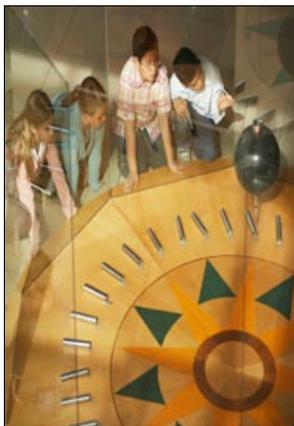


School trips and outdoor learning activities

Tackling the health and safety myths



Introduction

1 School trips have clear benefits for pupils, and large numbers of successful visits and outdoor learning activities take place each year.

2 Misunderstandings about the application of health and safety law may, in some cases, discourage schools and teachers from organising such trips. These misunderstandings stem from a wide range of issues but may include frustrations about paperwork, fears of prosecution if the trip goes wrong, and the belief that a teacher will be sued if a child is injured.

3 This statement gives clear messages to tackle the myths about bureaucracy and prosecution. However, HSE has no influence on the levels and types of civil claims for compensation that may be made against schools or individual teachers.

4 HSE fully supports schools arranging a wide range of out-of-school activities, which can include visits to museums, trips to the countryside or taking part in challenging and adventurous activities. HSE wants to make sure that mistaken and unfounded health and safety concerns do not create obstacles that prevent these from happening.

5 This statement provides managers and staff in local authorities and schools* with a clear picture of HSE's perspective on these issues. HSE wants to encourage all schools and local authorities to remove wasteful bureaucracy imposed on those organising trips and activities – so that focus is on how the real risks[†] are managed and not on the paperwork. Our primary interest is in real risks arising from serious breaches of the law, and any investigations are targeted at these issues.

Recognising the benefit of learning away from the school

Key message: 'Well-managed school trips and outdoor activities are great for children. Children won't learn about risk if they're wrapped in cotton wool.'

6 HSE fully recognises that learning outside the classroom helps to bring the curriculum to life – it provides deeper subject learning and increases self-confidence. It also helps pupils develop their risk awareness and prepares them for their future working lives. Striking the right balance between protecting pupils from risk and allowing them to learn from school trips has been a challenge for many schools, but getting this balance right is essential for realising all these benefits in practice.

* Overall responsibility for health and safety lies with the employer. Who the employer is will depend on the category of school (www.hse.gov.uk/services/education/faqs.htm).

† The Courts have made clear that when health and safety law refers to risks, it is not contemplating risks that are trivial or fanciful. It is not its purpose to impose burdens on employers that are wholly unreasonable (*R v Chagot* (2009) 2 All ER 660 [27]).

7 Striking the right balance means that:

- schools and staff focus on real risks when planning trips;
- those running trips understand their roles, are supported, and are competent to lead or take part in them;
- the real risks are managed during the trip; and
- learning opportunities are experienced to the full.

8 Striking the right balance does not mean that:

- every aspect is set out in copious paperwork that acts as a security blanket for those organising the trip;
- detailed risk assessment and recording procedures aimed at higher-risk adventure activities are used when planning lower-risk school trips;
- mistakes and accidents will not happen; and
- all risks must be eliminated.

What staff should expect from their schools

Key message: ‘Teachers should expect their schools to have procedures that encourage participation, are proportionate to the level of risk and avoid bureaucracy.’

9 Schools need to ensure that the precautions proposed are proportionate to the risks involved, and that their paperwork is easy to use. They should also take account of the assessments and procedures of any other organisations involved, and ensure that communications with others are clear.

10 The school’s arrangements for trips should ensure that:

- risk assessment focuses attention on real risks – not risks that are trivial and fanciful;
- proportionate systems are in place – so that trips presenting lower-risk activities are quick and easy to organise, and higher-risk activities (such as those involving climbing, caving or water-based activities) are properly planned and assessed;
- those planning the trips are properly supported – so that staff can readily check if they have taken sufficient precautions or whether they should do more.

What the school, pupils and parents should expect from staff

Key message: ‘Those running school trips need to focus on the risks and the benefits to people – not the paperwork.’

11 Staff running school trips should clearly communicate information about the planned activities to colleagues and pupils (and parents, where appropriate). This should explain what the precautions are and why they are necessary, to help ensure that everyone focuses on the important issues.

12 It is important that those running school trips act responsibly by:

- putting sensible precautions in place, and making sure these work in practice;
- knowing when and how to apply contingency plans where they are necessary;
- heeding advice and warnings from others, for example those with local knowledge or specialist expertise (especially in respect of higher-risk activities).

If things go wrong

Key message: 'Accidents and mistakes may happen on school trips – but fear of prosecution has been blown out of all proportion.'

13 HSE works with the police* and others following fatal accidents. If an incident on a school trip leads to the death or serious injury of a pupil, HSE will normally investigate. Most serious accidents on school trips involve underlying management failures and HSE always looks for these underlying causes – see our Enforcement Policy Statement (www.hse.gov.uk/enforce/enforcepolicy.htm). HSE does not investigate incidents in response to civil claims.

14 HSE has brought prosecutions† in rare cases where there was evidence of recklessness or a clear failure to follow sensible precautions. However, it is important that schools and their staff do not interpret this as meaning that to avoid prosecution by HSE they must eliminate even the most trivial risks. Schools and their staff are expected to deal with risk responsibly and sensibly. If things do go wrong during a trip, provided sensible and proportionate steps have been taken, it is highly unlikely that there would be any breach of health and safety law involved, or that it would be in the public interest for HSE to bring a prosecution.

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

This document can be found online at:
www.hse.gov.uk/services/education/school-trips.pdf.

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* The Work-Related Deaths Protocols describe the arrangements for liaison between HSE, police forces (including British Transport Police), local authorities, the Office of Rail Regulation (ORR), the Crown Prosecution Service (CPS), and the Crown Office and Procurator Fiscal Service (COPFS) following work-related deaths (www.hse.gov.uk/pubns/misc491.pdf and www.hse.gov.uk/scotland/workreldeaths.pdf).

† In Scotland, the Crown Office and Procurator Fiscal Service (COPFS) investigates all sudden and unexpected deaths, with the police and HSE working in partnership under the Work-Related Deaths Protocol Scotland. HSE does not conduct prosecutions in Scotland - HSE reports offences to the Procurator Fiscal and it is for COPFS to make the decision as to whether or not to prosecute. Where reference is made to 'prosecution' then, for Scotland, this should be taken to mean 'recommend' prosecution.