothers	Required on notification of pregnancy, reviewed at each trimester and on return from maternity leave (MHSWR 1999, reg. 16).
Young persons under 18	Required for apprentices, trainees, work experience placements and employed pupils, taking account of inexperience and immaturity (MHSWR 1999, reg. 19).
Lone and remote working	Required for staff working alone on site, out of hours, or conducting home visits and community-based education.
Display screen equipment	Required for habitual DSE users, including staff working from home.
Fire, asbestos, legionella and other specialist assessments	Commissioned from competent persons; see Appendix 1.
Dynamic	Applied in the moment by staff when circumstances differ from those anticipated. Where a dynamic decision departs materially from the written assessment, it must be recorded afterwards and the written assessment reviewed.

Individual Pupil Risk Assessment & Restrictive Physical Interventions

This section reflects the specialist context of Esland provision and the DfE guidance on restrictive interventions in force from 1 April 2026.

Individual pupil risk assessments

Every pupil whose presentation may generate risk to themselves or others must have a current individual risk assessment, produced before or on admission and reviewed at least termly, and immediately after any significant incident. It must:

- be informed by the EHC plan, placement information, care plan, social work assessment, health information and, wherever possible, the views of the child;
- identify known triggers and antecedents, early warning signs and the behaviours of concern;
- set out proactive and preventative strategies first, then de-escalation strategies, and only then any planned physical intervention;
- specify any agreed restrictive intervention, why it is necessary, proportionate and lawful, who is trained to use it, and the post-incident support for the pupil and staff;
- address risk of self-harm, absconding, exploitation, and risk to peers and staff, using specific and non-euphemistic language; and
- be shared with, and understood by, everyone who works with the pupil, including agency and supply staff.

Individual risk assessments contain special category personal data and must be handled in accordance with section 11.
Restrictive Physical Interventions (RPI)
Esland's position is that restrictive physical intervention is a last resort, used only where necessary to prevent harm, and that the aim of every plan is to reduce its use over time. In line with the DfE guidance in force from 1 April 2026 and section 93A of the Education and Inspections Act 2006:

- every significant incident involving the use of force must be recorded as soon as practicable after the incident;
- parents or carers must be informed no later than the same day, and the placing authority and social worker notified where the child is looked after;
- the use of seclusion must equally be recorded and reported;
- the school must distinguish clearly in its recording between reasonable force, restraint, seclusion and non-physical restrictive practices;
- restrictive intervention data must be analysed at school and organisational level and used to inform training, individual planning and this policy; and
- the Governance Committee must receive and scrutinise that analysis.

Restrictive physical intervention is treated as a safeguarding matter, not only a behaviour matter. Any use that falls outside the pupil's plan, or that causes injury or distress, is reported through the safeguarding route as well as the health and safety route. Detailed operational procedure is set out in the Positive Behaviour Support and Restrictive Interventions Policy; this policy governs the risk assessment that underpins it.
For further information, please see our Reasonable Force in Schools policy.

Communication, Training & Competence

- Risk assessments are accessible to all staff and are covered in induction before a new member of staff works unsupervised with pupils.
- Agency and supply staff receive a briefing on the individual risk assessments of the pupils they will work with, and on site emergency procedures, on the day they arrive.
- Staff who write risk assessments receive training in risk assessment appropriate to the complexity of what they are assessing; the school must be able to evidence the competence of the assessor.
- Specialist assessments are undertaken only by persons with demonstrable competence in that field.
- Training records are maintained centrally and reviewed as part of the QA visit programme.
- Emergency procedures – fire evacuation, invacuation, lockdown and communication – are practised and recorded, and are the practical expression of Esland's Martyn's Law readiness.

Recording, Retention & Data Protection

The blanket three-year retention period in the previous versions of this policy was not compliant across all record types and has been replaced with the schedule below.

Record	Retention	Basis
General risk assessments	3 years after the assessment ceases to apply	Limitation and audit
Risk assessments relating to a pupil	Until the pupil's 25th birthday	Limitation Act 1980 – time runs from the age of 18 for claims by children
Accident records involving a child	Until the child's 25th birthday	Limitation Act 1980
Accident records involving an adult	3 years from the date of the incident, or from the date of knowledge	Limitation Act 1980; RIDDOR requires 3 years minimum
Records of restrictive intervention and seclusion	Until the pupil's 25th birthday	Safeguarding record; DfE guidance in force April 2026; IICSA retention expectations
Health records under COSHH health surveillance	40 years from the date of the last entry	COSHH 2002, reg. 11
Asbestos records – register, management plan, surveys	40 years	Control of Asbestos Regulations 2012; latency of asbestos-related disease
Fire risk assessments	Current version plus previous version retained	Regulatory Reform (Fire Safety) Order 2005
Legionella risk assessment and monitoring records	5 years	HSE ACOP L8 / HSG274

Records are stored securely, are accessible only to those with a legitimate need, and are disposed of confidentially at the end of the retention period. Individual pupil risk assessments and restrictive intervention records contain special category data under UK GDPR; processing is on the basis of legal obligation, and of substantial public interest for safeguarding purposes under Schedule 1 of the Data Protection Act 2018, as amended by the Data (Use and Access) Act 2025. Sharing risk information with those who need it to keep a child safe is lawful and expected; data protection is not a reason to withhold it.

Monitoring, Review & Assurance

Activity	Responsibility	Frequency
Individual pupil risk assessment review	Headteacher / DSL	Termly and after any significant incident
School risk assessment audit – all in date and implemented	Headteacher with Head of Estates and H&S	Termly
Statutory assessment schedule check (Appendix 1)	Head of Estates and H&S	Termly
Accident, near-miss and restrictive intervention data analysis	Headteacher, reported to Governance Committee	Half-termly
Governance scrutiny of risk register and H&S performance	Governance Committee	Each meeting; full annual report
Policy review	Education Support Manager, approved by Governance Committee / COO	Annually or on significant change

Assurance is evidence-based. Testing implementation means sampling: asking a member of staff what the control measure for a named hazard is, checking whether the equipment described in the assessment is actually in place, and checking that the pupil's plan matches what staff describe doing. Documentation review alone does not discharge paragraph 16.

Escalation and the risk register

Any risk rated high or very high, any risk that cannot be controlled at school level, and any recurrent failure of a control measure is entered on the school risk register with a named owner, a target date and a review date. The register is reviewed by the Headteacher monthly and by the Governance Committee at each meeting. Organisation-wide or cross-school risks are escalated to the corporate risk register.

Links with other policies

- Health and Safety Policy
- Safeguarding and Child Protection Policy
- Behaviour Support Policy
- Reasonable Force in Schools Policy
- First Aid Policy
- Fire Safety Policy and Emergency Evacuation, Invacuation and Lockdown Procedures
- Supporting Pupils with Medical Conditions Policy
- Allergy Policy
- Asbestos Management Plan and Register
- Online Safety Policy and Filtering nd Monitoring Standards
- Lone Working Policy
- Accessibility Plan
- Data Protection Policy, Privacy Notice and Retention Schedule
- Whistleblowing Policy
- Complaints Policy

Policy Review

Date	Change made	Reason
24 Jul 2026	ED0073 and ED0074 consolidated under reference ED0073. ED0074 withdrawn.	The two documents overlapped substantially and described conflicting governance arrangements. Two policies covering a single standard is an audit risk in itself.
24 Jul 2026	Reference to compliance with "our funding agreement and articles of association" removed.	Academy template wording. Esland schools are independent schools and hold no funding agreement. Retention risked an inspection finding on regulatory understanding.
24 Jul 2026	Governance model resolved to a single structure: proprietor – Governance Committee – Chief Operating Officer – Headteacher.	ED0074 vested ultimate responsibility in the Governance Committee; ED0073 vested it in Esland and then, in the following paragraph, in a governing board. For an independent school the proprietor is accountable in law.
24 Jul 2026	COVID-19 specific requirement removed and replaced with generic transmissible disease and outbreak management.	The cited DfE COVID-19 requirement is no longer current; UK Health Security Agency guidance now governs.
24 Jul 2026	Blanket 3-year retention replaced with a differentiated retention schedule.	Three years was non-compliant for pupil records, accident records involving children,

Date	Change made	Reason
		restrictive intervention records, COSHH health records and asbestos records.
24 Jul 2026	New section on individual pupil risk assessment and restrictive interventions, with supporting template.	“Restrictive interventions, including use of reasonable force, in schools” (DfE, in force 1 April 2026) applies to independent schools and introduces a statutory duty under s.93A Education and Inspections Act 2006 to record every significant use of force and report it to parents the same day, extended to seclusion. Neither predecessor policy addressed individual pupil risk – a significant gap for SEMH provision.
24 Jul 2026	Martyn’s Law added.	Terrorism (Protection of Premises) Act 2025. Esland schools fall within the standard duty tier regardless of capacity. Public protection procedures must be in place ahead of enforcement expected April 2027, regulated by the Security Industry Authority.
24 Jul 2026	Allergy duties added, with a status caveat.	Benedict’s Law provisions of the Children’s Wellbeing and Schools Act 2026 and the DfE “Allergy safety in schools” guidance take effect September 2026; application to independent schools depends on amendment of the Independent School Standards. Adopted as good practice pending that amendment.
24 Jul 2026	Children’s Wellbeing and Schools Act 2026 added in respect of independent educational institutions.	Revised definition of an independent educational institution, expanded fit and proper person test, extended material change categories and a new power to suspend registration. Commencement is staged.
24 Jul 2026	Risk rating matrix and tolerance thresholds introduced, with sign-off levels.	Neither predecessor policy contained any means of rating risk, of determining when an activity must stop, or of establishing who may authorise it to continue.
24 Jul 2026	Hierarchy of control introduced.	Required for control measures to be defensible as “reasonably practicable”. Neither predecessor policy referenced it.
24 Jul 2026	New step added covering communication, staff sign-off and	Paragraph 16 of Part 3 of the Independent School Standards requires effective

Date	Change made	Reason
	implementation before an activity proceeds.	implementation, not only the drawing up of a policy.
24 Jul 2026	Table of risk assessment types added, including individual pupil, PEEP, dynamic, lone working, young persons and new and expectant mothers.	Clarifies which assessment applies in which circumstance; predecessor policies described only a single generic process.
24 Jul 2026	Statutory assessment schedule expanded.	Previous checklist omitted legionella, water safety, premises, security, PUWER, electrical, transport, lone working, young persons, PEEPs, individual pupil assessments and Martyn's Law procedures.
24 Jul 2026	MHSWR 1999 regs 5, 10, 13 and 19, RIDDOR 2013, PUWER, LOLER, Electricity at Work, Noise, Vibration, PPE and Occupiers' Liability added.	The predecessor list was incomplete for a school estate with workshops, grounds, vehicles and specialist equipment.
24 Jul 2026	Review frequency changed from bi-annual to annual.	DfE guidance expects health and safety policy to be reviewed at least annually. The pace of regulatory change in 2026 makes a two-year cycle untenable.
24 Jul 2026	Contractor requirements strengthened.	Added asbestos register sign-off, DBS and competence evidence, segregation from pupils and permits to work.
24 Jul 2026	Data protection basis for individual risk records stated.	Special category data under UK GDPR and DPA 2018 as amended by the Data (Use and Access) Act 2025. Clarifies that sharing risk information to keep a child safe is lawful.
24 Jul 2026	Escalation route and risk register requirements added.	Neither predecessor policy explained what happens to a risk that cannot be controlled at school level.
24 Jul 2026	Scope extended to cover integration with Esland children's home risk assessment where provision is co-located.	Ensures a single coherent picture of risk to the child across the 24-hour day.
24 Jul 2026	Typographical corrections, including "Def" to "DfE" and "Cheff Operating Officer" to "Chief Operating Officer".	Accuracy and professional presentation.