



## 1. INTRODUCTION

### 1.1 Aims:

- as far as is reasonably practicable, to ensure the health and safety of pupils, employees and others in relation to moving and handling;
- to remove or reduce the risk of manual handling injuries;
- to ensure access to buildings and curriculum, and participation in the life of the school for pupils with learning difficulties and disabilities;
- to ensure that systems of work and the working environment are as safe as possible, in conjunction with the educational establishments throughout the county.

### 1.2 This policy:

- applies to any activity that involves the use of bodily force in lifting, lowering, pushing, pulling, carrying, supporting or otherwise moving a person or object;
- takes full account of the Disability Discrimination Act 1995, the SEN and Disability Act 2001, The European Convention for the Protection of Human Rights and Fundamental Freedoms and the EU Charter of Fundamental Rights (Nice 2000);
- is designed to provide a balanced approach to the protection of the health, safety and welfare of both pupils and the staff who support them;
- complies with the requirements of The Manual Handling Operations Regulations, 1992 (revised 1998 edition); The Health and Safety at Work Act, 1974 and The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations, 1995.

## 2. RESPONSIBILITIES OF EMPLOYERS

### 2.1

Employers are responsible for the actions of their employees and must ensure good practice. In this instance, the employer is the Local Authority in partnership with the Governing Body. Should a member of staff injure themselves, the employers' supervision could be called into question. The overall management responsibility for pupils in schools with moving and handling needs, lies with the Head Teacher. The Governing Body should monitor policy and practice. All schools with one or more pupils with a physical difficulty requiring moving and handling must have a Policy on Moving and Handling of People linked to their general Health and Safety Policy.

**Policy: Moving and Handling of Children and Young People with Physical Disabilities Policy**

**Date: November 2017**



Hadrian School, Bertram Crescent, Newcastle upon Tyne, NE15 6PY, Telephone 0191 2734440  
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## 2.2 The Disability Discrimination Act, 1995 and SEN and Disability Act, 2001:

- make it unlawful for a school to discriminate against disabled pupils in the arrangements it makes for admission;
- make it unlawful to treat a disabled pupil less favourably than a non-disabled pupil;
- impose a duty on schools to (proactively) take reasonable steps to ensure disabled pupils and disabled prospective pupils are not placed at a disadvantage to those not disabled;
- place a duty on schools to have a plan, in writing, which sets out how they will increase disabled pupils' participation in the curriculum and improve the physical environment to allow this, where necessary.

## 2.3 The Health and Safety at Work Act, 1974, imposes a duty on every employer to ensure:

- the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees. This means that the employer must comply with this duty unless the cost (in terms of time, effort and money) of providing it is disproportionate in relation to the likely benefits;
- that every room where persons work shall have sufficient floor area, height and unoccupied space for the purposes of health safety and welfare;
- the maintenance of work systems (handling plans) that are safe and without health risks;
- that, so far as is reasonably practicable, the health and safety of people not in their employment is not adversely affected.

## 3. EMPLOYEES

### 3.1 The Health and Safety at Work Act, 1974 imposes a duty on the employee to ensure that they:

- take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions including reporting to the appropriate line manager any:
  - medical condition (temporary or permanent) that may develop (including pregnancy) which may affect their ability to carry out moving and handling tasks;
  - problems or unsafe practice that (within their level of competence) they consider to be a risk to health and safety including any equipment faults.
- co-operate with the employer to allow him to comply with his health and safety duties;
- use equipment appropriately in accordance with training and instructions provided.



### 3.2 The Manual Handling Operations Regulations, 1992 require the employee to:

- use the 'safe systems' of work (moving and handling procedures) put into place by the employer, (i.e. the school).

### 3.3 The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations, 1995,

Require the employee to:

- REPORT to the employer:
  - any accident at work as soon as possible;
  - any potentially dangerous aspects of your job, e.g. unsafe flooring, inadequate lighting.
- RECORD accidents and 'near misses':
  - make an entry in accident book, or ask someone to do it on their behalf;
  - if there is no obvious injury, but the employee thinks there may be ill effects later on, s/he should still make an entry in the book.

3.4 Handling guidelines must be followed for the employee's own safety and that of others, especially the pupil.

3.5 When a person is handled, the safety of the employee must also be considered. Should a member of staff injure themselves, the possibility of negligence on the employee's part or the question of them being wholly or partly responsible for their own injuries would be investigated. **It is essential that employees are aware they can be held personally and legally accountable for their actions or inaction.**

3.6 The pupil's family could sue if the pupil sustained an injury when the employee was not following set procedures. Should a pupil be injured due to risks resulting from the employee exercising clinical judgement, then the pupil and family could sue. Should they cite negligence on the part of the handler, this would result in a civil action against the employee.

3.7 The individual capability and training needs of the employee must be taken into consideration when assessing the manual handling operation. They should recognise and accept personal limitations, strength and ability.

3.8 The employee should be asked to complete an Occupational Health questionnaire during the recruitment process to ensure that they are physically fit to undertake the duties of the post. Any employee who has sustained an injury should not return to work until they have been assessed by the Occupational Health Department as being fit to do so.



## 4. SAFE WORKING

- The Local Authority provides guidelines on safe working in its Model Policy for Schools.

## 5. RESPONSIBILITIES TO PUPILS

- 5.1 The right of all pupils to safe and appropriate assistance in terms of their moving and handling needs is recognised by the City Council. It is expected that their dignity and privacy will be protected at all times. Through employing safe systems of work (Handling Plans) pupils will receive the most appropriate support and the risk of injury to staff and pupils alike will be minimised or eliminated. As far as they are able, pupils will be expected to move independently and take responsibility for their safety and that of others.
- 5.2 Whenever possible, use should be made of appropriate mechanical equipment and aids that assist in the safer movement of loads. Under certain special circumstances, however, when dealing with movement needs of individuals who have physical and/or learning difficulties, it may become necessary to move or position them by manual lifting. A thorough risk assessment should be completed in this instance with any risks reduced as far as is reasonably practicable.
- 5.3 A slightly higher level of risk may be acceptable on a time limited activity, for example, a school trip, where some manual lifts may be involved. (N.B. it is unlawful under the terms of the Disability Discrimination Act to exclude a pupil from a school trip because of his/her disability).

## 6. EMERGENCIES

- Emergencies are, in fact, almost always foreseeable. Therefore, the risk of anyone having to lift a pupil should be minimal. Real emergencies include situations where a person is in water and in imminent danger of drowning, in an area that is actually on fire or filling with smoke, or in danger from a collapsing building or other structure. These events should be planned for as part of emergency evacuation procedures. (See Fire Policy and Health and Safety Manual for evacuation of people who use wheelchairs.) Finding a pupil who has fallen on to the floor is not likely to be an emergency as it should be planned for.



## 7. DIFFERENCES OF OPINION

- When a pupil (or parent/carer speaking for their pupil) refuses to be moved according to the Handling Plan, the local authority expects that reasons should be explored by the Head Teacher, together with a discussion regarding the benefits of the Plan. A solution may be to use another method or piece of equipment. If the pupil/parent/carer still refuses, the Head Teacher must consider the risk of injury to staff from manual handling balanced against the risk to the pupil if the procedure is not carried out. The result of this assessment would usually be to change an element of care. This should be agreed by all concerned i.e. pupil, parent/carer, Head Teacher, employee, therapist and SENCO. Ultimately if the pupil and parent/carer insist on a practice which is unsafe, the school can refuse to carry out this procedure and should seek legal advice.

## 8. TRAINING

- Moving and handling training is available for all relevant staff through school inset.
- It is essential to ensure that adequate training has been undertaken so that the employee is able to continue caring in a safe, dignified and empowering manner. It is recommended that extra staff be trained in order to cover for staff absence. A register of staff trained is being maintained. Funding for training is generally the responsibility of the school.

## 9. EQUIPMENT AND FACILITIES

- Through its Accessibility Plan, the Local Authority is working on a programme of adaptations to school premises to make them more appropriate for the inclusive education and moving and handling of pupils with physical difficulties. This includes consideration of moving and handling equipment such as hoists and ergonomically designed equipment such as wall mounted adjustable changing benches, which should be checked before each use for signs of wear and tear. Hoists and slings should be checked by an accredited contractor/competent person every six months. (Lifting Operations and Lifting Equipment Regulations 1998). If there is any cause for concern with a piece of equipment, then this should be reported to managers and put out of use. A suitably qualified person must recommend hoists and other pieces of specialist equipment, generally an occupational therapist or a physiotherapist. The school should purchase smaller pieces of handling equipment. The maintenance of the equipment is usually the responsibility of the school.



## Hadrian School Moving and Handling Policy

- Hadrian School recognises its responsibility both to provide curriculum access for pupils with learning difficulties and disabilities and to ensure the health, safety and welfare of its employees as far as is reasonably practicable. This Manual Handling Policy has been designed to comply with the requirements of The Manual Handling Operations Regulations, 1992 (revised 1998 edition) and The Health and Safety at Work Act, 1974. It takes full account of the Disability Discrimination Act, 1995, The SEN and Disability Act, 2001, The European Convention for the Protection of Human Rights and Fundamental Freedoms and the EU Charter of Fundamental Rights (Nice 2000).

### Hadrian School aims to:-

- ensure full access to the curriculum and participation in the life of the school for pupils with disabilities.
- ensure the dignity and right to privacy of such pupils.
- avoid manual handling and lifting of hazardous loads as far as is reasonably practicable.
- assess fully all potentially hazardous manual handling where it has been impossible to eliminate it.
- reduce any risks that are identified to the lowest level.
- review any handling plans and risk assessments annually or sooner if a significant change occurs.
- provide such information, instruction, training and supervision as is necessary to ensure the health, safety and welfare at work of all employees and any new staff.
- protect the health and safety of visitors to the school whilst they are on the premises as far as is reasonably practicable.
- ensure that staff are aware of this policy and have read and understood relevant risk assessments.
- ensure that every room where people work shall have sufficient floor area, height and unoccupied space for the purposes of health, safety and welfare, as documented in the school accessibility plan.
- ensure that employees recruited to carry out moving and handling tasks are competent and capable, requesting them to complete an Occupational Health questionnaire.
- ensure equipment provided is available for use, e.g. charged up, serviced, faults reported.
- monitor all accidents and incidents and ensure they are entered in the accident book.
- implement and maintain work systems (handling plans) that are safe and without health risks.
- make reasonable allowances for employees who become pregnant or develop a medical condition which may affect their ability to perform the required moving and handling tasks. Any person becoming unfit for the work must not return to it until the Occupational Health Unit deems them fit enough.

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### **Pupils at Hadrian School will:**

- have their entitlement to curriculum access and full participation in the life of the school acknowledged;
- receive appropriate assistance from staff employing safe systems of work (Moving and Handling Plans);
- have their dignity and privacy protected at all times;
- have their safety championed in order that the risk of injury will be minimised or eliminated;
- as far as they are able, be expected to move independently and take responsibility for their safety and that of others.

### **Staff employed by Hadrian School will:**

- take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions including:
  - reporting to the Head Teacher and, in their absence, the Deputy Head Teacher any medical condition (temporary or permanent) that may develop (including pregnancy) which may affect their ability to carry out moving and handling tasks;
  - reporting to the moving and handling facilitator any problems or unsafe practice that (within their level of competence) they consider to be a risk to health and safety including any equipment faults.

#### They will:

- wear appropriate clothing and shoes;
- co-operate with the employer to allow the employer to comply with his/her health and safety duties;
- use equipment appropriately in accordance with training and instructions provided;
- follow the moving and handling plans drawn up for each pupil;
- if specified in the moving and handling plan, have 2 persons involved in the manual handling manoeuvre;
- comply with the Moving and Handling Policy;
- undertake any specified training to fulfil their duties;
- not carry out moving and handling procedures without appropriate advice/training;
- report any accident or incident to the Head Teacher, and in their absence, the Deputy Head Teacher and complete the accident book;
- assess an emergency situation first without rushing in to lift a pupil. (If the pupil has fallen, wherever possible the member of staff will reassure the pupil and get help if necessary.)



- give him/her time to recover and then encourage the pupil to get up by him/herself, or with the minimum of assistance needed. If this is not possible, they will follow the emergency techniques described in the moving and handling training.

## GUIDELINES FOR SAFE WORKING (RISK ASSESSMENT)

- a handling/risk assessment should be undertaken when a pupil requires physical assistance with their movement;
- every assessment should take into consideration these four areas:
  - **Task** - the transfer or movement involved;
  - **Load** - the person to be handled;
  - **Individual capability** - of the member of staff;
  - **Working environment** - including space, lighting, distance from other people, floor surface.
- information from this assessment will inform the writing of the Moving and Handling Plan (see below);
- so called emergencies are almost always foreseeable, therefore the risk of anyone having to lift a pupil should be minimal. Real emergencies for example fire/smoke in a building, having to remove a pupil/adult from the hydrotherapy pool and in imminent danger of drowning or from a trampoline if injured. These events should be planned for as part of emergency evacuation procedures. (See fire policy for evacuation of people who use wheelchairs.) Finding a pupil who has simply fallen on to the floor is not an emergency and should be planned for.

## MOVING AND HANDLING PLAN

- the health, safety and dignity of the pupil, and of all those concerned, is paramount;
- ensuring access to the curriculum, therapies, and other school activities are of paramount concern;
- where a pupil's movement requires any form of physical assistance, a handling plan will be agreed and documented to identify the method of movement and the amount of support to be given;
- the responsibility to ensure a plan is in place lies with the Head Teacher and Governing Body;
- the advice and views of pupils (as far as is reasonably practicable), parents/carers and other relevant staff, e.g. Physiotherapist, Occupational Therapist, should be sought and taken into account;

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- bearing in mind that there is no absolute safe weight it may be that two people are needed or the procedure should be mechanised;
- the Moving and Handling Plan must be followed for the employee's own safety and that of others including the pupil;
- changes to the plan will be made during the Handling Review which should be held annually or when circumstances change. This information should form part of the annual review meeting. Alternative methods, equipment and environment changes should be considered and used where appropriate to reduce the risk as far as is reasonably practicable;
- when a pupil (or parent/carer speaking for their pupil) refuses to be moved according to the Moving and Handling Plan, reasons should be explored as part of a discussion regarding the benefits of the Plan. A solution may be to use another method or piece of equipment. If the pupil/parent still refuses, a manager must consider the risk of injury to staff from manual handling balanced against the risk to the pupil if the procedure is not carried out. The result of this assessment would usually be to change an element of care. This should be agreed by all concerned, i.e. pupil, parent/carer, employee, therapist, SENCO and Head Teacher. Ultimately if the pupil/parent/carer insists on a practice which is unsafe, the school can refuse to carry out this procedure and legal advice should be sought.
- Moving and Handling Plans and Risk Assessments must be kept for a minimum of six years commensurate with requirements relating to injury claims.

## EQUIPMENT AND FACILITIES

- all equipment should be checked before each use for signs of wear and tear. Hoists and slings should be checked by an accredited contractor/competent person every 6 months. (Lifting Operations and Lifting Equipment Regulations 1998). If there is any cause for concern about a piece of equipment then this should be reported to managers and put out of use. A suitably qualified person must recommend hoists and other pieces of specialist equipment, generally an Occupational Therapist or a Physiotherapist. The maintenance of the equipment is usually the responsibility of the school.



## PRINCIPLES FOR SAFE HANDLING

- inform the pupil what you are going to do;
- keep your spine in line to reduce lumbar pressure;
- adopt a stable base and be aware of your centre of gravity to provide stability and balance;
- bend your knees not your back to use the strong leg muscles;
- raise your head on commencement of procedure as it keeps your spine in line;
- keep the load close to you as it reduces the pressure on the spine;
- get a good grip and brace muscles because this gives more control;
- don't twist because it exposes the spine to damage.

**Confirmation that the Moving and Handling Policy in respect of Hadrian School has been discussed by the Governing Body.**

Signed by:

Chair of Governors: \_\_\_\_\_

Date: \_\_\_\_\_

Head Teacher: \_\_\_\_\_

Date: \_\_\_\_\_

Agreed at the Governing Body Meeting on: \_\_\_\_\_

Minute Reference: \_\_\_\_\_

