

**Barningham CEVC School Policy for the Management of Learning Outside the Classroom (LOtC)**

In July 2011 the DfE updated its advice on the Legal duties and Powers for LAs, Head Teachers, Staff and Governing Bodies regarding the Health & Safety of pupils on educational visits. This document summarises the existing Health and Safety law and sets out Suffolk Council's policy for managing educational visits.

**1. Duties as an employer**

Under the Health and Safety at Work Act 1974, the employer in a school must take reasonable steps to ensure that staff and pupils are not exposed to risks to their health and safety. This applies to activities on or off school premises.

Regulations made under the Health and Safety at Work Act 1974 set out in more detail what actions employers are required to take which include:

- assess the risks to staff and others affected by school activities in order to identify the health and safety measures that are necessary and, in certain circumstances, keep a record of the significant findings of that assessment
- introduce measures to manage those risks (risk management); tell their employees about the risks and measures to be taken to manage the risks
- ensure that adequate training is given to employees on health and safety matters.

**2. Provision of Employer Guidance**

Suffolk County Council (SCC) recognises the important role that off site visits, adventurous activities and Learning Outside the Classroom (LOtC) plays in providing a rich and rewarding education for children and young people whatever their age, ability or circumstances, and actively supports and encourages such activities.

SCC has formally adopted the Outdoor Education Advisers' Panel's (OEAP's) "National Guidance" as its own Employer Guidance and principle source of guidance and information regarding good practice for LOtC and educational visits.

It is a legal expectation that employees must work within the requirements of their employer's guidance; and therefore SCC employees must follow the requirements of "LOtC National Guidance", as well as the requirements of this Policy Statement.

This guidance can be found on the following web site: [www.oeapng.info](http://www.oeapng.info)

**2. Provision of Employer Guidance (con)**

Where another employer (such as the Governing Body of a Voluntary Aided, Foundation or Academy school) wishes to opt into Suffolk's guidance, systems and processes for supporting and monitoring LOtC activities, they must produce a policy statement that makes their responsibilities clear.

Where an SCC employee commissions LOtC activity, they must ensure that the commissioned agent has either:

- A. adopted OEAP National Guidance
- B. has systems in place where standards are not less than the National Guidance.

**3. Scope and Remit**

The LOtC National Guidance document "[Basic Essentials MUST Read - Status and Remit](#)" clarifies the range of employees whose work requires them to use the guidance. In summary, it applies to employees whose work involves any one of the following:

- direct supervision of young people undertaking experiences beyond the boundary of their normal operational base
- direct supervision of young people undertaking experiences that fall within the remit of Learning Outside the Classroom;

- facilitating experiences for young people undertaking experiences beyond the boundary of their normal operational base;
- deploying staff who will supervise or facilitate experiences of or for young people undertaking experiences beyond the boundary of their normal operational base.

This applies regardless of whether or not the activities take place within or outside of normal working hours, including weekends and holiday periods.

For a more expansive explanation of legal expectations, all users of the guidance are strongly recommended to read the LOfC National Guidance document: [“Underpinning Legal Framework”](#)

#### **4. Ensuring Understanding of Basic Requirements**

As an employer, SCC is required to ensure that its employees are provided with:

- appropriate guidance relating to education visits and LOfC activity;
- access to training courses to support the guidance to ensure that it is understood;
- suitable systems and processes to ensure that those trained are kept updated;
- access to advice, support and further training from Advisers that have proven expertise and professional understanding of the guidance.

SCC’s guidance for the management of educational visits and LOfC activities can be located on a number of SCC’s web based information platforms, including: [Suffolk Evolve](#).

#### **4. Ensuring Understanding of Basic Requirements (cont)**

##### **4.1 Suffolk Evolve**

Suffolk Evolve is a web-based system used by SCC to provide a clear process for planning, recording, approving and evaluating educational visits. All staff that lead or accompany visits can access their own Suffolk Evolve account, which is set up by their establishment’s Educational Visits Coordinator (EVC). As well as being an efficient tool for planning and approving visits, Suffolk Evolve also contains a variety of features including search and report facilities, downloadable resources and information, staff records and visit history, gateway access for parents.

SCC have set a nominal annual subscription charge to all establishments to cover the cost of administering the service.

##### **4.2 Suffolk LOfC Training courses**

SCC offers the following annual training courses to provide EVC’s and Visit Leaders with the latest information:

- Management of Educational Visits (EVC) Training
- Management of Education Visits (EVC) Update Course
- OEAP Visit Leader Training –SCC recommends this course for all those who lead LOfC activities and is advised as being good practice for newly qualified staff.

#### **5. Delegation and Responsibilities**

SCC delegates the responsibility for formal approval of all type 1 and 2 educational visits and LOfC activities to the establishments Governing Body.

SCC requires each school/establishment to nominate an Educational Visits Coordinator (EVC) who will support the Head of Establishment to ensure that all educational visits are planned effectively before approving.

SCC will provide educational visit (EVC) training and update training courses for EVCs to keep their knowledge current. (refer to section 4.2)

##### **5.1 Governing Bodies**

Governing bodies play a key role in providing oversight of all activities undertaken by the school. They should satisfy themselves that the school has suitable policies and procedures in place to adequately manage and monitor all activities falling within the scope of this policy. The results of monitoring should be discussed at governing body meeting: [National Guidance for Governing Bodies](#)

#### **5. Delegation and Responsibilities (cont)**

##### **5.2 Head Teachers or Managers**

Head Teachers or managers are responsible for ensuring educational visits are managed effectively and in accordance with the LOfC National Guidance and their established educational visit policy.

They should also ensure off site visits are adequately resourced (in terms of planning, time, staff and budget) and ensure that adequate risk management measures are implemented.

[National Guidance for Head Teachers](#)  
[National Guidance for establishment managers other than schools](#)

### **5.3 Educational Visits Coordinator (EVC)**

The EVC must be specifically competent, ideally with practical experience in leading and managing a range of visits similar to those typically run by the establishment. Commonly, but not exclusively, such competence will be identified in a person on the senior management of the establishment. [National Guidance for EVC's](#)

### **5.4 Visit/Activity leaders, assistants and volunteers**

Those organising, leading or supervising visits or activities must be competent to do so. The manager or visits coordinator must assess competence, taking account of their staffs ability to lead, manage and control the children or young people partaking in the visit. Competence on specific activities may also be necessary, as well as knowledge of the venue being visited. [National guidance for Visit Leader](#)  
[National guidance for Volunteer Adult Helper](#)

## **6. Approval and Notification of Activities and Visits**

An employer's guidance must provide clarity on issues where responsibilities and functions are delegated. This is particularly critical in establishing requirements regarding formal notification and formal approval of activities.

### **6.1 SCC visit classification**

#### **Type 1 Visits**

- Regular, routine off-site activities (e.g. the use of off-site facilities for PE)
- Specific, one-off or occasional visits. (e.g. museum visits, field study visits).

#### **Type 2 Visits**

- Visits including an overnight stay, including overnight stays on the school site
- Visits including adventurous activities . (
- [SCC definitions of Adventures activities](#))
- Overseas Visits

Visits where any site owners or activity providers require to be indemnified against claims arising from the visit

### **6. Approval and Notification of Activities and Visits (cont)**

SCC delegates the responsibility for formal approval of all type 1 and 2 educational visits and LOtC activities to the establishments Governing Body.

It is a requirement of this policy that Heads and Managers carry out this function in accordance with National Guidance.

SCC uses the on-line system Suffolk Evolve for notification and approval. A key feature of this system is that educational visits and LOtC activities requiring notification are automatically brought to the attention of the Local Authority. Those visits and activities may be viewed, sampled or monitored using the database and diary facilities of the system.

It is a requirement that all SCC establishments should use the system for recording and approving educational visits and LOtC activities.

## **7. Risk Management**

As an employer, SCC has a legal duty to ensure that risks are managed and reduced to an "acceptable" or "tolerable" level. Proportional (suitable and sufficient) risk management systems should be in place, requiring SCC to provide such support, training and resources to its employees as is necessary to implement this policy.

The risk management of an activity should be informed by the benefits to be gained from participating. SCC strongly recommends a "Risk-Benefit Assessment" approach, whereby the starting point for any risk assessment should be a consideration of the targeted benefits and learning outcomes.

[SCC School Surf - Guidance on Risk Management](#)  
[National guidance on Risk Management](#)

There is no legal or SCC requirement to produce a risk assessment in a particular format; but there is a legal requirement for the process to be recorded and for suitable and sufficient control measures to be identified for any significant risks i.e. those that may cause serious harm to an individual, or harm several people.

It is strongly recommended that establishments adopt and adapt these materials to ease the burden of bureaucracy that might otherwise discourage leaders from making full use of LOtC learning opportunities.

## **8. Emergency Planning and Critical Incident Support**

As an employer, SCC is committed to providing emergency planning procedures to support establishments in the event of a critical incident.

## **9. Monitoring**

As an employer, SCC will undertake monitoring of the educational visit process and LOtC activities and report back biannually to the SCC Health and Safety , Strategic Management group.

Such monitoring should be in keeping with the recommendations of National Guidance. There is a clear

expectation that the monitoring function is a delegated task, principally carried out through systems put in place by the establishment EVC.

[National Guidance on Monitoring](#)

#### **10. Charges for Off-site Activities and Visits**

Suffolk Head Teachers/Managers, Curriculum Planners, EVCs and Visit/Activity Leaders must take account of the legal framework relating to charging, voluntary contributions and remissions as set out in sections 449 to 462 of the Education Act 1996.

[National Guidance for Charges for Off-site Activities and Visits](#)

#### **11. Requirement to Ensure Effective Supervision**

In general terms, the Law does not prescribe activity-specific staffing ratios; but it does require that the level of supervision and group management is “effective”.

The LA requires establishments to ensure there is an appropriate level of supervision at all times for all visits and that such supervision is effective. This must have been approved by the Head of Establishment and in accordance with Governing Body policy. Effective supervision should be determined by proper consideration of:

- age (including the developmental age) of the group
- gender issues
- ability of the group (including special learning needs, behavioral, medical and vulnerability characteristics etc)
- nature and location of the activity (including the type of activity, duration, skill levels involved, as well as the time of year and prevailing conditions
- staff competence.

However, as an exception to the above, Ofsted and DfE guidance prescribe ratios for Early Years. Staff assigned to support the special needs of particular individuals cannot be included in the overall staffing ratio. Their responsibility should not include the wider group. Particular consideration should be given to the additional implications that may arise if staff are to be accompanied by family members (or partners) on visits.

#### **12. Preliminary Visits and Provider Assurances**

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. Establishment policy should clarify the circumstances where a preliminary visit is a requirement.

For Type 2 visits SCC recognise that providers with the LOtC Quality Badge have been nationally recognised by the Council for Learning Outside the Classroom for offering good quality activity programmes with a clear structure for managing risk effectively.

If providers do not hold the LOtC Quality Badge SCC requires schools to obtain a completed a Providers assessment form.

[Providers Assessment form](#)

[lotcqualitybadge.org.uk](http://lotcqualitybadge.org.uk)

[National Guidance on Preliminary Visits and provider Assurance](#)

#### **13. Insurance for Off-site Activities and Visits**

Employer's Liability Insurance is a statutory requirement and SCC holds a policy that indemnifies it against all claims for compensation for bodily injury suffered by any person employed by it. This cover should extend to those persons who are acting in a voluntary capacity as assistant supervisors.

SCC maintains public liability insurance policies that protect those involved in type 1 off site activities and visits automatically.

However for type 2 trips SCC requires additional County travel insurance cover to be taken out, or an equivalent policy to be put in place. Commonly, this will be where a tour operator or external provider offers a package including travel insurance.

#### **14. Inclusion**

Every effort should be made to ensure that outdoor learning activities and visits are available and accessible to all, irrespective of special educational or medical needs, ethnic origin, gender or religion. If a visit needs to cater for young people with special needs, every *reasonable* effort should be made to find a venue that is both suitable and accessible and that enables the whole group to participate fully and be actively involved.

Establishments should take all *reasonably practicable* measures to include all young people. The principles of inclusion should be promoted and addressed for all visits and reflected in establishment policy, thus ensuring an aspiration towards:

- an entitlement to participate
- accessibility through direct or realistic adaptation or modification
- integration through participation with peers, Employers, Heads/Managers.

Curriculum Planners, EVCs and Visit Leaders should be aware of the extent to which Inclusion is or is not a legal issue. Under the Equality Act 2012, it is unlawful to:

- treat a disabled young person less favorably;
- fail to take reasonable steps to ensure that disabled persons are not placed at a substantial disadvantage without justification.

[National Guidance on Inclusion as a Legal Issue](#)

## **15. Transport**

Careful thought must be given to planning transport to support off-site activities and visits. Statistics demonstrate that it is much more dangerous to travel to an activity than to engage in it and establishments must follow the specialist guidance provided in SCC's transport policy. All national and local regulatory requirements must be followed. The level of supervision necessary should be considered as part of the risk management process when planning the journey, giving proper consideration to issues of driver-distraction when considering what supervision is required for the specific group of passengers being transported in a minibus.

[National Guidance on Transport: General Considerations](#)

### **15.1 Minibuses**

It is a requirement of LA Policy that all staff must hold category D1 entitlement on their driving license in order to drive a minibus where SCC is the employer.

[SCC guidance on use of minibuses](#)

### **15.2 use of Private cars**

Transporting young people in private cars requires careful consideration. Where this occurs, there should be recorded procedures. HCC Form OV7D is available for this purpose.

[National guidance on Transport in Private Cars](#)  
[SCC driving for business](#)

## **16. Planning**

Planning should reflect the consideration of legal and good practice requirements, ensuring:

- The plan is based on establishment procedures and National Guidance
- All staff (including any adult volunteer helpers) and the young people to be involved, have a clear understanding of their roles and responsibilities, including their role in the risk management process
- Those in a position of parental authority have been fully informed and, where appropriate, formal consents have been obtained
- Proportionate assurances have been obtained from any providers (making full use of national schemes that accredit that assurances have already been obtained by credible inspection regimes)
- Designated emergency contact(s) have been identified that will work on a 24/7 basis where required
- All details of the activity provision are accessible to the emergency contact throughout the period of the activity
- It is strongly recommended that at a very early stage of the planning process, the provisional staffing team carry out a brain storming exercise in order to identify the benefits and learning outcomes that the activity (or range of activities) might achieve. If the outcomes are to be evaluated with any rigor (an Ofsted expectation), then it will be essential that these outcomes are prioritised, and appropriately targeted. A record of these outcomes will help keep the plan focussed and will also be a vital part of the risk management process in providing some objectivity in a "Risk Benefit Analysis".

## **17. The Value and Evaluation of LOfC**

The Ofsted report "*Learning Outside the Classroom – How Far Should You Go?*" (October 2008) makes statements in the strongest terms to support the value of LOfC, including the fact that it raises achievement.

SCC Head Teachers, Managers, EVCs and Visit Leaders are strongly recommended to familiarise themselves with the main content of this report.

[Ofsted and LOfC Summary](#)

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