



TEACHER WELFARE: RIGHTS AND RESPONSIBILITIES

What you need to know



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Why is staff welfare important?

There is a growing awareness of the importance of workplace health and safety, and schools have become used to regular audits to minimise/eliminate threats to physical safety in their environment. The same attention has not been paid to staff welfare and the prevention of those psychosocial hazards, which can strongly impact teachers and the wholeschool organisation.

What is a psychosocial hazard?

A hazard is anything which can cause harm to people, property or the environment. A psychosocial hazard is one of a number of factors, which can lead to stress and diminish emotional and physical well-being if they go unchecked. These hazards threaten mental health in the same way that physical hazards threaten the physical safety and health of employees.

Are teachers at risk of psychosocial hazards?

Teachers are particularly at risk here. The reasons for this can include:

- the growing workload on teachers as a result of cuts in staffing and the increasing burden of administrative tasks in teaching
- the high emotional demands placed on teachers by dealing with the varied needs of students, parents and guardians
- the increased bureaucratisation of teaching, for example, formatting of subject plans and the numeracy/literacy initiative
- the high levels of job insecurity and unequal pay suffered by newly-qualified and non-permanent teachers
- the deterioration in teachers' terms and conditions of service

- poor management/staff communication and relationships
- the lack of professional mobility, which demotivates teachers and impacts on staff morale.

What impact does failure to manage welfare have on our schools?

A healthy work environment is more flexible and capable of delivering better outcomes for all. Poor management of staff welfare can have an enormous impact, not only on the lives and careers of individual teachers but also on the school as a whole.

These impacts include:

- absenteeism, resulting in an increased workload for all
- low staff morale
- poor productivity and impoverished outcomes.

What are the employer's duties with regard to staff welfare?

According to Section 8.1 of the Safety, Health and Welfare at Work Act 2005, employers have a legal duty to their staff to "ensure, so far as it is reasonably practicable, the safety, health and **welfare** [emphasis added by ASTI] at work of his or her employees". This means that the employer must exercise all due care in the discharge of their duties by identifying foreseeable hazards, assessing the associated risks and putting in place the necessary protective measures. Reasonable practice may be understood to mean that which a reasonable person would do given the particular set of circumstances (Section 2.6, Safety, Health and Welfare at Work Act, 2005).

The Act further specifies that the employer's duties include the production of a safety statement. This statement should incorporate:

Psychosocial Hazard Identification (Health and Safety Authority's (HSA) Work Positive Process)

Work Positive helps employers comply with health and safety legislation at a national and European level. Employers are obliged under the Safety, Health and Welfare at Work Act 2005 to ensure safe places of work for all employees, which covers mental as well as physical health and safety.

Identify and measure psychosocial risk including critical incident exposure

Work Positive is a HSA process that enables assessment of workplace stressors, employee psychological well-being and critical incident exposure in the workplace. If not properly managed these stressors can lead to poor mental health and well-being.

- identifying psychosocial hazards
- assessing psychosocial risks for activities in school and off campus
- outlining protective and preventative measures and the resources required
- implementing measures in keeping with the general principles of prevention outlined in the Act
- ensuring there is a workplace emergency plan/critical incident policy
- ensuring the safety statement is reviewed at least annually
- ensuring the safety statement is easily accessible.

What is a safety statement?

A safety statement is a legal document issued by an employer that serves as a comprehensive safety report. It comprises the hazard-related information collected and analysed during an evaluation period and recommends actions, precautions and procedures for minimising the known hazards. Some hazards pose a psychosocial threat to mental health in the same way as physical hazards can threaten the physical safety of employees. Section 20 of the Safety, Health and Welfare at Work Act 2005 requires the safety statement to include:

- a risk assessment of the hazards that may affect the employees or visitors
- a recording of the significant findings of any risk assessments.

The safety statement should be reviewed and amended as appropriate on a routine basis. It should be revised immediately following changes in circumstances in the operation of the school or after a dangerous occurrence. It is a requirement that the safety statement be brought to the attention of all employees and to any

other persons at the place of work who might be exposed to the specific risks outlined in the statement.

What controls can limit the risk of psychosocial hazards?

- identifying stressors and establishing their root cause
- addressing serious concerns about health, safety and welfare in a school
- ensuring that the demands on the employee body are achievable and within the role of the job holders
- ensuring that there is employee input into decision-making and career progression
- ensuring that systems are in place to enable and encourage employees to report unacceptable behaviour
- ensuring that the school provides employees with information to enable them to understand the reasons for proposed changes
- ensuring that board of management/ETB decisions are consistent and fair
- if necessary, providing employees with training to support any changes in their jobs
- ensuring that employees can approach the principal/deputy principal to access appropriate support
- ensuring that the school has the following policies, and that they are widely disseminated and regularly reviewed:
 - dignity in the workplace
 - anti-bullying
 - code of behaviour
 - critical incident
 - substance use
 - special educational needs.

This list is not exhaustive.

Safety representative

Under Section 25 of the 2005 Safety, Health and Welfare at Work Act, all employees are entitled to select a safety representative to represent them on safety and health matters with their employer.

Safety & health in the workplace covers a wide variety of risks – from human factor hazards (such as stress & overwork) to chemical, biological or physical hazards.

The Act requires the employer to consult with employees to ensure cooperation with preventing accidents and ill health, and in turn the workers can consult with their employer.

The Act also sets out the arrangements for this consultation on a range of safety and health issues. The safety representative's function is to consult and make representations to the employer on safety, health and welfare matters relating to employees in the place of work.

It is important to note that taking on the role of a safety representative does not impose any legal duties.

If your school does not have a safety representative in place you should immediately set about ensuring the election of such a representative as soon as practicable.



What can teachers do to promote staff welfare?

Other than the legal responsibilities of an employee described in the Safety, Health and Welfare at Work Act 2005, teachers / safety representatives can:

- foster an atmosphere where staff welfare is promoted and stressors can be discussed
- help identify psychosocial hazards where they occur
- draw the employer's attention to breaches of good practice
- familiarise themselves with the safety statement and the annual audit procedures
- ensure their board of management representatives are familiar with the safety statement and all other policies which impact on staff welfare.

ASTI
Thomas MacDonagh House,
Winetavern Street, Dublin 8
Do8 PgV6

Tel: 01-604 0160
info@asti.ie
www.asti.ie