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Guidance for Director of Children's Services (DCS) or equivalent role

The Health and Safety at Work etc. Act 1974 places overall responsibility for health and safety with the employer. Who this is, varies with the type of school or other establishment. It is critical that employees understand who their employer is.

Employers have duties to ensure, so far as is reasonably practicable:

- the health, safety and welfare of all employees and volunteers.
- the health and safety for all young people for whom the DCS is responsible under the Children Act 2004.

As a local authority DCS, you should make sure that:

- You have an understanding of the legal framework within which Children's Services employees work in relation to Outdoor Learning, Off-site visits and Learning Outside the Classroom (LOtC). You can find further guidance in document 3.2 '*Underpinning legal framework and duty of care*'.
- You are aware of your responsibilities under the Corporate Manslaughter and Corporate Homicide Act 2007.
- You are aware of the full breadth of your responsibilities for all young people.
- There are clear policies and procedures, including an audit trail, to ensure that all employees are directed to follow employer guidance relating to outdoor learning and off-site visits.
- Information and advice is made available to support outdoor learning, off-site visits and LOtC, and understanding of the guidance e.g. there is a designated adviser with appropriate resources to support policy implementation and compliance.
- Training is provided to ensure that employees understand the guidance e.g. EVC Training, Visit Leader Training.
- Policies and procedures are in place to ensure that statutory duties with regard to training, monitoring and guidance are complied with.
- Where duties are delegated, the roles and responsibilities of all are clearly defined and specified within guidance documents, cross referencing with all relevant job descriptions.

It is good practice for local authorities to have an **outdoor education adviser** (or equivalent post), or for one or more of the LA staff to have the functions of an outdoor education adviser in their job description(s). The adviser (or team) would need experience in teaching or youth work and have a record of leading safe and beneficial off-site visits, as well as occupying a position of sufficient authority in the local authority to influence change and people.

“Statutory guidance on the roles and responsibilities of the Director of Children’s Services and the Lead Member for Children’s Services” (DfE 2013) is a key document. It can be downloaded from:

<https://www.gov.uk/government/publications/directors-of-childrens-services-roles-and-responsibilities>

