

### NEU Guidance for Members, Reps and Local Officers

***The NEU believes that educational visits can be of substantial benefit to the education and development of pupils. For many they offer opportunities to broaden their horizons and enrich their experiences. Tragic incidents in the past, however, have shown that proper and full concern for health and safety must be an imperative at every stage.***

***This briefing sets out NEU guidance on planning and undertaking educational visits including:***

- ***teachers' and support staff rights and obligations with regard to educational visits;***
- ***practical steps to be taken in organising visits;***
- ***detailed advice on supervising pupils; and***
- ***specific guidance on outdoor adventure activities***
- ***foreign language exchanges***
- ***farm visits***
- ***specific guidance on staffing levels for visits, including pupils with special educational needs (see Appendix 1)***

#### **1. Introduction**

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##### **> DfE advice on educational visits**

In October 2010, Lord Young's report on health and safety 'Common Sense, Common Safety' criticised the 'enormous bureaucracy' surrounding educational visits. The Government adopted the report in its entirety, and the following summer withdrew the longstanding and popular guidance on school trips *Health and Safety of Pupils on Educational Visits* (HASPEV). It was replaced with a short summary of the law relating to health and safety both in schools generally and on educational visits specifically, an outline of employer and employee duties and a synopsis of the requirements of the RIDDOR regulations. In the view of the NEU, the [current guidance](#) is far less comprehensive and useful for schools than the previous version.

##### **> Current sources of guidance**

Schools in England and Wales can, however, draw upon more useful sources of advice on educational visits. In particular, the NEU recommends the authoritative information and guidance produced by the [Outdoor Education Advisers' Panel](#) (OEAP). NEU reps and local officers should encourage school employers to adopt this guidance through their policy. A number of local authorities have already done this, including Norfolk, Worcestershire, Sunderland and Coventry. In Wales, all the local authorities are acting together to jointly endorse OEAP guidance in order to build on and enhance the advice contained in *Educational Visits: A Safety Guide for Learning Outside the Classroom*, (the Welsh equivalent of HASPEV).

Further guidance on safety management of educational visits has been published by the Health and Safety Executive (HSE). The HSE has produced a ['high level statement'](#) addressing *School Trips and Outdoor Learning Activities*. The NEU was consulted on this document and is, therefore, able to recommend it. The central message of the guidance is that it is important to strike the right balance between protecting pupils from risk and allowing them to learn from educational visits. Striking the right balance means that:

- schools and staff should focus on managing real risks when planning trips;

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- those running trips should understand their roles, are supported and are competent to lead or take part in them; and
- learning opportunities are experienced to the full.

By the same token, those planning trips should avoid:

- excessive paperwork;
- inappropriate risk assessment and
- the mistaken belief that all risks can be eliminated.

The HSE guidance states:

“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).”

Further to this guidance, the HSE has published five [case studies](#) to illustrate examples of proportionate responses to planning and delivering educational visits. [FAQs](#) about educational visits are also available.

## **2. Should staff organise and take part in educational visits?**

**The NEU’s longstanding advice to members on participation in educational visits is that all education staff must use their professional judgment in relation to their personal circumstances and aspirations. Unless the visit is in school/college time and part of the curriculum for a particular subject, for example, a geography field trip, the involvement of staff in educational visits is entirely voluntary.** Staff are entitled to expect the highest standards of safety and support in the organisation and supervision of educational visits.

Staff need the benefit of a reasonable “work/life” balance. The two are linked. Many staff members regard educational visits as an opportunity to extend their professionalism. If staff are already pressured and stressed by a heavy workload the further pressures of organising and supervising educational visits may be the cause of unacceptable safety hazards. Staff who do not choose to take on these burdens are entitled to decline to be involved in voluntary visits and will be supported by the NEU in doing so. The NEU will also support teachers who have a responsibility for curriculum-based visits in demands for the highest safety standards and for acknowledgement of the workload involved.

## **3. What about legal obligations and standards of care?**

### **> Legal obligations and standards of care while in the UK**

Staff involved in educational visits should be fully aware of the standards of care demanded of them by the law. Such standards are those which from an objective point of view can reasonably be expected from staff generally applying skill and awareness of children's problems, needs and susceptibilities. **The law expects that a member of school staff will do that which a parent with care and concern for the safety and welfare of his or her own child would do**, bearing in mind that being responsible for up to twenty pupils can be very different from looking after a family. The legal duty of care expected of an individual is, therefore, that which a caring education profession would in any case expect of itself.

This means in practice that a teacher must:

- ensure supervision of the pupils throughout the journey or visit according to professional

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standards and common sense<sup>1</sup>; and

- take reasonable steps to avoid exposing pupils to dangers which are foreseeable and beyond those with which the particular pupils can reasonably be expected to cope.

**This does not imply constant twenty-four hour direct supervision.** The need for direct supervision has to be judged by reference to the risks involved in activities being undertaken.

Personal liability for the health and safety of students on educational visits concerns many NEU members. Press reports of accidents and deaths on visits always serve to heighten this concern. For claims to succeed, negligence must be proven. The NEU believes that, provided members exercise reasonable care and follow the employer's instructions and policies, they are highly unlikely to be held negligent on the rare occasions when an accident occurs.

Employers have "vicarious liability" for the negligence of their employees at work. This means generally that employers take responsibility if their employees do not properly fulfil their safety obligations at work. Where a legal claim is made following an accident to a child in a community school, for example, and there is a suggestion of negligence on the part of the staff member, the claim will most likely be made against the local authority or other employer if the staff member was at the time working "in the course of his or her employment". Your employer's insurance arrangements should include cover for claims of negligence.

Under the Corporate Manslaughter and Corporate Homicide Act 2007, the criminal offence of corporate manslaughter is committed by an organisation or company if the manner in which their activities were managed or organised caused or contributed to the death of a person. The organisation or company must have owed a duty of care to the deceased and its actions amount to a gross breach of that duty.

The HSE's guidance *School Trips and Outdoor Learning Activities – Tackling the Health & Safety Myths*, explains the factors taken into account by the HSE in deciding whether or not to prosecute following an accident; such as the seriousness of the breach of law and how far good practice was followed. It is available at [www.hse.gov.uk](http://www.hse.gov.uk).

#### > **Legal obligations and standards of care while abroad**

If the proposal is to take a journey abroad, contact should be made at an early stage with the embassy or tourist office of the country or countries concerned to check how the law of those countries may differ from that of the UK. Some countries have expectations of adults supervising children and young people which may differ from those in England and Wales. It is very important to build this consideration into planning and indeed even into whether the visit should go ahead.

Particular attention is needed with regard to foreign laws on hazardous activities. Dangerous skiing, for example, can attract heavy legal penalties both for the skier and for any adult supervisor. Advice should be obtained on the safety approval regimes governing any activity centres you intend to visit abroad and the regulations governing safety of accommodation. Only centres and residential facilities satisfying these local standards should be used.

More information on the legal framework for educational visits is available in the [OEAP guidance](#).

## **4. Organising a visit**

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### > **England**

No member of staff should be expected to start from square one without assistance and advice when asked to organise an educational visit. No teacher should become involved in organising an educational visit unless they have been provided with supportive documentation derived from the

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<sup>1</sup> Including regular head-counts and occasional register checks

experience of others.

As mentioned earlier the NEU believes that the current [DfE guidance](#) is of limited use to staff in schools planning educational visits. It appears to be the product of a desire to reduce documentation and so-called 'red tape' at the expense of in-depth advice. The result is a document which includes a brief overview of the core elements of running educational visits, but one that lacks the detailed content of previous government guidance.

Most local authorities and other employers, such as academies, foundation and voluntary aided schools have also issued guidance on this area, which is likely to be more detailed than that provided by the DfE. The NEU therefore advises staff to follow school/college guidelines, which should be in accordance with employer advice such as that issued by local authorities. As previously stated, some local authorities have adopted the very good guidance produced by the Outdoor Education Advisory Panel (OEAP), which is available online at <http://www.oeap.info/>.

## > **Wales**

No member of staff should be expected to start from square one without assistance and advice when asked to organise an educational visit. No-one should become involved in organising an educational visit unless he or she has been provided with supportive documentation derived from the experience of others. See also the section of this document headed 'Using Tour Operators'.

The Welsh Government has adopted the framework set out by the OEAP and local authorities in Wales should use the OEAP National Guidance as a framework for ensuring that they meet their requirements under health and safety legislation when organising educational visits. Welsh Government guidance on educational visits is available [here](#) and the OEAP guidance is [here](#).

## > **The Planning Process**

### Educational Visit Coordinators (EVCs)

Until 2011 the DfE recommended that each school should have a designated "educational visit coordinator" (EVC), who may be the head teacher or some other member of staff with "a keen interest in the value of educational visits". The current DfE guidance states however that there is 'no legal requirement' for schools to appoint an EVC. By contrast, the OEAP guidance, which is adopted by the Welsh Government, states that 'it is good practice for all establishments to have an EVC' who is 'specifically competent'. Many employers do make it a requirement for schools to have an EVC in place.

The NEU expects that, where such post holders exist, they should be paid appropriately to their additional responsibilities and receive such support, including non-contact time, as is necessary to discharge these responsibilities. In many cases, the role of EVC will be taken on by the head teacher, though it can be fulfilled by any teacher with appropriate training and experience.

OEAP guidance states that:

*When appointing an EVC, establishments should ensure that the appointed person meets the criteria required or recommended by employer guidance. The EVC should be specifically competent. The level of competence required can be judged in relation to the size of the establishment as well as the extent and nature of the visits planned. Evidence of competence may be through qualification, but more usually will be through the experience of practical leadership over many years. Such a person should be an experienced visit leader with sufficient status within the establishment to guide the working practice of colleagues leading visits.*

Some schools could be tempted to confer the role of EVC on to a member of support staff. Whilst this might be acceptable if the post holder concerned had the relevant skills cited above, the OEAP guidance emphasises that the role of EVC is '**not** an administrative role, although certain functions

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may be delegated to an administrator'. Where the EVC role is attached to an administrative post or where a post holder is not an experienced visit leader, the OEAP states, 'the EVC will require structured access to and support from a designated colleague who fits the recommended criteria'.

Furthermore, in the case of local authority schools, it is good practice for each local authority to designate a named local authority officer, generally an education adviser, who has responsibility for overseeing school educational visits and advising and assisting schools on their proposed activities.

### The group leader

The group leader responsible for organising the journey should ensure that the school EVC is fully informed of the proposed arrangements during the planning process. The proposals for the journey, including all of the matters set out below, should be presented to the co-ordinator for agreement. All colleagues who will be involved in, or otherwise affected by, the journey should also be fully informed of arrangements. While in the case of routine visits, the task of assessing and approving a visit would rest with the school EVC, it is good practice for all other visits to be directly approved by the employer, such as the local authority adviser with responsibility for educational visits.

### > **Risk assessments**

The risk assessment process is an important tool in ensuring health and safety at work. It means, simply, that employers set out to identify hazards to health and safety, evaluate the risk of harm resulting from those hazards and take appropriate action to protect employees and others.

Regardless of the type of visit being planned, due consideration of the likely dangers and difficulties inherent in the trip must take place. Many local authorities and other employers have detailed guidance on visits, including risk assessments, which schools and colleges must follow. Additionally, the OEAP has produced comprehensive [guidance](#) on risk assessment for educational visits.

A risk assessment for a visit need not be complex but it should be comprehensive. Safety must always be the prime consideration, even on low risk trips to a local historical site or museum. If the risks cannot be contained then the visit must not take place.

The risk assessment should be based on the following considerations:

- what are the hazards?
- who might be affected by them?
- what safety measures need to be in place to reduce risks to an acceptable level?
- can the group leader put the safety measures in place?
- what steps will be taken in an emergency?

A good risk assessment for a school trip would consider, amongst other things:

- the venue - site and environment, including accommodation where relevant;
- the group, including age range, fitness, competence and temperament;
- the special educational or medical needs of pupils;
- the programme of activities;
- the staffing and issues relating to effective supervision;
- transport issues, including suitable seat belts and seat restraints and driver accommodation;
- quality and suitability of available equipment;
- seasonal issues such as weather and timing;
- emergency procedures;

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- how to cope when a pupil becomes unable or unwilling to continue; and
- the need to monitor the risks throughout the visit.

Copies of the risk assessment should be given to all supervisors on the visit - in addition to EVCs, head teachers and employers as required - so that everyone can be clear about the nature and level of risk management required for each individual trip. Frequent visits to local venues such as swimming pools may not need a separate risk assessment for each visit. But circumstances change – for example, changes to an existing risk assessment might be needed for different groups of pupils with different needs across a period of time.

Before booking a visit the group leader should obtain a written or documentary assurance that providers such as tour operators have themselves assessed the risks and have appropriate safety measures in place.

When planning trips abroad or those involving longer journeys, the suitability of overnight travel should be considered. Factors which should be taken into account include fatigue, weather conditions and traffic density etc. In many cases it may be more suitable to arrange overnight accommodation to allow pupils, staff and drivers to get a sufficient period of rest. However, when overnight journeys are unavoidable, consideration must be given to allowing the driver/s sufficient rest during the previous day. It may also be necessary to monitor drivers during the overnight drive, especially if the drive involves long periods of driving on the motorway.

When carrying out the risk assessment for residential trips, the group leader should check that suitable accommodation is provided for the driver. Tour operators have been known to provide unsuitable driver accommodation including rooms shared with strangers and rooms of a poorer standard than those provided to the rest of the group. Unsuitable accommodation can prevent drivers getting suitable rest and can increase fatigue, thus increasing dangers when on the road.

It is important to remember that a risk assessment is to an extent a ‘work in progress’ and constant monitoring of risks throughout the visit by the group leader is vital.

For specific advice on **adventure activities** see section 6 of this document.

## > **Staffing and supervision**

OEAP guidance states that “ratios are a risk management issue, and should be determined through the process of risk assessment.” The guidance goes on to say that “it is not possible to set down definitive staff/student ratios for a particular age group or activity, although the law does specify minimum ratios for Early Years.”

Adequate levels of supervision and staffing must be established for the journey based on such factors as the sex, age and ability of the children, the presence of pupils with special educational needs, the nature/length of the journey, the nature of activities to be undertaken and the experience and competence of the staff involved.

Guidance issued by the Government back in 1998 suggested the following “starting points” for consideration of staffing ratios. These were intended as a general guide for visits to local historical sites and museums or for local walks.

- 1 adult for every 6 pupils in school years 1 to 3 (under 5s reception classes should have a higher ratio);
- 1 adult for every 10-15 pupils in school years 4 to 6;
- 1 adult for every 15-20 pupils in school year 7 onwards.

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The above guidelines make it clear that higher ratios may be appropriate in particular cases, such as for higher risk activities, for particular groups of pupils or for all trips abroad. Higher ratios are also recommended for swimming activities.

The NEU's advice on this issue is set out below:

- These ratios should be regarded as the minimum appropriate staffing ratios for school journeys.
- These ratios should preferably be interpreted as referring to the number of staff needed to supervise the party. Voluntary helpers may be involved in assisting staff with the organisation and supervision of visits, but staff will retain primary responsibility for supervising the party at all times.
- A minimum of two members of staff should be involved in every school journey, regardless of how many other adults are helping. Given the possibility of members of the group needing to be taken home or back to school or to hospital, at least two staff members are needed in order that one may remain in charge where another is called away.
- With a mixed party it is desirable that there should be members of staff or other responsible adults of each sex accompanying the group.
- Supervision arrangements for swimming activities should include provision for supervision by qualified lifesavers.
- At least one member of staff should be a qualified first aider and aware of the special medical needs of any member of the party.
- Newly qualified teachers should not normally lead school parties in their first year of teaching.

A note on staffing ratios for pupils with special educational needs can be found appended to this document (Appendix 1).

The [Early Years and Foundation Stage Statutory Framework](#) sets out specific legal requirements for minimum ratios in this age group, which apply both indoors and on outings. These are complex, and include requirements about the qualifications of the staff. In summary, they require a minimum of 2 adults with a group, including at least one person who has a current paediatric first aid certificate, with minimum ratios as follows:

- **Age under 2** 1:3
- **Age 2** 1:4
- **Age 3+** 1:8 or 1:13 depending on setting, time of day and staff qualifications.

The Framework states that, for each type of outing, providers must carry out a full risk assessment, which includes an assessment of required adult:child ratios. This assessment must take account of the nature of the outing, and consider whether it is necessary to exceed the minimum requirements: a ratio of 1:1 may often be necessary on an outing. The assessment must be reviewed before embarking on each specific outing.

Although these requirements do not apply to reception classes in maintained schools, they could still provide useful guidance.

Where adult helpers are involved, necessary checks should be undertaken. Schools/colleges will

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need to ask adult helpers to apply for an Enhanced Disclosure Check from the Disclosure and Barring Service (DBS). The DBS acts as a central access point to criminal records information held on the Police National Computer and to the DfE's List 99 which contains details of people considered unsuitable to work with children and young people. See paragraphs 167-172 of the DfE's [Keeping Children Safe in Education](#) for further details. All helpers should be briefed as necessary to ensure they are able to assist effectively.

## > **Support Staff**

There are two main additional considerations for schools to take into account when asking support staff to participate in trips: The appropriate grading, and the entitlement to premium rates for working unsocial hours.

### Grading

The National Agreement on Support Staff grading – [“The Way Forward”](#) – contains model Job Descriptions (JDs) for school support roles. These JDs clarify the out of hours responsibilities which support staff can be asked to undertake:

- Level 2 TAs are expected to “accompany teaching staff and pupils on visits, trips and out of school activities as required and take responsibility for a group under the supervision of the teacher”.
- Level 3s can be required to “supervise pupils on visits, trips and out of school activities.”

(NEU emphases)

Interestingly, there is no stated requirement for Level 4s (HLTAs, in the main) to accompany or supervise school trips, but given that more junior grades can be expected to carry out these duties, it should be assumed that a request for a Level 4/HLTA to participate in trips is a reasonable one.

Two important points need to be considered, however, before quoting the model JDs in this, or any other, respect:

- 1) That they were, and are, model JDs i.e. not mandatory, and employers may have either negotiated or made changes to them that impact on the necessity of staffing school trips, or introduced their own, bespoke, support staff JDs;
- 2) That “The Way Forward” Agreement assumes the existence of a 4 grade framework for support staff grading, whereas many employers operate a different framework, with more pay bandings than the recommended 4.

### Premium Rates and Unsocial Hours

As with any time worked outside of contracted hours, support staff who take part in schools trips are entitled to receive the premium payments outlined in Part 3, Section 2, Paragraph 2.6 of the [Green Book](#) – The National Agreement on Pay and Conditions of Service for School Support Staff:

“Employees, in receipt of basic pay at or below point 22 on the new pay spine from 1 April 2019, who are required to work (a) beyond the fulltime equivalent hours for the week in question or (b) on Saturday or Sunday or (c) at night or (d) on public holidays or (e) sleeping in duty or (f) other nonstandard working arrangements are entitled to compensation as set out in sub-paragraphs (a) to (f) below.

Again, though, there are two issues to bear in mind before pressing a claim for such payments:

- 1) Not all Local Authorities (LAs), Multi-Academy Trusts (MATs) and stand-alone academies adhere to all aspects of the Green Book, so you will need to check this point with your NEU District Office.

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- 2) Enhanced overtime payments e.g. time and a half for midweek working, are only applicable for part-time workers at the point at which you have worked the full-time equivalent (FTE) hours for the job. Up to that point (37 hours pw outside of London, 36 hours pw in London), overtime should be paid at single rate.

## > **Parents**

It is important that parents should sign a document affirming that they have read and understood what the visit may involve, the activities which will be undertaken and the authority which the supervising staff will have to deal with problems and emergencies.

Such forms, usually called consent forms, should be obtained signed for each child participating in the journey. It is best to secure these signatures at an early stage after planning has been completed since if a parent does object, it may be necessary to make a harsh decision that the pupil cannot participate. If this happens at a late stage there may be problems about cancellation.

The forms should cover such matters as emergency medical treatment, medical conditions, GP's address, dietary requirements, home telephone number/address and other details. It is particularly important that the staff supervising the trip know whether the child will need medication or other special attention whilst on the trip. This information may raise questions about whether the child can participate if the supervising staff judge that they cannot safely deal with these needs or are unwilling to do so.

Ordinarily staff will not want to deprive a pupil of the experience of the visit unless that is considered necessary. Where it is necessary, discovering the possible problems at an early stage will at least reduce the disappointment.

Parents should also be given full written details regarding the organisation of the visit, including those involving short trips during the day. Such details should specify the purpose, destination and location of the visit; the programme; relevant dates and times; travel and accommodation; standards of behaviour expected of children; staffing; special clothing required; insurance cover; telephone numbers; and emergency procedures for contacting parents. A meeting might be planned to cover relevant issues and to give parents the opportunity to raise issues of concern to them.

The DfE has published a '[single consent form](#)', intended to be signed by parents when a child enrolls at a school, which will cover that child's participation on any school trip throughout their time at the school. Parents must still be told in advance of each activity (unless it takes place wholly within school hours and no charge is being made<sup>2</sup>) and be given the opportunity to withdraw their child from any particular visit or activity, so it is difficult to see how the single consent form will really reduce paperwork for schools. Some parents may, understandably, object to such an arrangement which will create additional workload and bureaucracy.

## > **Excluding pupils from educational visits**

The Equality Act 2010 and the Special Educational Needs and Disability Act 2001 (SENDA) have simplified and strengthened the discrimination laws which protect school pupils from unfair treatment. It is unlawful for a school or other education provider to treat a disabled student unfavourably. Such treatment could amount to:

- direct discrimination
- indirect discrimination
- harassment

Every effort should be made to make educational visits accessible to all who wish to participate, irrespective of disability. Staff should plan for inclusion from the outset, and should make

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<sup>2</sup> With the exception of nursery age children

appropriate 'reasonable adjustments' to enable the participation of disabled pupils.

In some cases, however, particularly where poor behaviour is an issue, this may not be possible. Where the behaviour is a direct consequence of a child's disability, however, schools will need to demonstrate that they have considered such reasonable adjustments that could have been made, in order to comply with the law. Pupils should not, however, be permitted to participate in educational visits where their behaviour may be such that they present a danger to themselves or to others, until such time as their behaviour can be modified. For more information on taking pupils with special educational needs on educational visits, see Appendix 1.

#### > **Preliminary visits**

The NEU recommends that where possible the group leader should make preliminary visits so as to become familiar with the places and activities to be encountered. Visits should be followed by reviews to identify problems, consider matters arising which may be relevant on future visits, and to prepare reports to educational visit co-ordinators.

OEAP guidance states:

*All visits should be thoroughly researched to establish the suitability of the venue and to check that facilities and third party provision will meet group expectations. Such information gathering is essential in assessing the requirements for effective supervision of young people. It is a vital dimension of risk management.....wherever reasonably practicable, it is good practice to carry out a preliminary visit.*

#### > **Safety and emergencies**

Pupils should be given appropriate information and guidance prior to the visit taking place so that they understand the standard of behaviour which is expected of them and why rules must be followed. Lack of control and discipline can be a major cause of accidents.

A clearly defined safety code for the journey, including rules of conduct and behaviour standards and routine and emergency safety procedures, should therefore be laid down in advance and made known to all pupils, staff, helpers and parents. Procedures such as regular head counts, and occasional registers, should be built into such routines. A separate copy of the safety code should be kept with the 'named person' – the point of contact at the school for the duration of the trip.

Insurance arrangements - medical insurance as well as liability cover for out-of-school activities - should be appropriately dealt with. OEAP has produced an excellent [summary](#) of the different types of insurance that are needed with regard to school trips.

#### > **If things go wrong**

Even the best planned visit can be disrupted by unforeseen events such as illness of staff or pupils. Careful emergency planning can, however, mitigate the trauma of being caught up in an emergency. Staff on educational visits must be given school and local authority telephone numbers that they can use at any time of day or night in the event of an emergency.

The school educational visits co-ordinator, head teacher or other appropriate 'named person' within the school should be provided with the programme for the trip, contact telephone numbers while on the journey, the planned emergency safety procedures and a full list of all participants and their home contact details. A chain of contact should be arranged in advance from that person for swift communication in case of emergency. A senior manager, such as a local authority duty officer, should be contactable at all times in the event of an incident.

It is recommended that paperwork, including parental authorisation for emergency medical treatment, insurance documentation, medical insurance cards such as EHICs<sup>3</sup> for EU journeys and passports for all overseas trips, be carried at all times by staff, instead of being left behind in accommodation. This will prevent any delays in accessing treatment. Additionally, separate copies of all such documentation should be kept at school/college so they can be made available at short notice, should the need arise.

It is important to reassess risks as the visit proceeds. Changes in the weather need to be monitored. Changes to the itinerary may introduce new hazards not covered in the original risk assessment. Regular head counting of pupils should take place, particularly before leaving a venue. Pupils should be readily identifiable, either by their uniform or by a brightly coloured cap or backpack.

Finally, should an emergency occur, it is likely that the school/college will be approached by the press. The school should have proper procedures in place for dealing with media enquiries during an emergency; these should be set out in a school/college or local authority's emergency procedures policy. Government advice on handling the press in such circumstances is available at [www.gov.uk/government/publications/handling-media-attention/handling-media-attention-after-a-major-incident](http://www.gov.uk/government/publications/handling-media-attention/handling-media-attention-after-a-major-incident)

Further, more detailed advice on managing emergency situations can be found on the OEAP website. *Off Site Visit Emergencies: The Employer's Role* can be found at <http://oeapng.info/downloads/download-info/4-1a-critical-incident-management-the-employers-role>.

## ***5. Learning Outside the Classroom (LOtC) and the Quality Badge Scheme***

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In February 2005, the Government launched its "Learning Outside the Classroom Manifesto". One aspect of the Manifesto was the development of 'Quality Badges' for providers of outdoor education facilities/residential courses. The Badge system was intended to assist those organising school trips to identify easily those organisations and settings providing quality "outside the classroom activities". These include venues for field study and activity centres, museums, historic houses, theatres, galleries, zoos, botanic gardens and farms.

The scheme, which has been praised by OFSTED, was launched on 9th October 2008 and the first awards were made from 1st February 2009. The Council for Learning Outside the Classroom took over the management of the award scheme on 1st April 2009 and now has a small team of people working full time to support both providers and users as well as promoting and developing the Learning Outside the Classroom (LOtC) Quality Badge in response to feedback.

The NEU has been supportive of the Quality Badge Scheme on the basis that it should assist those planning school trips and reduce bureaucracy and workload at school level. It is important to note that the Quality Badge Scheme does **not** cover adventurous activities covered, for the time being, by The Adventure Activities Licensing Regulations 2004. More information on the Quality Badge Scheme and other Manifesto materials is available [here](#).

## ***6. Adventure activities***

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Particular care is needed when organising and supervising adventure activities. Commercially-run outdoor activity centres are currently subject to the Adventure Activities Licensing Regulations 2004 which established a licensing system and specific safety standards which centres must meet.

Enquiries should be made about similar regulatory regimes effective in any foreign countries which are to be visited. Where such local regulations are in force, they should be followed. Only centres

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<sup>3</sup> European Health Insurance Cards (EHICs) are renewable, so checks should be made prior to the trip to ensure that all participants have up-to-date cards.

approved in accordance with such regulations should be used.

## > **Centre-led adventure activities**

The Adventure Activities Licensing Regulations 2004 require that persons offering certain adventure activities on a commercial basis to young people under the age of 18 must hold a licence to do so. The regulations cover local authority run centres but do not cover non-commercial centres or schools/colleges offering activities to their own pupils.

Schools/colleges which use activity centres run either by commercial bodies or by the local authority should check that centres offering the activities listed below have an up-to-date licence as required by the regulations:

- Caving (including pot holing, mine exploration and cave diving).
- Climbing (including rock climbing, abseiling, gorge walking, ghyll scrambling, and sea level traversing).
- Trekking ie journeying on foot, horse or pedal cycle or ski-ing over terrain which is moorland or more than 600 metres above sea level and from which it would take more than 30 minutes travelling time to reach any accessible road or refuge (including walking, fell running, orienteering, pony trekking, mountain biking, off-piste ski-ing, off-piste snowboarding, skating and sledging).
- Watersports, including canoeing, kayaking, dragon boating, wave ski-ing, white water rafting, sailing and sailboarding.

The Adventure Activities Licensing Service, which carries out inspections and issues licences on the HSE's behalf, must ensure in granting a licence that:

- the centre's operators have assessed the risks to young persons engaged in the particular adventure activity and instituted the necessary safety precautions to control the risks; and that
- the instructors have the training, experience, qualifications, personal qualities and communication skills to ensure the safety of participants, taking into account their age and any special educational needs.

The Adventure Activities Licensing Service keeps a register of licences, including the names of licensed centres and the activities for which they are licensed. Licences do not have to be held for all dangerous activities, just those described in the regulations, and some activity centres will offer a mixture of activities of which only some fall within the licensing scheme. Centres are obliged, however, to describe in their publicity material exactly which adventure activities are covered by their licence and which are not. The NEU advises schools and colleges to consult the [licence register](#) before making any bookings.

The NEU advises that local authority-maintained schools should seek the advice of the local authority before booking places at an activity centre offering activities that are not part of the licensing scheme. Foundation and independent schools and academies will need to seek other appropriate external/employer advice.

All schools/colleges organising visits to activity centres should, nevertheless, satisfy themselves that the activities offered, the type of instruction, the level of supervision and any prevailing conditions on the day an activity is scheduled to take place are suitable for their own particular group of children/young people before embarking on any hazardous pursuits.

## **Proposals to replace the Adventure Activities Licensing Authority**

In 2018, the HSE consulted on the future of the AALA. The options proposed were to:

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1. Retain the AALR regulations and current licensing scheme underpinned by the Health and Safety at Work etc Act 1974, and increase fees; or
2. Retain the AALR regulations and current licensing scheme underpinned by the Health and Safety at Work etc ACT 1974 and increase fees and extend the activities in scope; or
3. Removal of the AALR regulations and move to an industry-led, not for profit accreditation scheme underpinned by the Health and Safety at Work etc Act 1974, to provide assurance to users of outdoor activities.

When responding to the consultation, the NEU sought the advice of the Outdoor Education Advisors Panel (OEAP) who advised that their preferred choice was option 3 – replacement of the AALA with an industry led scheme. While the NEU had previously been concerned about the possibility of deregulation and had argued against previous attempts to replace the AALA, we support the OEAP position that the proposed industry-led scheme would be far more beneficial to schools than the current AALA. Firstly because the AALA is limited to four activities, whereas a wider scheme would encompass all activities. It would also broaden the scope to include issues such as the quality of educational provision, child safeguarding and transport safety and would make it easier for schools to select providers.

**The HSE board reviewed the consultation responses in June 2018, but was unable to reach a decision. It asked for more information about option 3 before coming to a final decision. In September 2018, following discussion of the information provided, the HSE Board approved the option 3 proposal. The final decision rests with Parliament and it will take a number of years before a conclusion is reached. In the meantime the AALA regulations are still in place.**

#### > **Water-based activities**

Although deaths of pupils on educational visits are thankfully extremely rare, many of those that have occurred in recent years have involved water-based activities, whether in swimming pools, the sea, lakes or rivers.

It is important that risk assessments take account of:

- the competence of the group leader and the other adults who will be present
- adult to student ratios
- potential hazards
- the likelihood of someone falling into the water
- foreseeability of a 'panicky' swimmer
- underwater hazards (e.g rocks or strong currents)
- getting the group in and out of the water easily
- changes in weather
- tidal conditions

The NEU advises that no water-based activity should take place unless at least one qualified life-saver is present, even if pupils are just paddling. Only life-savers whose qualifications have been verified and are up-to-date should be used. Life-saving qualifications remain valid for only 24 months at a time. If teachers are concerned that life-savers are not engaged in proper supervision, or are not able to exercise adequate supervision, for whatever reason, the staff member in charge should suspend the activity immediately.

#### > **Duke of Edinburgh Award (DofE)**

Comprehensive guidance on running DofE award activities can be found on the [DofE website](#). DofE programmes are delivered under licence by over 400 'operating authorities' throughout the UK (e.g. local authorities, uniformed organisations, charities and businesses). They are responsible for the administration of the DofE in their area and for authorisation of awards. Each operating authority

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has a number of DofE centres, managed by a centre co-ordinator. In each DofE centre there can be one or more DofE groups, each run by a DofE leader.

All DofE centres have to be authorised by a licensed Operating Authority to ensure they meet specific standards of safety, child protection, training etc. Anyone wishing to set up a centre or run a group should see the above website for further details.

#### > **Adventurous activities abroad and BS 8848**

There are an increasing number of organisations and individuals who offer a wide variety of overseas experiences to people of various ages and ability. Many take a very responsible approach and give much useful information to prospective travellers. Nevertheless, there have been a number of widely-publicised incidents and deaths.

In order to provide some rigour and uniformity of standard to the provision of adventurous travel abroad, the British Standard for Adventurous Activities 8848 (BS 8848) was developed by the British Standards Institute (BSI) working in partnership with a number of expert bodies, such as the Adventure Activities Licensing Authority, the Royal Geographical Society, Girlguiding UK and the Young Explorers Trust.

The Standard is designed to help venture providers demonstrate to prospective participants that their ventures are properly managed and well organised. The NEU believes that, especially given the current shortage of detailed advice in this field, BS 8848 could provide a valuable 'benchmark' against which the health and safety standards of venture providers might be judged.

There are, however, caveats to consider.

BS 8848 recommends that potential participants can initially determine that their selected venture provider conforms to the Standard by checking that it claims compliance on its marketing materials and by comparing the processes and procedures used by the venture provider with those required by the Standard. The NEU does not regard this as being a robust means of checking compliance with BS 8848.

BS 8848 goes on to state that, ultimately, compliance should be verified by an independent third party. This should be carried out via the employment of an appropriately competent body to assess their scheme and confirm that it does indeed meet the requirements of the Standard. The NEU recommends that schools/colleges should always seek evidence of rigorous third party verification, by a demonstrably competent body, before embarking on any plans.

All British Standards are voluntary. Nevertheless, the BSI states that if there should ever be circumstances where a consumer and provider have gone to law over a dispute, British Standards are one of the established sources of reference for judging whether organizations have behaved in accordance with recognised good practice.

It should be noted here that some venture providers target schools to disseminate details of ventures such as voluntary charity fundraising trips and gap year projects. Schools should be wary of acting as the 'go-between' in such situations, and should certainly refrain from co-operating with any organisation whose compliance with BS 8848 is in the slightest doubt.

Copies of BS 8848 can be bought [online](#).



## **7. Specific advice relating to other types of trips**

### **> Trips abroad**

When organising trips abroad, it is important to ensure that all passports are valid and relevant visas obtained beforehand. Some countries require passports to be valid for at least six months after the date of entry into the country. Details of the nearest British Embassy should be obtained.

It is advisable for the adults to be fully briefed, to familiarise themselves with the basic laws and cultural requirements of the country and at least one person should be competent in the language. Prohibited acts should be communicated to the students to avoid allegations of criminal conduct. To minimise health and safety risks, any medical needs of the participants to the trip should be checked. The recommended vaccinations should be carried out (group discounts might be available). In some countries drinking tap water should be avoided – taking water-sterilising tablets and a basic first aid kit is advisable.

The address of the accommodation written in the language of the country should be written on a card and handed to everyone in the group. Everyone should know how to contact the emergency services and what to do if someone is ill. Ideally, everyone should know the basics of the language, such as 'excuse me' and 'please'.

### **> Farm visits**

Risk assessments on taking students to farms should include hazards associated E.coli and other infections, as well as those arising from the misuse of farm equipment. Precautionary measures include:-

- making sure that students wear appropriate footwear and clothing
- covering cuts and grazes on hands with waterproof dressing
- not allowing students to eat, drink or chew anything (including sweets) outside of designated areas
- reminding students not to suck fingers or put hands/pens/pencils/crayons etc in their mouths
- never allowing students to kiss animals or place their faces against them
- ensuring students wash their hands thoroughly before and after eating and before leaving the farm – alcohol gel and wet wipes are not sufficient substitutes
- making sure students do not use or pick up tools unless permitted to do so by farm staff and that they do not ride/climb on to tractors or other machinery.

Further NEU guidance on farm visits and animals in education can be found at <https://neu.org.uk/advice/animals-education-and-guidance-farm-visits>

## **8. Using tour operators**

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Many educational visits, particularly residential visits either abroad or in the UK, are arranged through tour operators. When selecting a tour operator it is important to choose a reputable company with externally verified safety management systems. The NEU supports the School Travel Forum (STF), a group of tour operators who have developed a rigorous Code of Practice to which all its member companies must adhere. STF member companies must undergo an annual external verification of their safety systems and suppliers, including spot checks on all key components of the arrangements they offer to schools.

Choosing a STF member tour operator does not mean that schools do not have to undertake risk assessments. It does mean, however, that teachers can be confident that the main components of a school package, for example travel arrangements, food, accommodation and fire safety, have been organised with health and safety as the chief concern. Choosing an STF member should also reduce the workload involved in organising trips as well as providing a large degree of protection for teachers and pupils.

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School party leaders can select STF members displaying the 'STF Approved' logo or via the [website](#). The website will enable schools to verify a tour operator's membership of the STF and the site contains full information on the STF Code of Practice, as well as offering a wide variety of useful information and links for party leaders. Party leaders will also be able to make use of the STF's email advice line on all matters relating to school journey arrangements.

## **9. Swimming**

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NEU guidance on safety during swimming activities is available [here](#). It includes detailed advice on appropriate qualifications for those involved in swimming and lifesaving activities, safe supervision ratios, operating procedures, emergency procedures and a range of other relevant matters.

## **10. Transport**

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### **> Coaches**

Educational visits, especially those which include overseas travel, are likely to require coach travel. When using hired coaches, the key safety factors to consider are: the driver, the coach and equipment, the company and the route or itinerary.

Considerations when choosing a coach provider should include:

- Check that the coaches have appropriate seat belts for the age of the pupils (see below for more information on seat belts)
- Ensure that the chosen coach company will not subcontract to another company, as the subcontractor may have different standards
- Ask for copies of the operators vehicle, public liability and employer's liability insurances
- Confirmation that the coach company has a specific risk assessment for group travel with children and young people
- Confirmation that vehicles undergo four weekly safety checks
- If travelling abroad, check that the driver has experience in driving the coach in the expected conditions, e.g. mountain roads and in snowy conditions
- Ask if the coach company has any external accreditation or audit such as the BUSK Benchmark, CoachMarque or Guild of British Coach Operators.

School employers should be wary about providers that offer significantly lower prices, as this could be at the expense of less rigorous health and safety standards. They should instead choose providers based on value rather than cost alone.

Before departure, the group leader should check the location of emergency exits in the coach (including rear doors, windows and roof hatches), making sure that access is clear and they are clearly signposted and the location of any emergency equipment (e.g. first aid box). Staff should also position themselves around the coach rather than all sitting in the same location, and specifically adjacent to emergency exits to help with evacuation should an emergency occur.

Further guidance on coaches is available from the [OEAP guide](#).

### **> Minibuses**

Full details of rules governing school minibuses, in particular those affecting seatbelt requirements for minibuses and coaches and licensing requirements for minibus drivers can be found in the NEU's guidance.

> **Private cars**

The NEU regards the use of staff members' private cars on school trips as totally inadvisable. No member of staff should be compelled to take pupils in their car. Where staff members volunteer to transport pupils in this way, they should make sure they have the correct type of motor insurance (business use) and should never agree to drive individual children because of the risk of unfounded allegations (unless it is an emergency). Detailed OEAP advice on use of private cars is available [here](#).

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**11. Seat belts and child restraints**

When transport for school trips is arranged, the group leader will need to consider when and where seat belts and child restraints should be used. Full details of the requirements on seat belts and child restraints are available in the NEU guidance on 'Safety on School Minibuses' and 'Child Car Seats'.

The section of the OEAP guidance on seat belts and child restraints is available [here](#).

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**12. Further Information**

**NEU Guidance**

Safety on School Minibuses  
Safety in School Swimming

[DfE - Health and Safety Advice on Legal Duties and Powers](#)

[Welsh Government guidance](#)

[HSE: School trips and outdoor learning activities: Tackling the health and safety myths  
The Outdoor Education Advisers' Panel \(OEAP\)](#)

[Council for Learning Outside the Classroom](#)

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**13. Action points for safety reps**

Make sure that:

- your school has a designated and appropriately trained "educational visits coordinator";
- your school or college procedures on educational visits are in line with, as appropriate, DfE/Welsh Government, local authority/employer and NEU guidance;
- the school or college procedures, and, as appropriate, local authority/employer and DfE/Welsh Government guidance are available and made known to all staff; and that
- these procedures are actually followed in your school/college.

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## ***Appendix 1 – Staffing levels for visits involving pupils with special needs***

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The general guidance on staffing levels for educational visits for SEN pupils, set out in the main body of this document is, of course, valid for visits involving pupils with special educational needs. There are, however, additional points which need to be considered.

Higher staff/pupil ratios than those formerly recommended by the DfE and still recommended by the Welsh Government will be required. Individual risk assessments will be also be required to ensure that the specific needs of individual pupils can be addressed. The results of the risk assessment will indicate the staffing needs of a particular visit. It would not be appropriate to recommend rigid staffing levels for children or young people with special needs, as their needs will differ too greatly. The following factors, however, have been identified as likely to impact upon the decision on staffing levels:

- the need to administer medication;
- the need for a member of staff of the same sex to accompany a child/young person to the toilet;
- the likelihood of a pupil seeking to abscond – most venues will be less secure than the average special school;
- the likelihood of a medical emergency arising;
- the way in which being away from the normal setting will affect behaviour – for example some pupils have unpredictable fears and phobias which will be more difficult to cope with out of the normal school environment;
- the need for staffing levels to allow staff working on a 1:1 basis a break from watching a child or young person continuously throughout the day;
- recognition of the fact that if a member of staff is driving a minibus, s/he will not be able to deal with emergencies which arise en route and that at least one other member of staff will be required to fulfil that role;
- the need to plan for contingencies such as lack of disabled access or parking spaces;
- the risk of violence/assault;
- the need for manual handling of pupils; and
- the need for restraint and deployment of trained staff.

Even though all these issues need to be considered in the context of a classroom setting, being away from the normal environment will introduce extra hazards which mean that staffing levels will need to be higher. For example, the behavioural problems of a child or young person may be effectively contained within a school or college setting. Leaving that setting may mean that those behavioural issues become more of a safety issue. For example some children/young people may have aversions to particular sounds or animals and their intense fear may cause them to behave violently. In many cases, parents will be able to offer helpful advice on how a child/young person is likely to behave out of school.

A further issue to consider is the impact of the experience of the staff upon the safety of the visit. It is important, not only that the group leader and accompanying staff are experienced in special education, but also that they are experienced in, and familiar with, the particular needs and behaviour patterns of the pupils who will be taken on the visit.

Decisions on whether a particular child or young person may be taken on a visit should not rest solely with the teacher. Where a teacher is concerned about the risks involved, it is helpful for a meeting to be held between the head teacher, class teacher, parent, support staff who work with the child/young person, and possibly their GP and any third party provider. This should help identify a way in which the child/young person can be safely taken on the trip.

It is important to note that it is standard accepted practice for mainstream pupils to have better staff/pupil ratios out of school than those which operate in the classroom. The same principles should apply to special needs pupils. Even one-to-one staff/pupil ratios may need to be improved upon.

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Where members of staff are not happy about the staffing ratio for a particular visit, the visit must not go ahead.