

HEALTH AND SAFETY GUIDANCE FOR SCHOOL SPORT

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INTRODUCTION

All types of organisations face risk. While the principles of risk management apply irrespective of the type of organisation, sport has a unique set of characteristics.

Some degree of physical risk is inherent in most sport – many sports involve high impact collisions, direction changes that stress muscles and bones, as well as risks caused by environmental factors such as the weather. When people engage in sport they accept that there is risk involved.

People and groups involved in organising opportunities for others to take part in sporting and recreational activities have a responsibility to take reasonable steps to ensure the health and safety of participants. Because risk can spill over from the arena to viewing areas, they must also take steps to ensure the health and safety of spectators, paid and volunteer staff, and the public at large.

School sport, and especially inter-school sport, typically involves a range of providers – from facility owners and operators, to transport agencies, host schools and attending schools, and sport/event organisers. All of these agencies continue to be responsible for ensuring the risks they can reasonably be held accountable for, are well managed, minimised or eliminated. These risks could arise from a number of causes: from poor event planning and management, from a failure to attract and properly train marshals and officials, from poor coaching methods, or from poorly maintained venues and equipment, to name a few.

This document is intended to provide a guide for Boards, principals and sports coordinators to identify and manage the risks involved in school sport across multiple parties.

HEALTH AND SAFETY AT WORK ACT 2015

Under the Health and Safety at Work Act 2015, the Board of Trustees, as an entity, is a Person Conducting Business or Undertaking (PCBU) and has the primary duty of care. This involves checking carefully to make sure the school is doing all that it reasonably can and should do, to ensure the health and safety of staff and students and visitors.

In the context of school sport, the Board of Trustees, through the principal, must ensure that policies and procedures are developed, implemented and reviewed which ensure that:

- risks are managed to prevent a serious harm during sporting events;
- equipment is safe to use during the event;
- students are supervised by competent staff/volunteers; and
- emergency procedures are planned and followed.

Further information is available from WorkSafe NZ's Introduction to the Health and Safety at Work Act 2015 (www.business.govt.nz/worksafe/information-guidance/legal-framework/introduction-to-the-hsw-act-2015) or the Ministry of Education's Practical Guide for Boards of Trustees and School Leaders (www.education.govt.nz/ministry-of-education/specific-initiatives/health-and-safety/)

The school sport area is often complex, as there may be multiple PCBUs involved. These PCBUs may include the facility operator/owner, the transport provider, the sport delivery agency and the school. The respective people in charge must clarify with each other where and when their respective responsibilities apply.

Level of risk management

The level of risk management (and paperwork) for school sport should be in proportion to the level of risk associated with the activity (see Appendix 1), and criminal liability for incidents or accidents is unlikely to arise in all but the rarest situation. WorkSafe may still investigate an event even if there is not criminal liability.

CONSULT, COOPERATE AND COORDINATE

Many sports situations involve multiple PCBUs that have overlapping duties. For example, there may be a number of different schools and sports organisations working together or alongside each other, such as a inter-school sports competition. The Health and Safety Act in Employment 1992 covered this, so the need for PCBUs to work together to meet their duties is not new.

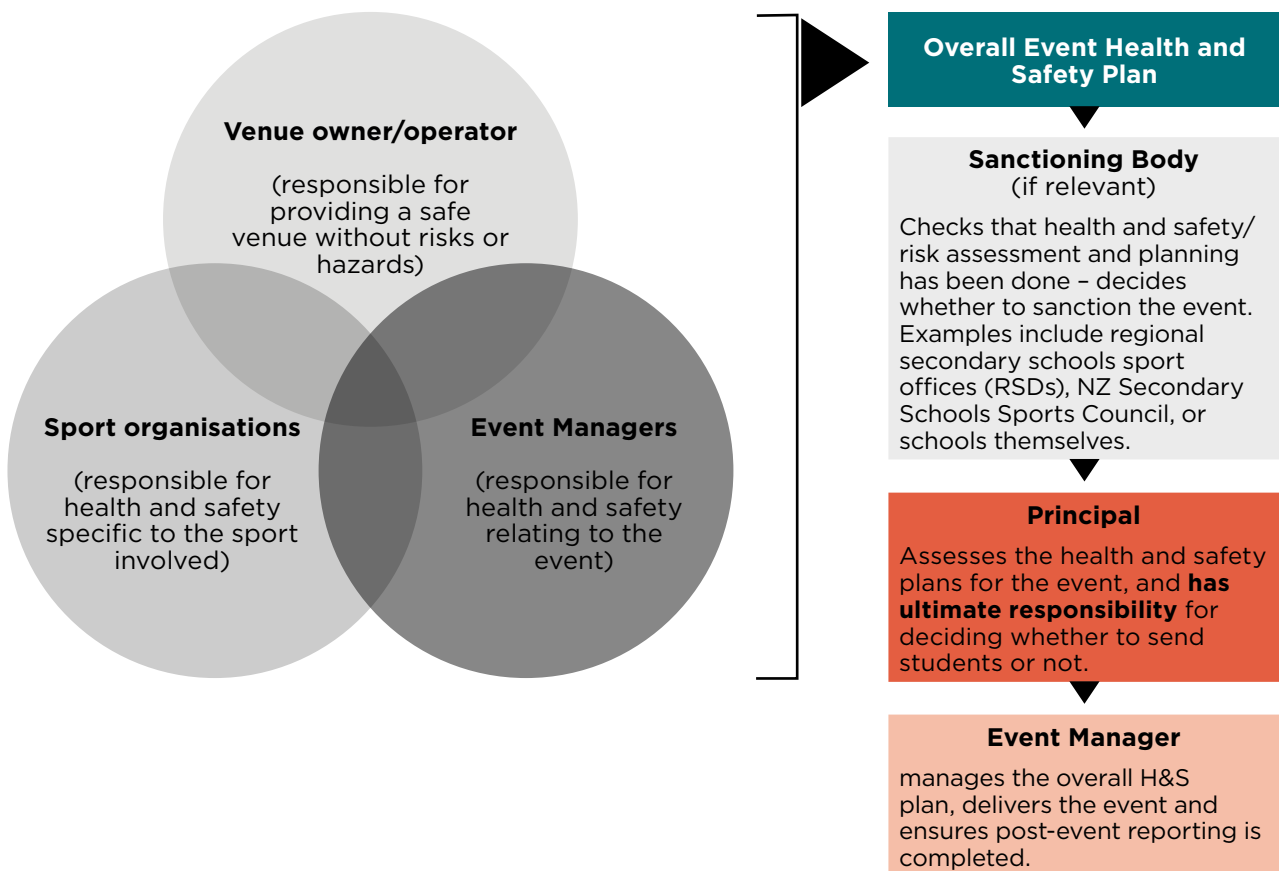
Overlapping duties do not automatically require PCBUs to duplicate efforts. Instead PCBUs will need to consult, cooperate and coordinate activities to meet their shared responsibilities. They should make reasonable arrangements and coordinate responsibilities with the other PCBUs to fulfill their duties and they should also monitor each other to ensure everyone is doing what they agreed.

Managing Risk Across Multiple Providers/Organisations (PCBUs)

As noted in the introduction, school sport is often delivered by multiple agencies (PCBUs), each with responsibility for managing risks within their area of responsibility and expertise.

The event organiser is responsible for oversight of the Health and Safety Plan for their event, that should:

- incorporate the H&S plans of the facility owner and operator
- the sport (provided by the sport delivery agency or its national body) and
- any local or event-specific planning.



Check list – for an event organiser

Event organisers must discuss the risks they share and how they will be controlled.

For the event:

- ✓ complete event management health and safety plan
- ✓ coordinate other event partners (venue management and sports organisations)- gather their health and safety plans
- ✓ provide completed event plan to sanctioning body, or directly to principal if no sanction is required

Venue operations:

- ✓ receive a copy of their health and safety plan
- ✓ ensure you have a contact responsible for the venue on the day of the event
- ✓ have the venue identify any additional hazards, and how they're mitigated, that may not be in their health and safety plan

Sport specific operations:

- ✓ receive a copy of the sports specific risks and mitigations (ie, any rule changes for age groups, mouthguard requirements etc.)

Brief all volunteers, letting them know:

- ✓ what they are responsible for
- ✓ what is expected of them
- ✓ the risks and mitigations identified in the health and safety plan
- ✓ what to do in case of an emergency
- ✓ accident reporting procedures

Health and safety briefing letting participants know:

- ✓ What will be happening on the day
- ✓ Any emergency procedures

Report on the running of the event, including:

- ✓ any incidents or injuries (required by the school, or by WorkSafe - see below)
- ✓ amendments required to any H&S plans - venue, sport or event

Check list for a Principal/Approver – what should you be looking for in a Health and Safety Plan

Have you seen a health and safety plan?

And does it have:

- ✓ An event description - including location, number of participants, times, run sheet
- ✓ A description of the relevant roles and responsibilities - (names, numbers and contacts). It is important that it clearly identifies the person-in-charge
- ✓ Communications - what communication, what is communicated to whom and when (ie, changes/cancellation/in an emergency)
- ✓ Risk identification (hazards) and management - levels of risk and likelihood
- ✓ Any additional necessary management plans - venue management, sports organisations, crowd/spectator control, traffic, water safety
- ✓ Emergency/Accident procedures
- ✓ Post event reporting - who and what

DUTY TO NOTIFY INCIDENTS

If you are running or hosting a sports event, you have responsibilities and duties to provide a safe and healthy environment in which the event is operating. This includes events or activities outside of normal school hours.

Most schools maintain registers of accidents/injuries/incidents – Event Managers need to ensure they have systems set up to capture any of these that occur during their event and report them back to the school(s) involved where required.

In addition, WorkSafe needs to be notified by the Event Manager if an illness, fatality, injury or accident occurs during the event that requires a participant to be admitted as an inpatient to hospital. This is known as a “Notifiable event” – a comprehensive list is available [here](#).

The Event Manager must ensure WorkSafe is notified as soon as possible after becoming aware that a notifiable event arising out of the conduct of the sports event has occurred – this can be by phone (0800 030 040) or email (healthsafety.notification@worksafe.govt.nz).

The Board must also keep a record of all notifiable events for 5 years from when notice is given to WorkSafe.

If a notifiable event occurs the Event Manager must take all reasonable steps to ensure that the site where the event occurred is not disturbed until authorised by an inspector. However, this duty does not prevent any of the following actions:

- a. to assist an injured person; or
- b. to remove a deceased person; or
- c. that is essential to make the site safe or to minimise the risk of a further notifiable event; or
- d. that is done by, or under the direction of, a constable acting in execution of his or her duties; or
- e. for which an inspector or the regulator has given permission.

Once you have notified WorkSafe, the Board of Trustees should review the incidents to discover any underlying causes and to determine whether the situation was caused by or arose from a significant hazard. The results of such a review may be used to improve safety in that particular school and/or schools in general.

Other guidance and links

WorkSafe – www.education.govt.nz/ministry-of-education/specific-initiatives/health-and-safety/

Guidelines for Risk Management in Sport and Recreation (Sport NZ and ACC, 2010) – www.sportnz.org.nz/managing-sport/search-for-a-resource/tools-and-resources/risk-management-toolkit-

Running Secondary School Sport (Sport NZ) – www.sportnz.org.nz/managing-sport/guides/running-secondary-school-sport

What events need to be notified in the Education Sector factsheet – <http://www.education.govt.nz/assets/Uploads/HS-Factsheet-What-Events-to-Notify-14.pdf>

NZSSSC Event Organisers Manual – www.nzsssc.org.nz/events-1/event-organisers-manual

What is a notifiable incident?

A notifiable incident is an unplanned or uncontrolled work-related incident that seriously endangers or threatens someone's health or safety. Note that people may be put at serious risk even if they were some distance from the incident (e.g. from a gas leak or explosion).

A notifiable incident also covers incidents which may have only resulted in minor (non-notifiable) injuries but had the potential to cause serious injury, illness or death.

APPENDIX 1

Risk Classification

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Almost Certain	Medium	Medium	High	Extreme	Extreme
Likely	Low	Medium	High	High	Extreme
Possible	Low	Medium	High	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Medium	High

Consequence	Description	Likelihood	Description
Insignificant	Nothing required	Rare	Only occurs in exceptional circumstances
Minor	Minor injury requiring first aid (ie, small cut or twisted ankle)	Unlikely	Does not happen often
Moderate	Injury requiring medical treatment (ie, sprained muscle)	Possible	May occur, but not often
Major	Serious injury – specialist medical treatment or hospital (ie, broken bone)	Likely	Occurs occasionally
Critical	Loss of life, permanent disability (ie, neck or spine injury)	Almost Certain	A regular occurrence

Assessed Risk Level	Risk Level	Actions
Low	If incident occurs, little likelihood of injury	Undertake with existing mitigations
Medium	If incident occurs, some chance of injury requiring first aid	Additional rules or considerations may be needed
High	If incident occurs likely that the injury would require medical treatment	Controls will need to be in place before undertaken
Extreme	If incident were to occur, it would be likely that death or permanent injury would result	Consider alternatives to the activity or additional significant safety measures required.

APPENDIX 2

Sample Risk Management Plan

1. High Level Information

Assessed overall risk level:

Low	Medium	High	Extreme
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Sports code

Event type

Event name

Event dates

Event Manager

3. Roles and Responsibilities

Sanctioning body - promotion and oversight of the event

Event Manager - Oversight of event delivery (including oversight of volunteers)

Venue Manager - ensuring that the venue meets the required standards and free from hazards or mitigations in place

Officials - managing all on court/field activity

Volunteer's Roles - allocated by the event manager

2. Venue Detail

Event venue

Address

Venue manager

Venue manager's mobile number:

Event Participants (ie, number of schools, students, possible number of spectators)

4. Communications

[who, how (mobile telephone, email, walkie-talkie and when]

Pre-event (ie, promotion, details etc. to schools)

Changes or cancellation

Event briefing (who, content, evacuation or emergency procedures)

In the event of an emergency - with the school, parents, emergency services and media. Notification of notifiable events

Post-event

Risk Identification and mitigation

Identify the risks that could result from the activity, the factors that could lead to it, strategies that can reduce the chance of it happening, strategies to be undertaken if it does happen and assign someone responsible for ensuring it happens.

Have we considered police vetting requirements of the Vulnerable Children Act.

What could go wrong?	Eg, Physical injury, material damage			
	1	2	3	4
What could cause it?	Eg, people, equipment, environment			
	• •	• •	• •	• •
How could we prevent it?	Eg, eliminate, minimise or reduce the risk – safety equipment, out of bounds areas			
	• •	• •	• •	• •
Who is responsible?	Eg, event organiser, venue manager, coach or captain			
	• •	• •	• •	• •
How will we prevent it?	Eg, Equipment or resources required			
	• •	• •	• •	• •
What will we do if it does happen?	Eg, first aid personnel in attendance			
	• •	• •	• •	• •
How likely is it?				
What is the consequence if it happens?				
Risk level				
Overall event risk level				

It is important to reassess and keep as a living document.

Other relevant plans

Venue health and safety plan

Sport specific plans

Traffic plan

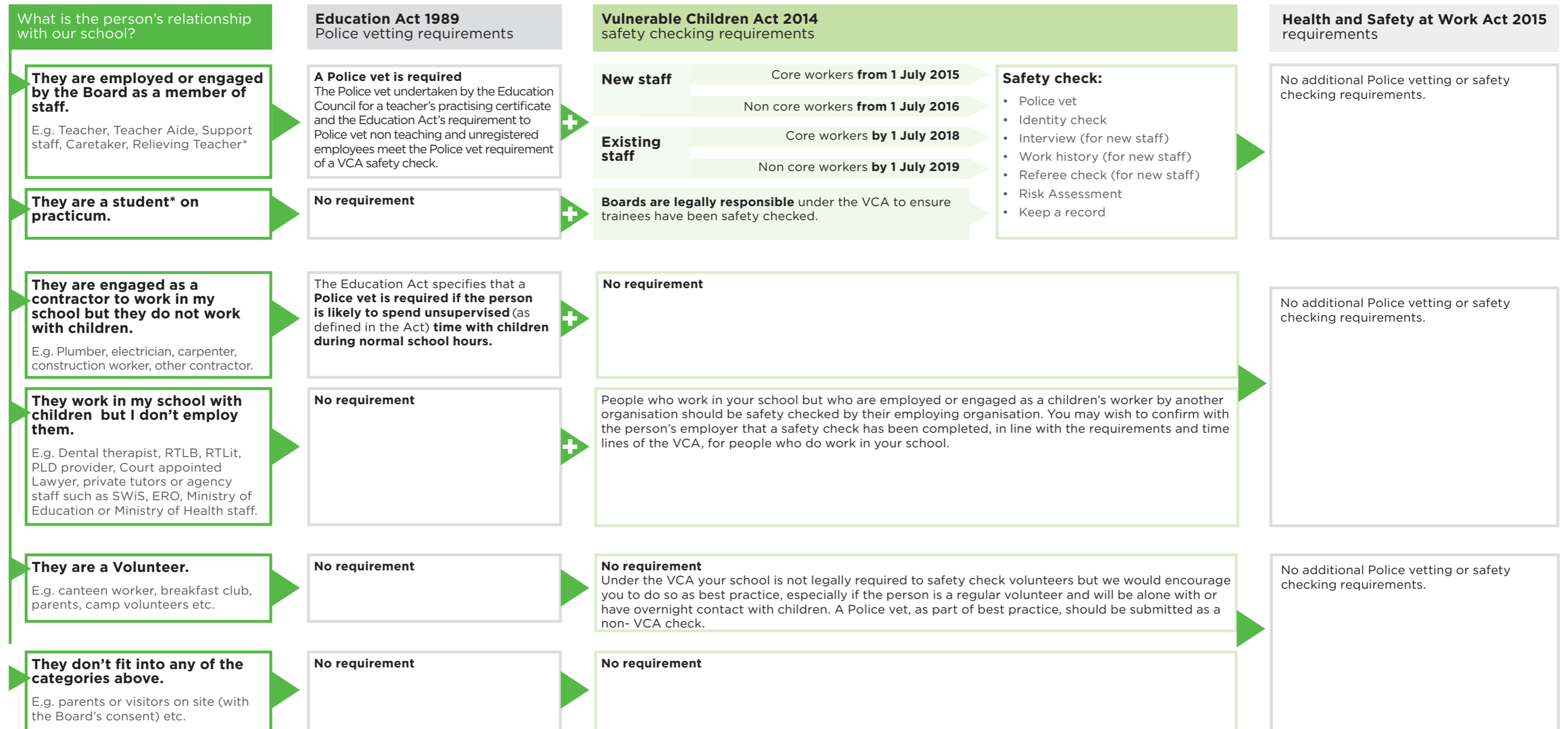
Water safety plan

Post-event reporting

Outline who is responsible for providing reports, to whom and when.

What checks do I need to undertake for adults coming into my school or kura?

New Acts have come into force, which interact with existing legislation, that schools and kura need to know about. This resource gives an overview of the safety checking and Police vetting requirements (if any) of the Education Act 1989, the Vulnerable Children Act 2014 (VCA) and the Health and Safety at Work Act 2015 in relation to the adults coming into your school or kura.



* Download [Implementation of the Vulnerable Children Act 2014 in schools - Overview of requirements of the Act](http://www.education.govt.nz/safety-checking-workers-and-child-protection-policy-for-schools-and-kura) and other resources:

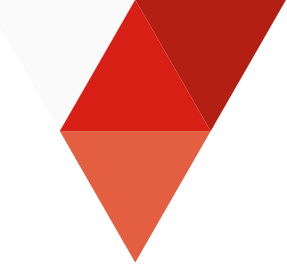
<http://www.education.govt.nz/safety-checking-workers-and-child-protection-policy-for-schools-and-kura>

- Safety checking new and existing employees
- Safety checking trainees on practicum
- Safety checking relieving teachers

Safety checking requirements can be found in Section II and III of the Vulnerable Children Act 2014. <http://www.legislation.govt.nz>

More information about safety checking can also be found on the Children's Action Plan website at <http://www.childrensactionplan.govt.nz>

This resource does not constitute legal advice and you should obtain your own legal advice on any matter relating to the Vulnerable Children Act 2014



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