

Legal Compliance Health and Safety Management

SCHOOL RISK MANAGEMENT SYSTEM



Journey Miles to Zero Harm



HEALTH AND SAFETY PRACTITIONERS

Incorporating:

COMSAF (PTY) LTD

COMPRAC GAUTENG (PTY) LTD

COMPRAC WESTERN CAPE (PTY) LTD

COMPRAC KWA-ZULU NATAL (PTY) LTD

ESSEN SAFETY SERVICES

COMPRAC TRAINING

**Member: (MIOSH) Institute of Occupational
Safety & Health - UK**

**Member: (MIIRSM) International Institute
of Risk & Safety Management - UK**

**Member: (RMSA) Institute of Risk
Management - SA**

**Member: (IOSM) Institute of Safety
Management - SA**



Department of Labour - (AIA) Approved
Inspection Authority

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OHSAS 18001
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HEALTH AND SAFETY IN COMMERCE AND INDUSTRY

ComSaf (Pty) Ltd specialises and operates within the commercial and industrial business sectors, servicing a variety of different industries and institutions. ComSaf provides Legal Compliance and Management System services in the field of Occupational Health and Safety, and Quality and Environmental Management by analysing individual customer requirements and tailoring the service provision accordingly.

Business Challenge

Good corporate governance for the commercial and industrial business sectors requires an ever-expanding knowledge and awareness of the “Occupational Health and Safety Act 85 of 1993”, the “Compensation of Injuries & Diseases Act 130 of 1993” and, in addition, the “Local Government Municipal Systems Act 32 of 2000”, that regulates the “Emergency Services by-laws”. These statutes require a thorough identification of all hazards and, assessment of all associated dangers and risks. Establishing a robust Occupational Health and Safety Management System will protect your employees and members of the public, thereby managing your risk and reducing your liability.

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SCHOOL SAFETY MANAGEMENT SERVICES

ComSaf will assist the client in developing and implementing a customized management program in accordance with the needs of the client, and the specific requirements of applicable international standards for example OHSAS18001, ISO 9001 or ISO 14001.



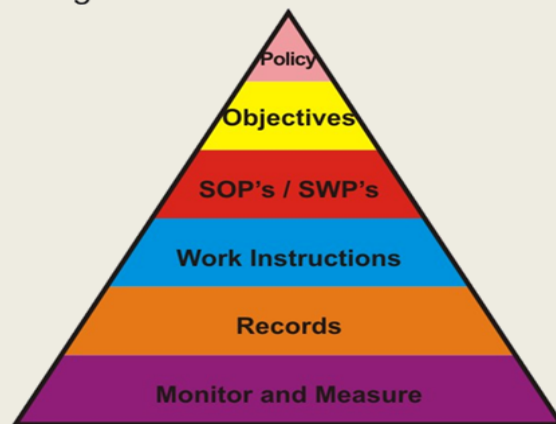
The requirements of different standards can be integrated into a unified organizational management system. The management system is then developed and implemented on either; existing paperbased / software solutions or, on new advanced software solutions depending on the preference of the client .

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THE JOURNEY TO ZERO HARM

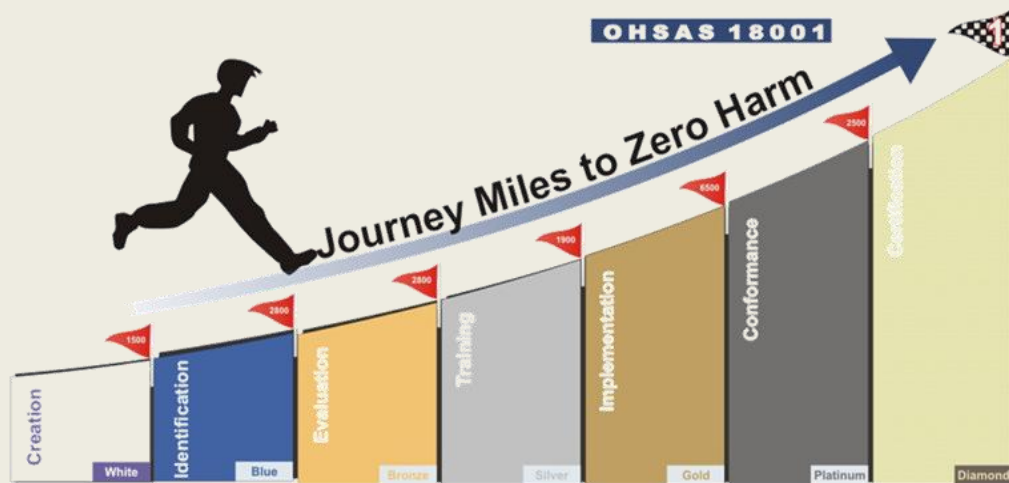
ComSaf has developed a system for Health and Safety at schools a system that is driven by senior management, and involving pupils and staff at all levels. Based on the internationally accepted **Plan-Do-Check-Act** model, the ComSaf SRMS defines the health and safety requirements of management through a policy and objectives and institutionalises them into auditable Safe Operating / Working Procedures (SOP's) to be used by the school to mitigate Health and Safety risks. Records are produced as evidence that safety measures have been put in place, which are tabled at review meetings, thus ensuring that the Health and Safety Programme is on track, cost effective and that objectives are being met.



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SRMS IMPLEMENTATION MODEL



The ComSaf SRMS implementation model is modular and allows flexibility to participating schools in regard to fee structure, completion dates and resources allocation.

The modular system takes the school on the journey from developing a health and safety policy to hazard identification and risk assessment. This is followed by the development of Safe Operating / working procedures, emergency preparedness and legal compliance readiness for assessment and certification to the International health and safety standard OHSAS 18001.

All this made possible through the innovative **School Online Safety Tool - @A Touch of A Button**

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SANS OHS 18001

HIERARCHY OF CONTROL

1. **ELIMINATION** – modify a design to eliminate the hazard, e.g. introduce mechanical lifting devices to eliminate the manual handling hazard.

Notes...

2. **SUBSTITUTION** – substitute a less hazardous materials or reduce the system energy (e.g. lower the force, amperage, pressure, temperature, etc.)

Notes...

3. **ENGINEERING CONTROLS** – install ventilation systems, machine guarding, interlocks, sound enclosures, etc.

Notes.....

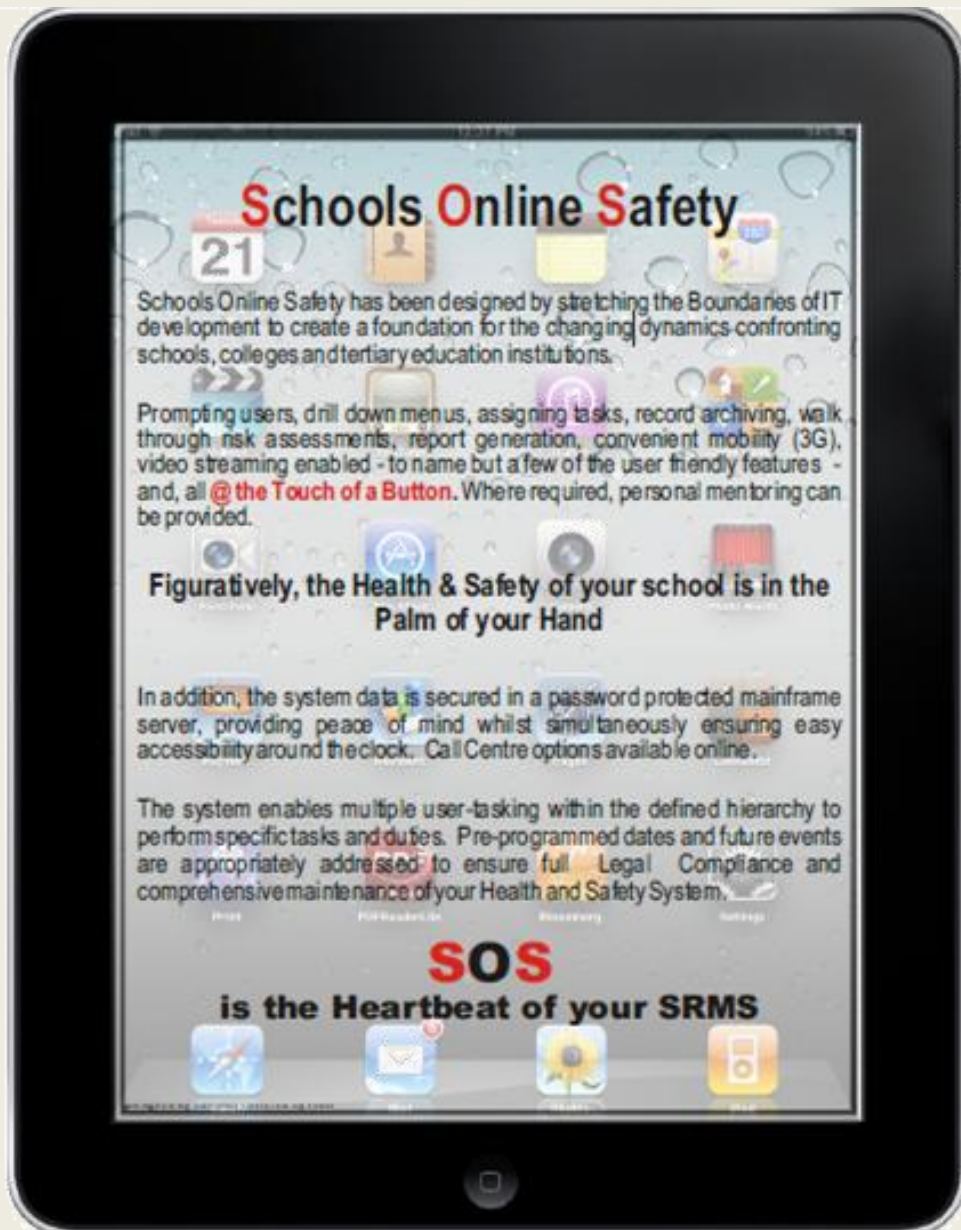
4. **SIGNAGE**, warnings, and / or administrative controls – safety signs, hazardous area marking, photo-luminescent signs, markings for pedestrian walkways, warning sirens/lights, alarms, safety procedures, equipment inspections, access controls, safe systems of working, tagging and work permits, etc.

Notes....

5. **PERSONAL PROTECTIVE EQUIPMENT (PPE)** – safety glasses, hearing protection, face shields, safety harnesses and lanyards, respirators and gloves.

Notes....

SOS HANDOUT



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RISK MANAGEMENT

Q: What is Risk Management?

A: Risk management explicitly addresses uncertainty

Q: What is Managing Risk?

A: Managing risk is a coordinated approach, using tools and techniques to determine the nature of the event, its source, cause and consequence; and thereafter to implement mitigation and control measures to reduce the magnitude of **RISK**.

THE FIVE STEPS TO HIRA

THE FIVE STEPS TO HIRA:

STEPS TO SUCCESSFUL RISK ASSESSMENT

HELPING YOU TO ASSESS HEALTH AND SAFETY RISK IN THE SCHOOL / WORKPLACE

Introduction

A risk assessment is an important step in protecting your staff and pupils and, indeed your school, as well as complying with the law. It helps you focus on the risks that really matter in your school – the ones with the potential to cause real harm. In many instances, straightforward measures can readily control risks, for example ensuring spillages are cleaned up promptly so people do not slip, or cupboard drawers are kept closed to ensure people do not trip. For most, that means simple, cheap and effective measures to ensure your most valuable asset – your staff and pupils – are protected.

The law does not expect you to eliminate all risk, but you are required to protect people as far as is 'reasonably practicable'. This guide tells you how to achieve that with a minimum of fuss. Risk assessment is the cornerstone of our health and safety legislation, and should not only be our point of departure but a regular stop on the daily operations route.

This is not the only risk assessment method, there are other methods that work well, particularly for more complex risks and circumstances. However, we believe this method is the most straightforward for most organisations and will assist in establishing risk assessment as a cornerstone of your health and safety program.

HIRA CONTINUED...

What is Risk Assessment?

A risk assessment is simply a careful examination of what, in your work, could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm. Staff, pupils and others have a right to be protected from harm caused by a failure to take reasonable control measures.

How to Assess the Risks in your work place

Follow the five steps in this eBook:

Step 1 : Identify the hazards

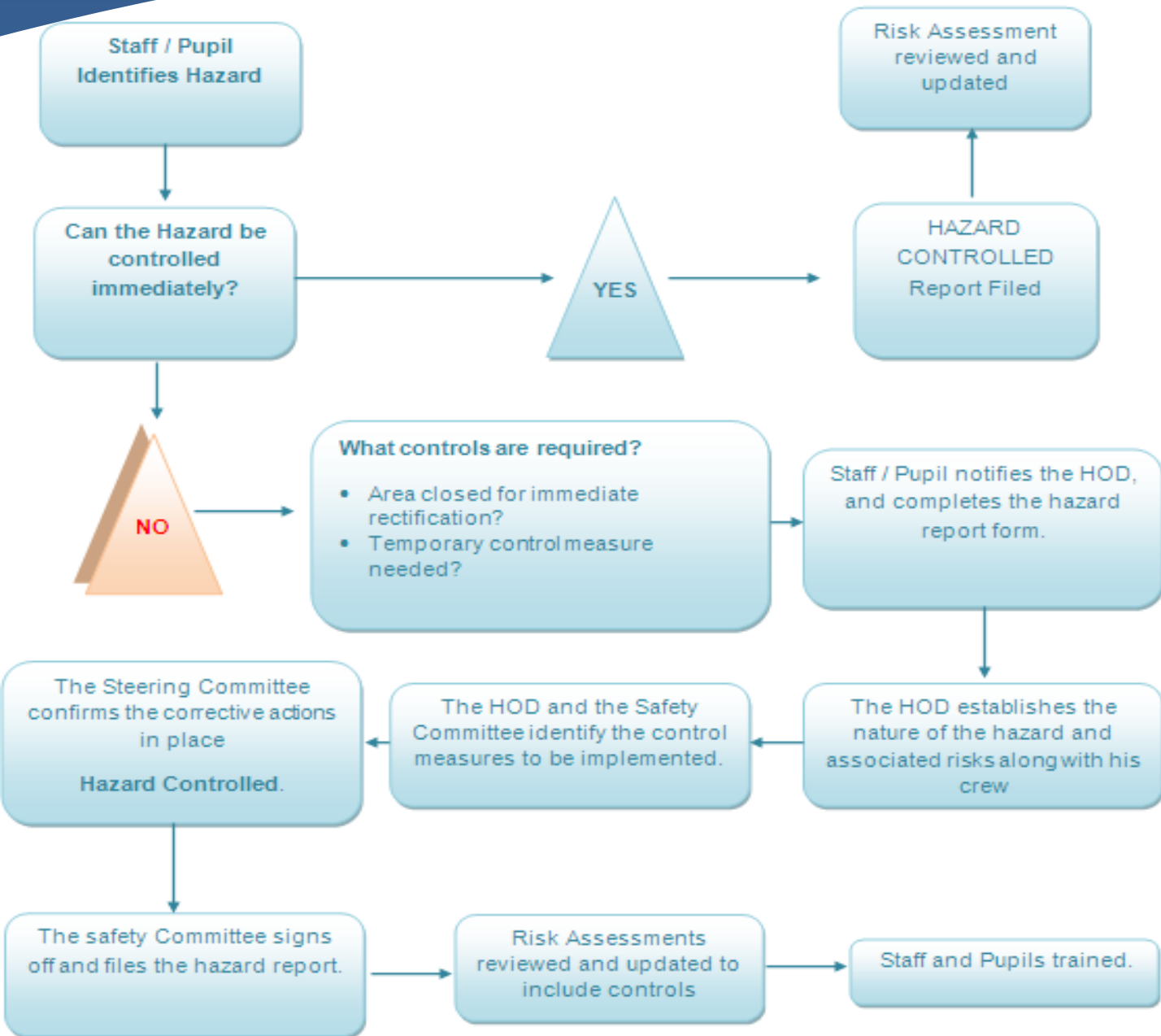
Step 2 : Decide who might be harmed, what might be damaged and how

Step 3 : Evaluate the risks and decide on control measures

Step 4 : Record your findings and implement them

Step 5 : Review your assessment and update if necessary

HAZARD IDENTIFICATION



MATRIX

RISK ASSESSMENT MATRIX For use with the Risk Assessment guide

This is a basic 5x5 matrix measuring the likelihood of an event occurring with a given number of outcomes.

0-5 = Low risk		Severity of the potential injury/damage/loss (Consequence or outcome)				
6-10 = Moderate risk		Insignificant damage to property, equipment or minor injury 1	Minor Non- reportable injury, minor loss of operations or slight damage to property 2	Moderate Reportable injury, moderate loss of operations or limited damage to property 3	Major Major injury, single fatality, critical loss of operations and serious damage to property 4	Catastrophic Multiple fatalities, catastrophic business operational loss and integrity impairment 5
11-15 = High risk						
16-25 = Extremely high unacceptable risk						
Likelihood of the hazard happening	Almost Certain 5	5	10	15	20	25
	Will probably occur 4	4	8	12	16	20
	Possibly occur 3	3	6	9	12	15
	Remote possibility 2	2	4	6	8	10
	Extremely unlikely 1	1	2	3	4	5

What you need to do

1. Consider what can go wrong. (Do a detailed review of all activities asking the question: What if?)
2. Determine how bad the outcome would be – Consequences. (Always identify the worst possible outcome)
3. Determine how likely it is to happen – Likelihood. (Evaluate historical data and interview people to acquire information)
4. Calculate the risk level. (Where the likelihood and severity points cross you have your risk level)
(Please refer to the detailed risk assessment process as provided later in the document or refer to the complimentary e-book entitled “5 Steps to risk assessment”)

EXCERPTS – PAINTBRUSH INJURY

24/11/2010 - Paintbrush injury pupil set to receive pay-out

The court heard how a paintbrush pierced Thomas's eye.

A council has been held responsible for an accident which left a 10-year-old pupil with "catastrophic" brain damage.

Thomas Brown, now 18, attended Ladywell School in Motherwell when he fell on a paintbrush which pierced his eye.

The Court of Session in Edinburgh ruled that North Lanarkshire Council failed to prevent a foreseeable risk of harm.

Mr Brown's father, Christopher, is seeking damages of £2.5m. The court will rule on the level of compensation at a later date.

Judge Lady Dorrian heard that the accident happened while Thomas and his classmates were working on scenery for a school show in April 2003.

They were kneeling or crouching on the floor painting four sheets of paper which had been stuck together. The paper was too big to fit on a desk.

A girl stood up and bumped into Thomas, causing him to topple over and fall onto the paintbrush of a third child.

PAINT BRUSH INJURY EXCERPT – CONTINUED...

The pointed end of the foot-long thin brush went into his left eye.

When one looks at the whole circumstances of the use of the brush a real risk of injury emerges as foreseeable”

Lady Dorrian Judge

The court heard that the accident had left him with no sight in his left eye and he had also suffered "a number of permanent disabilities", including poor concentration and memory and significant fatigue. In the action, it was alleged the accident had affected Thomas's chances of finding a job and that it was unlikely he would be able to live independently in future.

Lady Dorrian was told that since the accident the local authority had issued a "safety flash" warning, stopping children working on the floor and banning the use of long paintbrushes. Mr Brown claimed that the "risk assessment" carried out after his son was hurt should have been done before the accident, and could have prevented the tragedy.

He also claimed that those supervising the class at the time were at fault. In her written ruling, Lady Dorrian said: "Foreseeability is not the same as frequency - an accident might rarely happen yet nevertheless be foreseeable."

PAINT BRUSH INJURY EXCERPT – CONTINUED...

She said that the teachers present at the time seemed ~~to~~ be aware of some dangers but had not taken others into account.

"When one looks at the whole circumstances of the use of the brush a real risk of injury emerges as foreseeable," she said.

"A reasonable person in the position of the teachers would have taken steps to prevent that foreseeable risk of harm to Thomas."

The judge said the work could have been done on separate sheets of paper with safer paintbrushes. She added: "There was no persuasive reason why the task could not have been done at desks." A spokesman for North Lanarkshire Council said: "We are studying the court's findings and it would be inappropriate to comment further at this stage."

RAYNARD LOOCH

ComSaf, in association with Klass Looch Associates, has the capacity to deliver swift responses to legal questions and arguments and, furthermore, taking the necessary steps should any litigation be required.

Klass Looch Associates was formed in 1986 by former specialised Occupational Health and Safety Court prosecutors to advise employers (individuals and corporate bodies) on compliance with Occupational Health and Safety legislation and to represent employers at inquisitorial procedures and criminal trials pertaining to Occupational Health and Safety legislation. Inquisitorial procedures are held by inspectors attached to the Departments of Labour and Mineral and Energy.

Raynard Looch is the Managing Member of Klass Looch Associates. He obtained his BA.LLB at Pretoria University and joined the Department of Justice in 1983 and was admitted to the Bar as an advocate in 1984. He



served as a prosecutor in the Mining Court (OHS Court) until resigning in 1986 to form Klass Looch Associates to offer employers a specialised service. He has successfully represented many employers in matters pertaining to the occupational health and safety legislation and am the author of *The Guideline to the Machinery & Occupational Safety Act* and various articles on the Act to a variety of specialised magazines.

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RAYNARD LOOCH CONTINUED...

No-one is immune to prosecution in terms of the OHS Act, because of a host of legal rights for employees, persons in general, recipients of articles and substances utilised at a workplace, etc. Criminal liability emanates from the infringement of these statutory rights by employers or users. Juristic persons or corporate bodies along with natural persons such as the headmaster and his or her team are regarded as employers and users for prosecution purposes.

Employers have OHS rights too. How does an employer earn such rights?

Start by training your employees into their duties. The opposite of a 'Right' is a 'Duty'. If employees have duties, employers have rights. They are not automatic rights as those enjoyed by employees but must be earned. By training employees into their duties, employers earn rights! In the OHS Act [section 14](#) is a good point of departure.

Should you need to contact **Raynard**, please phone him at **0117267839** or **0825749882** and by fax at **0866500687**. You can also contact him at his e-mail address: raynard@klasslooch.com.

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Quality / Safety Management Systems:

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