

NEU Guidance for Members, Reps and Local Officers

Many school staff know from experience the positive benefits which can arise from the responsible observation of living creatures at close quarters, both in terms of securing an engaging delivery of the science curriculum and of enhancing pupils' personal, social and moral development. This briefing advises on the main health, safety, welfare and legal factors which should be borne in mind by those involved in decisions surrounding the bringing into or keeping of animals in schools.

Animals in Schools – Legal Considerations

The **Animal Welfare Act 2006** states that any person responsible for an animal, whether on a permanent or temporary basis, has a legal responsibility to ensure that the animal/s needs are met. These include;

- its need for a suitable environment;
- its need for a suitable diet (food and fresh water);
- its need to be able to exhibit normal behaviour patterns;
- any need it has to be housed with, or apart from, other animals, and
- its need to be protected from pain, suffering, injury and disease.

Therefore, whenever an animal is bought onto the school premises, whether on a short-term or long-term basis, the school must ensure that due consideration is given to ensuring that such needs can sufficiently be met in that environment, including outside of school hours.

The **Pet Animals Act 1951** prevents the sale of animals to children under 12 years of age. This should be borne in mind if the sale, by a school, of surplus animals to children is contemplated at any stage.

The **Health and Safety at Work, etc. Act 1974** places a duty on employers to safeguard the health, safety and welfare at work of teachers, pupils and visitors. This includes an obligation to minimise the risk of the transfer of disease from animals to people. Schools should satisfy themselves that animals are sourced from reputable providers, are kept in a good state of health, and that suitable hygiene precautions are followed by anyone coming into contact with the animals. Sick animals should be isolated and advice sought from a veterinary surgeon.

The **Wildlife and Countryside Act 1981**, as amended, has implications for the study of animals and plants outside the classroom, such as on nature walks and field trips. This Act – and a number of related laws – affords strict protection to a wide range of species, such as:

- wild birds, including their nests and eggs;
- some amphibians such as natterjack toads and crested newts;
- red squirrels, bats and badgers;
- common otters, seals and deer; and
- some reptiles, fish, butterflies, moths, crickets, dragonflies, beetles, grasshoppers, spiders and snails.

Many other creatures have partial protection which may allow their temporary removal to a classroom for observation, but requires that they are returned as soon as possible to a suitable habitat – preferably to the site from which they were originally taken.

The legislation also affects wild plants – see Appendix 2 for further details.

In all cases, up to date advice should be sought at the outset to ensure compliance with current law. Comprehensive information of this kind can be found on the website of the Joint Nature Conservation Committee, at <http://www.jncc.gov.uk/page-1377>.

Dangerous animals, as defined by the **Dangerous Wild Animals Act 1976**, may not be brought into school. This includes most monkeys and apes, crocodiles, alligators and poisonous snakes. It does not include domestic dogs and cats. Further information on the list of animals covered by the Act, and the Act itself, can be found online at: <http://www.legislation.gov.uk/uksi/2007/2465/schedule/made>.

The NEU understands that there may have been instances where animals listed under the Dangerous Wild Animals Act 1976 have been bought into schools. Examples of such animals include Caimans and other larger reptiles. There are now a number of ‘animal encounter’ companies offering their services to educational establishments and schools should ensure that any animals bought onto the premises are not listed under the DWA Act and that appropriate risk assessments are carried out. These animals may present a risk to pupils and staff and there could also be welfare risks to the animals themselves.

Finally, the **Scientific Procedures Act** outlaws any act causing pain, suffering, distress or lasting harm to vertebrates unless licensed and carried out in ‘designated premises’. Schools are not eligible to be licensed in this way.

An animal which has been humanely killed, however, may be used for dissection and other related purposes in schools. The RSPCA stresses, though, that animals should never be killed as part of a lesson, or in front of pupils as this could lead to desensitisation. Where it is deemed necessary to ‘put down’ a sick animal, such procedures should only be carried out by a qualified vet.

Animal Welfare

Where animals are kept in schools, whether on a temporary or permanent basis, it is of course vital that their welfare is accorded paramount importance.

Schools often keep a wide variety of animals, such as fish, mice, gerbils, rats, giant African snails, stick insects, locusts, toads and snakes. For each creature kept in a school, a proper care programme should be established to ensure the maintenance of minimum welfare standards, including:

- regular and appropriate nourishment;
- water;
- checks on general health; and

- a comfortable environment, tailored to the animal's needs in terms of heat, light, space, cleanliness, noise levels, shelter, and the possible impact of other animals and humans in the vicinity.

Furthermore, any health and safety issues arising as a result of keeping the animals should be identified in advance, and appropriate measures put in place to counter or remove such risks.

Where animals are brought in for a short period – for example just for a day – a proper protocol should be implemented which ensures the wellbeing of the animal, and the health and safety of others, for the duration of its visit.

This should include the provision of assurances from the owner as to the means of transporting and housing the animal, and the responsibility to bring any equipment, food or water likely to be required during the day. Liaison with parents would also be highly advisable.

Animals must be accommodated separately; different species, or individuals of the same species from different litters, must never be placed together in the same cage, vivarium, tank etc. This will help to:

- ensure the return of each animal to the correct owner;
- minimise the risk of transmission of disease from one creature to another; and
- reduce the likelihood of aggression or conflict between incompatible animals.

Animal Handling

Pupils will naturally wish to handle animals, but certain considerations need to be addressed in advance of any such activities. In particular, it should be checked that:

- the animal is unlikely to harbour diseases or parasites;
- the animal is used to being handled;
- the animal is not likely to be stressed by excitable children;
- where there is a correct way to hold any animal, this must be taught to children from the outset; and
- handling of small animals should be carried out over a table or preferably some form of soft surface to minimise the risk of injury caused by falling or being dropped.

The handling of certain animals should be avoided altogether. Those which are nervous, nocturnal or prone to biting or scratching, should be observed and not touched. Other creatures, such as invertebrates, are too fragile to be handled any more than absolutely necessary. Sometimes any handling of a pet should be limited to the owner, who will have the necessary expertise to do it properly.

Hygiene, Diseases, Parasites and Allergies

The likelihood of diseases being passed on to humans from pet animals varies depending on the type of animal concerned. Domestic animals such as cats and dogs pose a lesser risk than exotic pets such as fishes, amphibians, reptiles, birds and mammals such as raccoons and primates. In all cases, good hygiene is the key to the safe handling of such pets and their surroundings such as cages, aquariums and vivariums.

- Children and adults should always wash their hands thoroughly soon after coming into contact with any animal or its cage/equipment (immediately in the case of exotic animals). First use an antibacterial soap and water, taking care to rub hands

vigorously together, being careful to clean all areas. Second, apply an alcohol-based cleaning agent.

- Where someone has touched an exotic animal, its cage or any other equipment, they should avoid touching their hair, clothes (including pockets), door handles or any other items until their hands have been thoroughly cleansed. Thoroughly cleaning hands is particularly important where young children are concerned. Not to do so would pose a strong health risk to the infant.
- Cuts and abrasions on hands and arms should be covered to minimise the risk of infection.
- Cleaning routines and arrangements for the disposal of animal waste should be carried out with due regard for good hygiene standards. Pregnant staff and anyone with suppressed immunity should exercise particular caution and avoid all contact with animal waste products.
- Contaminated surfaces should be properly washed and disinfected.
- Kitchen sinks should not be used to bathe exotic pets or to wash cages or equipment. Sinks used for such purposes should be cleaned thoroughly with disinfectant afterwards.

For cats and dogs, it is sensible to check their general health, and whether or not they have recently been wormed and treated for fleas. Where staff and/or children are known to have allergies to particular animals, it is of course sensible to restrict their exposure to any animals which might provoke an allergic reaction. In an emergency, medical advice should be sought without delay. Further information on hygiene control is set out in the NEU health and safety briefing Hygiene Control in Schools, available at www.neu.org.uk.

Physical Injuries

It may be sensible to err on the side of caution and restrict animal visitors to those least likely to cause injury. In cases where animals prone to biting, scratching, or causing irritation to skin, eyes etc are allowed in the classroom, suitable precautions should be taken to minimise the risk of injury occurring. Such precautions might necessitate checks such as:

- the level of protection afforded by the animal's housing; and
- the need for any rules which may be required about approaching, touching or handling animals with such tendencies.

Where pupils have fears or phobias about particular animals, these should be respected and appropriate arrangements made to ensure the separation of the animal from the pupil(s) concerned.

Allergies

Allergic reactions can be triggered by a wide range of animals and indeed plants. Common examples of allergenic risks found in a school laboratory might include:

- working with small laboratory animals such as rats and mice;
- working with insects such as moths or locusts.

Some allergens can lead to severe reactions including anaphylaxis. For guidance on dealing with anaphylaxis in schools, see NEU health and safety briefing Anaphylaxis in Schools, available at www.neu.org.uk.

In all cases, a suitable and sufficient risk assessment must be undertaken before the work is commenced - to be suitable and sufficient, risks must be identified, and appropriate measures put in place to control the risks.

Statistics reveal that around 15 per cent of adults and over 50 per cent of children are allergic to pets. It is estimated that these allergies affect 14 million people in 6 million households in the UK alone and this number is set to double over the next 10 years in response to the increased propensity of younger generations to have immune deficiencies.

The proteins from animals' hair, saliva or urine can cause allergic reactions that may include a range of symptoms, such as irritation to the eyes and airways, asthma or dermatitis.

It is often difficult to avoid the allergens which can come from animals – even where no animals are housed, animal allergens can be transported by people who have been in contact with animals. As such, school classrooms can be overloaded with pet allergens unwittingly brought in by children exposed to animals at home. Most often the allergies are to cats or dogs, but rats, mice, guinea pigs, hamsters, pet birds, horses, cows or poultry can be involved.

A more stringent approach, which would nevertheless reduce the risks of allergic reactions, would be to confine the presence of animals to a limited part of the school only. This could be a single classroom, specifically set out to aid the teaching of those elements of the curriculum where the presence of real creatures is considered to be an important asset. Such a room should preferably not contain carpets or any heavy upholstery, and should be cleaned regularly with moist rags and a vacuum cleaner which has a vortex with no bag, and an allergen filter.

Such an arrangement might lead staff or pupils with mild forms of animal allergy - or with allergies which are generally well controlled with appropriate medication - to display improvement in the frequency or the severity of such symptoms. For those who need greater separation from animals, however, alternative arrangements would ultimately be required.

Aquariums

Aquariums pose particular safety hazards which will need to be addressed, including the risk of electric shocks. Regular maintenance checks carried out by competent persons should enable such hazards to be effectively controlled. Teachers should look out especially for broken light bulbs, frayed wires, cracked glass or exposed filaments on heating units. Suitable safety devices such as circuit breakers should be fitted in all cases.

It is important from an animal welfare point of view to properly look after the fish and to make regular checks on the water cleanliness and temperature. Aerosol sprays in the vicinity of the tank is to be avoided and fish should be fed according to the relevant instructions.

NOTES ON ANIMALS FROM LOCAL HABITATS

Land Invertebrates

Invertebrate animals, such as woodlice, snails and earthworms, are often brought into schools for short-term studies. They prefer cool, dark and damp conditions. Spiders and centipedes should be avoided because of the difficulties involved in providing them with a carnivorous diet. (DEFRA)

Fish

Pond water for indigenous fish, such as minnows, should be cool and well oxygenated. Live food should be provided. Specialist advice on keeping cold water fish should be sought where a long term habitat is envisaged.

Pond water may harbour Weil's disease. Again, good hygiene practices are paramount.

Reptiles and Amphibians

Frog spawn is a common focus for study in schools. Spawn should be taken in small amounts, and ideally the water in which the tadpoles will develop should be aerated and filtered. When the tadpoles become young adult frogs, they should be released back into an appropriate environment – preferably the pond from which the spawn originated.

Terrapins are sometimes kept in classroom tanks: it should be noted that their waste products often contain salmonella.

Birds and Mammals

Wild birds and mammals may carry parasites and diseases and should therefore not normally be taken directly from the wild and brought into schools. Various conservation groups, when invited into schools, may bring 'rescued' wild animals to display as part of a presentation about their work. It is a good idea to establish that such animals – for example hedgehogs or owls, have been kept in captivity for long enough to have benefited from proper treatment against diseases and parasites. It may not be appropriate for children to handle such animals.

Injured Animals Brought in by Pupils

It is not uncommon for pupils to take pity on an injured bird or mammal, and to bring it in to school in the belief that it will be possible to successfully treat it and restore it to perfect health. It would be sensible to instruct pupils that attempts to retrieve 'abandoned' animals in this way may damage the animals concerned and spread infection. Instead, the problem should be reported so that others can act if appropriate. The injured animal will often be rescued by its parents once the coast is clear. Schools might wish to have a procedure in place to address such eventualities. Such a procedure should include:

- precautions needed to minimise the risk of transmission of disease or parasites;
- the maintenance of scrupulous standards of hygiene;
- in all cases of doubt, the seeking of expert advice from either a vet, the RSPCA or the People's Dispensary for Sick Animals (PDSA)

Avian Influenza

Under the Control of Substances Hazardous to Health (COSHH) regulations 2002, employers must set out the steps they have determined to eliminate or reduce the risk of contracting biological hazards, including Bird Flu.

Specific government rules have been introduced to minimise the possible spread of avian influenza H5N1, or 'bird flu'. Much of this advice takes the form of strict adherence to proper hygiene procedures – which is applicable in any case as mentioned elsewhere in this briefing. Quite apart from any risk posed by bird 'flu, birds carry other respiratory infections. Further, birds can carry infections which can cause gastrointestinal infections such as Salmonella and Campylobacter.

In line with the points set out above, pupils should be strongly advised against any form of contact with any dead birds which they might find in or around the vicinity of the school or home. If, despite such entreaties, it is discovered that children have handled a dead bird, it

is vital that their hands are thoroughly cleaned with soap and water as soon as possible, in addition to an alcohol-based cleaning agent - and certainly before eating or drinking. Where there is evidence of staining or soiling of clothes, they too should also be subjected promptly to careful cleaning.

Should 5 or more wild bird deaths be found in one area, contact should be made with the Defra Helpline (03459 33 55 77) which is open from 8 am to 6 pm. Details of such findings will be requested, in order that any appropriate action or investigation might be promptly initiated. For more information, see: <https://www.gov.uk/avian-influenza-bird-flu#latest-situation>.

More information on 'flu epidemic preparedness is available at: <https://www.gov.uk/government/publications/review-of-the-evidence-base-underpinning-the-uk-influenza-pandemic-preparedness-strategy>.

Other considerations

Where school-based animals are taken home by pupils, a suitable home-school agreement should be devised to encourage the observation of the same principles at home as those governing their husbandry in schools – both from the perspective of pupil safety and animal welfare.

Similar considerations should apply to circumstances in which a pupil is given a work experience placement in an occupation which involves working with or alongside animals, such as positions in:

- farms;
- veterinary surgeries;
- animal welfare sanctuaries;
- facilities involving animals such as zoological gardens, safari parks, or farms open as a public attraction;
- pet shops or similar.

It is important to remember that employers providing such placements have the same responsibilities for the health, safety and welfare of students as they do towards their entire workforce.

Farm Visits

The HSE has published advice on safe procedures when children are visiting farms. Two leaflets have been prepared. The first, *'Be Responsible – Keep Children Safe on Your Farm'* is aimed at farmers and gives details on precautions to take if and when children come on visits. The other, *'Farms Are Not Playgrounds – 10 Ways You Can Get Hurt on a Farm'* is primarily for children, especially those aged between 7 to 11, and presents key safety points in a clear and well-illustrated format, making it ideal for accompanying teachers and other adults to discuss with pupils prior to a farm visit. Both leaflets, available from the HSE website at <http://www.hse.gov.uk/agriculture/topics/children.htm>, would be useful reference material for anyone involved in carrying out a risk assessment for such a visit.

Members should also look at general NEU health and safety guidance on School Visits (available at www.neu.org.uk).

Safety at Water Margins

The then DfES and the Central Council of Physical Recreation (CCPR) produced a guidance document aimed at all those who organise and lead outdoor educational visits that take place near or in water. It covers such activities as walks along river banks or seashores; collecting samples from ponds and streams or paddling or walking in gentle, shallow water and not activities involving swimming or boating. 'Group Safety at Water Margins' is regrettably no longer available from the DfE website; however, it can be downloaded from the website of the Royal Society for the Prevention of Accidents (RoSPA) at: <http://www.rosipa.com/leisure-safety/water/advice/>.

Unexpected Animal 'Visitors'

Some animal-related issues may arise where dogs are routinely exercised on school property, as there are potential health and safety hazards involved in such activities. The main concerns are the serious illnesses caused by canine faeces and the inherent risk to safety posed by a large and/or potentially vicious animal in an area designed for children.

In such cases, schools should consider the possibility of taking legal action under Section 547 of the 1996 Education Act, which provides that trespassers who are making a nuisance or disturbance and refusing to leave school premises are committing a criminal offence. "Nuisance or disturbance" has a wide interpretation and includes, for example, riding motorbikes or exercising animals in such a way as to disturb the normal running of the school.

Such trespassers cannot be arrested but they can be removed by a police officer or anyone authorised by the local authority, or governors in foundation and VA schools. They can also be prosecuted and fined up to £500 or, if under 16, their parents can be bound over.

Certain schools do have rights of way through their grounds. The law provides, however, that rights of way may in certain circumstances be closed or diverted. A school's security risk assessment may identify a security risk posed by the existence of a right of way, particularly if there have been previous incidents. The school's governing body may therefore determine that it believes that the right of way should be closed or diverted.

In practice, courts prefer applications for closure or diversion to be made by the owner of the land; this may be the local authority, academy trust, the diocese, for voluntary aided schools, or the foundation, for foundation schools. The governing body should therefore seek the support and assistance of the appropriate body in making any such application.

Where difficulties arise in resolving this or any other issue raised by this briefing note, NEU representatives should contact the NEU Adviceline in England on 0345 811 8111, NEU Cymru in Wales on 029 2046 5000, or NEU Northern Ireland on 028 9078 2020 for further advice.

**NEU Health and Safety Unit
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Checklist for School Representatives

- Does your school employer have a policy on animals in schools?
- If YES, is it adequate or is it in need of revision?
- Does your existing guidance on school trips include safety precautions to be taken on visits to particularly hazardous places such as farms, ponds, streams etc?
- Where animals are kept, are there adequate signs or notices advising of any particular hazards including allergens and toxins?
- Are children taught about basic hygiene measures such as washing hands after touching or handling animals?
- Have suitable and sufficient risk assessments been carried out for all activities involving animals in the school setting?
- Do existing policies and procedures with regard to school visits include the need to assess and manage risks associated with outdoor biological/geographical studies?