

SEVERE WEATHER

STATEMENT OF PRACTICE

Version Control

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1 Introduction

- 1.1 This guidance document provides advice for Head Teachers and School Governors and has been prepared following the severe weather of recent winters. The advice aims to provide clarification on a number of important matters relating to severe weather and includes information provided by government.
- 1.2 Bolton Council recognises the important role of Head Teachers in deciding whether schools should remain open in periods of severe weather and this advice has been prepared in order to help them in making those decisions. Above all, it strongly encourages schools to make every effort to remain open during periods of severe weather and suggests strategies for doing so, including, for example, reduced hours of opening and clearance of snow from the school site.
- 1.3 It is for individual schools to make any decision to close. They know the local conditions and the contingency possibilities which may allow the school to stay open for some or all pupils. Such decisions should however be based on a common sense approach, having regard to the conditions at the school and the need to continue to provide an education to children whenever feasible.

2 Planning ahead for severe weather

- 2.1 When it comes to severe weather conditions such as heavy snow, Head Teachers are expected to keep schools open for as many pupils as possible whenever it is reasonable for them to do so. If schools close for whatever reason it can be disruptive to children's education and make life difficult for working parents. Therefore schools should be planning on the basis that they intend to remain open during severe weather.
- 2.2 At some time during the winter we might expect there to be a bout of severe weather. Therefore schools need to have plans in place, even if it doesn't happen this year, it will be valuable planning for the future.
- 2.3 In making plans for the winter, the Head Teacher should consider:
 - how to contact staff and parents, as well as the wider community, including the local authority and the press
 - maintaining stocks of salt and grit and reviewing the level of stock held, in the light of supply problems in previous years
 - identifying which areas of the school site need to be kept clear of snow and ice and ensuring that school staff who will usually assist with salting and gritting or otherwise keeping the relevant parts of the site clear know what steps to take, including undertaking these tasks safely
 - arranging for help to be available from the school community to help clear paths, entrances and steps which will involve;

- i. associated risk assessments to be undertaken by the school and issuing specific instructions to staff, or other people, based on them
- ii. estimating who amongst your staff will be able to get in safely for the beginning of the day and how you will be able to manage the school in those circumstances
- iii. preparing for a day (or more) that might involve a reduced curriculum offer, where you will need to supervise students more than be able to provide the usual rich curriculum
- iv. setting up an incident management team that would be available to manage the situation when it arises
- v. working together in cluster groups so that parents with more than one child in schools are able to make their decisions on the basis that schools in the area are making the same arrangements (it might also help with transport arrangements if all schools in an area decide, for example, to open late)
- vi. ensure you have all the information you need in advance including contacts (name, telephone numbers) for those who will collect children if parents are not available and bus and taxi drivers' telephone numbers for school transport, so that direct contact can be made with them

3 Taking the decision to close the school

- 3.1 The local authority advice will be to remain open except in the most extreme or exceptional of circumstances. Head Teachers are authorised to make an emergency closure when the state of the weather or any other exceptional circumstance make it absolutely necessary in the best interests of the pupils.
- 3.2 The overall decision on whether to close therefore lies with the Head Teacher – it is not possible to have a centralised or uniform approach on this matter as each school is best placed to know the local conditions. Head Teachers should inform the Chair of Governors of the decision taken.
- 3.3 Decisions must be supported by the latest and most accurate information available. The presumption should be in favour of keeping the school open unless, in the Head Teacher's view, to do so would put the health, safety or welfare of pupils and/or staff at risk. In reaching this decision, Head Teachers should take full account of local circumstances and, in particular, the following considerations:

Both short and longer term weather information

- 3.4 It would be inadvisable to react to the first flurry of snow without seeking further information on the weather conditions ahead. Equally, it would be unwise to send people (pupils or staff) home when a blizzard is at its height.

Advice from transport operators

- 3.5 Transport operators are key players in such circumstances as they will be the ones who decide whether vehicles should/can continue to operate.

Arrangements for pupil safety

- 3.6 The absolute priority is to ensure that provision is made for each and every child. Where children cannot be collected or delivered home, they should be kept at school and supervised.
- 3.7 It is often specific access or other localised issues that require schools to close. Therefore in these circumstances the closure or opening of other schools in the proximity should not be the key factor in taking decisions. The overriding principle is that it is the responsibility of all employees to make every effort to attend for duty at their normal school.
- 3.8 Any decision to close should, where practicable, be made before 7.00am to allow information to be passed onto the media and relevant people as soon as possible.

Closure during the school day

- 3.9 The safety and well-being of pupils should be paramount. If in doubt a child should not be released. Safe and speedy dismissal of pupils in the event of an emergency closure depends on the school and parents working in partnership.
- 3.10 Parents should be fully aware of the procedures which will operate in any particular school should there be an emergency closure. Normally, this information would appear in the school prospectus and school website.
- 3.11 Parents should provide the school with any specific instructions in respect of their child should the school require to close during the day. Parents are required to give schools an emergency contact and should have told the children what to do in the event of an emergency closure.

Precautions

- 3.12 Reasonable attempts should be made to ensure that children and young people will go home to a safe environment should school be closed. Clearly, the relevance of the following precautions will be dependent upon the age of the child or young person.
- 3.13 It may be that a parent who collects his/her children offers to give shelter to other children. The agreement of the parents of these children should be sought before releasing pupils in this way.
- 3.14 If it is customary for pupils to walk home at the end of the school day, it would be reasonable for the school to release these pupils to walk home in an emergency but only if there were a parent or an identified adult expecting their arrival. Account should be taken also of the age of the pupil, the severity of weather conditions and

the distance to be walked. It would not be seen to be reasonable to release pupils with the instruction to return to school if they find no one at home.

- 3.15 On occasion, teaching staff escort pupils home and return with them to school if there is no one at home to supervise them. Before this course of action is undertaken, due attention should be paid to the severity of the weather and to the pupil to teacher ratio in the escorted group.

Children remaining in school

- 3.16 Provision of adequate supervision by members of teaching staff should be made for those pupils who cannot go home or to their emergency destination immediately and have therefore to remain at school.

4 Remaining open

- 4.1 As an alternative to closure, Head Teachers should consider:

- opening the school later in the day and closing earlier
- how the school building might be used to ensure there is adequate supervision, for example use of the hall and other larger spaces where this is practicable
- limit the extent to which students have to move between buildings
- plan the curriculum offer or the strategies you will use to ensure students are managed effectively and safely with the staff available

5 Communication arrangements

- 5.1 It is essential that when there is potential for school closures due to severe weather conditions, Head Teachers are in a position to communicate quickly and clearly with parents. This is just as important in relation to schools which are to remain open as it is to those which are closed. The school or council website and local media are now seen by many parents as the information channel in these situations. To make best use of the communication channels they offer, any decision to close should be taken as early in the day as possible.
- 5.2 Schools should also follow the usual procedures (i.e. text messaging) to inform parents and carers. To make every attempt to publicise any closure, a member of staff or a notice posted at the school gates could prevent pupils from being left by parents at the start of the school day.

Services

- 5.3 All of the service providers who will be affected by the closure should be informed as soon as possible.
- 5.4 Arrangements for school transport and crossing patrols should be made.

- 5.5 Schools which share transport should make absolutely certain that each is aware of what the other is doing.
- 5.6 Parents should give strict instructions to the children as to what they should do in the event of transport not turning up to take them to school.

6 Arrangements for staff

- 6.1 The overriding principle is that it is the responsibility of all school staff to make every effort to attend for duty at their normal school. The following arrangements will be adopted where time away from normal place of work becomes necessary as a result of severe weather.

First day of bad weather

- 6.2 Where a member of staff arrives late or leaves early, or is unable to attend work for their contracted hours they should make every effort to report their absence as early as possible. Where the Head Teacher is satisfied with the teacher's explanation, one of the following options can be agreed (delete as appropriate):
- a suitable programme of work to be carried out at home
 - flexible working, where it has been agreed by both parties that work will be undertaken within a four week timescale to compensate for the absence (it must take the form of agreed work additional to that expected within the normal working week)
- 6.3 Where none of the above options are possible, the Head Teacher should authorise unpaid leave.

Subsequent days of bad weather

- 6.4 If the member of staff is still unable to report for work on subsequent days, the following options may be available (delete as appropriate):
- a suitable programme of work to be carried out at home for up to a maximum of three days in total, subject to review each day
 - flexible working, where it has been agreed by both parties that work will be undertaken within a four week timescale to compensate for the absence (it must take the form of agreed work additional to that expected within the normal working week)
- 6.5 Where neither of the above options are possible, the Head Teacher should continue to authorise unpaid leave.

Deterioration of weather whilst at work

- 6.6 Should a staff member request to leave early due to weather becoming worse and their desire to head for home, before it possibly becomes too bad to travel, a Head

Teacher would be expected to use suitable discretion. In such circumstances, a suitable programme of work to be carried out at home should be agreed.

Where a school is closed to pupils

6.7 All staff should attend their normal place of work. If unable to attend, the following options should be agreed with the Head Teacher: (delete as appropriate)

- a suitable programme of work to be carried out at home,
- flexible working, where it has been agreed by both parties that work will be undertaken within a four week timescale to compensate for the absence (it must take the form of agreed work additional to that expected within the normal working week)

6.8 If the member of staff is unable to report to their normal place of work on subsequent days or to fulfil any of the above options, unpaid leave will apply.

6.9 Where a school is completely closed to all, for example when the police or the authority deems this to be necessary, then salary payments will be unaffected.

Absence due to sickness

6.10 Where an employee is absent due to sickness on a day which is known to the Council to be a severe weather day (school closure, severe weather warnings etc.) then the Managing Sickness Absence Framework must still be followed.

Do I have to start and end the day at the normal time?

No. In these circumstances a successful strategy might be that the school starts later than normal - perhaps 10:00 rather than 8:30 or 9:00. This gives you two advantages; firstly when you make the decision you can do so the night before and inform everyone that the school will open later. Secondly, the final decision about whether it is practical to open at the delayed time can be taken slightly later in the day when the weather conditions might have improved and staff have a better chance of getting in to school.

If school hours are changed, what do I need to consider about school transport?

If the decision is made during the day to close the school early, the school will need to inform their transport operators direct, they should also consider contacting the parents of students (or their nominated contacts) who are dropped off at rural bus stops as these parents may be working and unable to collect from bus stops at a different time.

If the decision to open later than usual is made the day before, the school can give their transport operators prior warning; however there may be difficulties if transport is shared with another school that has different opening times.

If this is a strategy that could be successful in your situation, it might be worth negotiating with your cluster about making the same decision to open late or close early.

If the decision is made (on the day) to delay opening, it may be possible to alter transport operations so that buses can be delayed (transport operators are advised to listen to local radio announcements) however there may be difficulties as bus drivers often arrive at bus depots soon after 6.30am, with some children being collected at bus stops as early as 7.45am.

What about unauthorised absences?

The Department for Education ('DfE') guidance dated March 2015 states that where children are unable to get to school due to severe weather conditions, you can mark them in the register using absence code 'Y'. This means that their absence won't affect your school's attendance figures.

However, if you believe that a child could have got to school, their absence should be recorded as unauthorized using code 'O'.

The police often say that people should not go out unless their journey is essential. Does that mean that school workers should stay at home?

No. The DfE and our contacts in the police have confirmed that getting to work and school are within the overall definition of essential – in other words, this statement is not in itself a reason why school staff should not consider making the journey to work.

What responsibilities does the Head Teacher have towards staff in these situations?

Staff are responsible for getting to work. Each person must ultimately make his/her own assessment of the individual day's weather conditions and the risks that they may pose, within the context of the 'essential journey' definition given above. This guidance does not compel staff to take risks; it encourages everyone to make good plans in advance of bad weather.

All staff have the responsibility for ensuring that they make every effort to reach school if it is open, bearing in mind that they are not expected to put themselves at risk by travelling in severe weather conditions. However, even if a decision is made not to travel at the start of the day, the obligation continues during the course of the day if weather or travel conditions improve. Despite closure, staff still have a duty to attend their school if they possibly can and a declaration of closure should not itself prevent staff from reporting for work, as long as they are not putting themselves at risk by travelling.

The Head Teacher does not have a duty of care towards staff which extends to include the journey to and from school.

It is recognised that in certain circumstances staff will not be able to get to work and Head Teachers will need to have a system whereby staff can alert them if they are unable to make the journey. Head Teachers can then plan the arrangements they need to make for the school day.

What if I clear the school site? Am I taking a risk that someone might fall and injure themselves?

Schools often ask whether they should clear snow and ice from their grounds and what the consequences would be if someone were to fall on an area that the school had cleared. The short answer is that schools should take steps to clear, at least, the higher risk parts of the school site, but in so doing should take reasonable care.

Head Teachers need to carry out a risk assessment of the site which would consider the likelihood and the severity of an incident. The following areas would be regarded as high risk zones:

- around entrances to buildings, particularly where there are steps
- other steps around the site where lots of people will walk
- sloping pathways and walkways around the site
- within the school boundary, pathways used by pedestrians

It is recommended that the school identifies those areas of the site that will probably require treatment in bad weather, perhaps during a premises inspection involving governors. A standing instruction to the caretaker, or other appropriate member of staff, to treat the identified areas would indicate that the school has taken reasonable care.

Grit and salt bins can be usefully sited on school sites.

Can I use members of the local community to help clear the site?

Yes. There is no problem with members of the local community helping the school to clear the site. Again, the school should ensure that reasonable care is taken and the most important areas of the site are identified and prioritised.

Though there is a very small risk of incurring liability, provided reasonable care is taken and a risk assessment undertaken, the risk is definitely acceptable.

The local community around the school can also be encouraged to clear the local pavements and footpaths; for example, schools might wish to engage their local parish council or their local neighbourhood watch organisation.

The government is keen to see communities helping themselves and has provided reassurance that the risk of liability arising from responsible behaviour needn't persuade people not to be involved. We have included the extract from the Lord Young report as at Appendix 3.

Should a civil case actually be launched for injuries or loss resulting from snow/ice we are assured that the county council's public liability insurance covers school staff including those employed by Foundation schools, registered volunteers and members of the public assisting their parish and town councils to maintain safer pavements and footpaths. Academies, Free Schools and independent schools are not covered by the authority's insurance policies.

What will happen if the school is in the middle of an Ofsted inspection during a period of severe weather?

In the event that there is disruption to the school because of severe weather (either that the school has to operate with reduced staffing and pupils or that exceptionally the school has to close) schools should be aware that the advice to Ofsted inspectors is that they should still go ahead and do as much as they can.

Ultimately, the decision to proceed will depend on whether the Inspection team consider that they have obtained sufficient evidence already before the weather closed in and can, for example, complete the task without the pupils present. Schools will want to discuss this with the Inspectors, but should assume that inspections will continue. In the exceptional case that the inspection cannot continue it will be postponed and a new date set.

APPENDIX B

Checklist for planning for severe weather

Before severe weather occurs

- Ensure the school has an incident management team for severe weather
- Consult with chair of governors
- Order grit/salt bins for the school
- Compile list of volunteers to clear snow, ice when required
- Acquire protective clothing, shovels etc for those clearing snow/ice
- Set up the arrangements for communicating directly with parents if closure seems a real possibility
- Confirm contacts
- Make contact with local parish council(s) or neighbourhood watch group(s)
- Undertake risk assessments of site

When severe weather is forecast

- See local weather forecasts
- Remind staff of the schools plans and the expectation that the school will remain open
- Ensure that someone can get into school to answer the telephone and inform parents who are unaware of the closure.
- Ensure that parents are reminded of the process for receiving information about school opening hours and the arrangements for severe weather.
- Contact school transport drivers

On the day of severe weather

- Make decision by 7am to stay open, open for limited hours, or close, etc.
- Consult chair of governors etc.
- Notify local authority
- Notify parents, pupils, staff by text, phone etc.
- Undertake risk assessments as appropriate.

After severe weather

- Review plan and revise for next year
- Update arrangements for calling together the incident management team in the light of any staff changes, etc.

APPENDIX C

Common Sense, Common Safety



The following is an extract from the Lord Young of Graffham report on health and safety concerning the question of liability for acts of good citizenship in relation to snow or ice clearance.

One of the great misconceptions, often perpetuated by the media, is that we can be liable for the consequences of any voluntary acts on our part. During winter 2009/10, advice was given on television and radio to householders not to clear the snow in front of their properties in case any passerby would fall and then sue.

This is another manifestation of the fear of litigation.

In fact there is no liability in the normal way, and the Lord Chief Justice himself is reported as saying that he had never come across a case where someone was sued in these circumstances.

Yet this belief is particularly pernicious, as it may deter people from engaging in organised voluntary activities in the mistaken belief that they can be sued should anything go wrong. People who seek to do good in our society should not fear litigation as a result of their actions.

Popular perception is that it could be dangerous to volunteer, largely because in the USA good Samaritans are often liable (and in fact doctors and other medical professionals are instructed by their insurance companies not to stop at an accident).

It is important to have clarity around this issue and at some point in the future we should legislate to achieve this if we cannot ensure by other means that people are aware of their legal position when undertaking such acts.

There is no liability in such cases unless negligence can be proved.

Common Sense, Common Safety

A report by Lord Young of Graffham following a Whitehall-wide review of the operation of health and safety laws.

<https://www.gov.uk/government/publications/common-sense-common-safety-a-report-by-lord-young-of-graffham>

The following is advice for volunteers spreading salt and grit, or clearing snow from the highway at times of severe weather.

- Wear a high visibility long sleeved vest or jacket. A vest can be worn over normal clothing. A jacket can be worn in place of a normal coat.
- Wear warm clothing and stout footwear which will provide good grip. Physical work will warm up the body so be prepared to shed layers but remember your body will quickly cool down once you cease work.
- Ensure that someone is aware that you have gone out to carry out this work and how long you intend to be there for. Remember also to advise that person of your return.
- Assess the location before commencing work. Do not attempt the work if you feel conditions would make this unsafe – For example if visibility is poor, traffic flows are too high or conditions are so severe that you would be placing yourself at risk of falling or extreme cold.
- Always be aware of approaching traffic. Remember the conditions may mean that traffic will have difficulty stopping. Try to work in pairs so that someone can observe the traffic.
- Use the grit sparingly and thinly. Spread a small amount on a shovel and sprinkle gently. The material in the grit bins is a mixture of salt and grit. The salt will help to speed up the process of thawing snow and ice the grit is intended to provide grip on the surface of compacted snow or ice
- When spreading salt/grit on pavements it is better to remove most of the snow first and then spread the salt/grit mixture
- Do not use hot water. This will melt the snow, but will replace it with black ice, increasing the risk of injury.
- If shovelling snow: Use a shovel with the widest blade available. Make a line down the middle of your path first, so you have a safe surface to walk on. Then you can simply shovel the snow from the center to the sides.
- If salt is not available from the grit bins, consider spreading some ordinary table salt on the area you have cleared to prevent any ice forming. Ordinary salt will work and can be purchased cheaply from any local shop, but avoid spreading on plants or grass.
- Care should be taken to avoid blocking access points to properties driveway and paths especially at pedestrian crossings. The cleared snow should be deposited in the verge or areas that are non-trafficked.

APPENDIX E

Advice on severe weather



When it comes to severe weather conditions such as heavy snow, we expect Head Teachers to keep schools open for as many pupils as possible whenever it is reasonable for them to do so. Closing schools unnecessarily causes disruption to children's education, to their parents and to the economy.

It is for individual schools to make any decision to close. They know the local conditions and the contingency possibilities which may allow the school to stay open for some or all pupils. Such decisions should however be based on a common sense approach, having regard to the conditions at the school and the need to continue to provide an education to children whenever feasible.

What about health and safety - is the school site safe?

In most cases the Head Teacher has day to day responsibility for ensuring the health and safety of staff, pupils and visitors. In severe weather conditions such as heavy snow, we expect Head Teachers to keep schools open for as many pupils as possible whenever it is reasonable for them to do so. The HSE is very clear that schools should plan ahead and take a sensible and proportionate approach to managing the associated risks. Closing a school could be a reasonable decision if pupils or staff would face significant risks of serious injury. But in many cases it will be possible to keep a school open, as happens routinely in other countries with more severe winters than ours. Where roads are impassable it becomes a practical issue of access not health and safety considerations. For further advice see Departmental advice on health and safety.

What about the attendance statistics?

Head Teachers should not be worried about the impact that remaining open may have on their attendance statistics. In September 2010, we amended the relevant regulations so that, when a pupil cannot get in because of severe weather, the school can mark the register using absence code Y, which means that the pupil's absence will not affect the attendance statistics. However, if the Head Teacher believes that a child could have got to school, then the child should be recorded as code O - an unauthorised absence.

What if a number of school staff are unable to get in?

Schools have the flexibility to work creatively, perhaps bringing together groups and classes with teachers and support staff working together. There are no maximum general pupil-teacher ratios set out in law; with the exception of the infant class size legislation that limits the size of infant classes to 30 or fewer with a qualified teacher for 5, 6 and 7 year olds. The infant class size limit, which includes reception classes, will not apply unless the majority of the children will reach age 5, 6 or 7 in that school year.

The infant class size limit does not apply to activities normally carried out in larger groups, for example assemblies, sports and other structured or un-structured activities that the school may choose to provide as part of maintaining a good service.

Disruption to exams

Schools should prepare plans for any disruption to examinations as part of their general emergency planning, and ensure that the relevant staff are familiar with these plans. If a Head Teacher decides to close a school they will discuss alternative arrangements (such as the use for exams of other public buildings nearby) with the relevant awarding organisation. It is the Head Teacher's responsibility to ensure that parents/carers are kept informed of any decisions.

Where a pupil misses an exam because of bad weather the school will discuss contingency plans with the relevant awarding organisations. The action to be taken will aim to safeguard the interests of candidates whilst also maintaining the integrity of the exams. The school is responsible for informing parents and pupils of the actions agreed, which may include the use of alternative venues (e.g. other public buildings nearby); an awarding organisation generating an examination result using evidence of candidates' likely achievement, based on factors such as their performance on other assessments in the same subject; or the opportunity to sit any missed exam later in the year.

Further information

Schools can improve their planning and readiness for severe winter weather by signing up to the Met Office's severe weather warning system.

The Department of Health's cold weather plan forms part of the wider suite of measures which the DH and NHS are taking to protect individuals and communities from the effects of severe winter weather. The plan provides advice for individuals, communities and agencies on how to prepare for, and respond to, severe cold weather as part of wider winter planning.

DfE guidance

Updated: 07 February 2013