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Dear Headteacher and PE Subject Leader

Duty of Care at Sporting Fixtures and Events

I have had a number of enquiries about duty of care at sporting events and wanted to clarify schools legal requirements.

Duty of care is part of health and safety law.

A headteacher fulfils their employers health and safety responsibilities at a school level. These tasks may be delegated from the headteacher to leadership team, other school staff and PE subject leaders.

The employer or whoever the tasks have been devolved to at a school level will have responsibility for all activities over which they have control. This includes all day to day health and safety issues within the curriculum as well as any school organised extra-curricular activities and extended activities which take place during the school holidays or weekends.

'School organised' is about the school's involvement not necessarily if they are the overall organiser or host, which could be e.g. an SGO. Therefore, if the children represent school at a sporting event a member/s of school staff must accompany the children as they have the duty of care. This is about the school ensuring they are meeting their duty of care to their pupils, if school staff are in any doubt about where the duty of care rests, I would advise the headteacher to speak with whoever provides them with legal advice.

This query is all unpicked in the Introduction and Chapter 1 of Safe Practice in PESSPA page 14, 1.4.4 -1.4.14.

Many thanks

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