



Community Services: Education

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To: Heads of all Educational Establishments

Dear Colleague

The Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990

Attached as appendix 1 is a copy of the above regulations which came into effect on 1 April 1990. To provide head teachers/campus principals with appropriate resources to meet these requirements the departments of education, personnel services and facility services have come to an agreement with the janitors' trade unions to recognise a role janitors have traditionally undertaken. At the time of their transferring to facility services, the following addition has been made to all janitors' job descriptions.

"B Supervision of pupils

- "13.1 The janitor can be instructed by the head teacher/campus principal or nominee to supervise in the playground or other areas of the school for a period before school opens for classes, during breaks between classes and after classes finish at the end of the school day.
- "13.2 During periods of supervision the janitor will direct all non pupils with business in the school to the school office and direct others off the premises.
- "13.3 The janitor may be instructed to be on hand when children and young people are alighting from or boarding contract buses to encourage children and young people to act in an orderly manner.
- "13.4 Under the general direction of the head teacher/campus principal or nominee the janitor will instruct and direct any staff employed solely for child and young person supervision. The janitor will also be responsible for the normal administrative processes in relation to these staff.
- "13.5 Where other non-teaching staff are involved in child and young person supervision, liaise as appropriate with these staff."

It has also been agreed that these duties apply to caretakers and janitors/cleaners in education premises. Thus, in addition to those schools covered by the regulations, head teachers/campus principals in secondaries, small primaries, nursery schools, residential schools and outdoor centres can, and should, use such staff to supervise children and young people as outlined in the job description above.

In assisting in the discharge of the responsibilities in this area the janitor has a right to expect the following support.

1 Formal training

Facilities will carry out formal training of all janitors on this subject. A copy of the training manual which was prepared in conjunction with the Strathclyde education department is attached as appendix 2.

2 Informal 'on the job' training

The school policy and procedures in relation to children and young people discipline in corridors, playgrounds, wet weather arrangements etc should be carefully explained to the janitor and those senior staff to whom she/he will report.

Particularly important are emergency procedures and the procedures to be followed when the rules are broken. The standards and action expected from the janitor should be made clear to allow her/him to deal effectively with common incidents in playgrounds and around the school. As the formal training can only be very general, detailed school guidelines are essential and should preferably be in written form.

The head teacher/campus principal or nominee, as the janitor's day to day manager, should guide, instruct and generally assist the janitor to be effective in this duty.

Any serious problem in management should be brought to the attention of Education HQ as soon as possible.

3 Management support

Responsibility for the school and the supervision and welfare of its children and young people and other users still rests with the head teacher/campus principal. The function of providing an adult presence (within the limits indicated above) may now properly be given to the janitor: the responsibility still remains with the head teacher/campus principal. It is therefore, essential that head teachers/campus principals take the necessary steps to ensure that the janitor is not only properly advised of the procedures to be followed, but also supported in carrying them out.

An important element in providing such support will be to ensure that, so far as is reasonable, there is a senior member of the teaching staff from whom instructions can be received. It is recognised, of course, that the full period during which pupil supervision is undertaken extends beyond the school day and that senior staff may not always be present. It is important, therefore, that the guidance given to janitors should be sufficiently clear and comprehensive to allow the head teacher's/campus

principal's overall responsibility to be discharged satisfactorily, even in her/his absence. Appropriate mechanisms must be established for reporting serious incidents as quickly as possible after they occur.

It is important that the janitor's presence is effective and thus the janitor has to be given overt support so that staff, children and young people, parents and visitors know that the safety of the children and young people is high on the list of head teachers'/campus principals' responsibilities.

4 Briefing/reporting

Regular briefing/reporting meetings between the janitor and head teacher/campus principal are essential. Both parties will acquire knowledge which would be useful to the other to maintain the good conduct of the school. Discussion on suspected incidents concerning drugs, bullying, racial abuse etc should be encouraged and techniques for identifying victims/perpetrators established.

Head teachers/campus principals must satisfy themselves of their ability to meet the terms of the regulations. In the great majority of cases the arrangements set out in this circular would fulfil the education authority's obligations in terms of the regulations. However the head teacher/campus principal may feel that, for some exceptional reason such as serious crime in the vicinity of the school and/or the geography of the playgrounds, the available resources are insufficient. In such cases the head teacher/campus principal should contact the Executive Director of Community Services without delay. The Executive Director will arrange for a senior officer to assess the position.

In determining the deployment of the available supervisory resources the head teacher/campus principal will have regard to a number of relevant factors.

- (a) Reasonable supervision can be achieved by an adult circulating in the play areas as designated by the head teacher/campus principal. For many schools this means continually circulating round the outside of the building.
- (b) Particular attention has to be paid to areas close to gates and 'rights of way'.
- (c) Persistent and/or troublesome trespassers should be reported to the police. It may be that an interdict forbidding access to school grounds is an effective way of deterring known offenders. Head teachers/campus principals should discuss the matter fully with the Executive Director of Community Services if considering such action.
- (d) Head teachers/campus principals whose schools have extensive grounds may have to restrict the play areas to ensure reasonable supervision of the children. The parent council and parents should be made aware of the designated play areas.

- (e) The regulations do not differentiate between wet and dry weather. Thus supervision outside has to be maintained even if only a few children and young people remain out in the wet. To maintain overall safety head teachers/campus principals may have to look closely at their school arrangements.
- (f) Local events may occasionally require special reinforcing of supervision.
- (g) Secondary schools, primary schools with less than 50 pupils, nursery schools, residential schools and outdoor centres outwith the scope of the regulations should take cognisance of their provisions.

The Safety and Supervision of Pupils (Scotland) Regulations 1990 complements the Council's aim for all its schools that the safety and well-being of children and young people has to be maintained at all times. The revision of the janitor's job description formalises the situation where the janitor can assist in meeting this aim.

Yours sincerely

Executive Director of Community Services

March 2010

STATUTORY INSTRUMENTS

1990 No. 295 (S.28)

EDUCATION, SCOTLAND

**The Schools (Safety and Supervision of Pupils)
(Scotland) Regulations 1990**

<i>Made</i>	<i>19th February 1990</i>
<i>Laid before Parliament</i>	<i>28th February 1990</i>
<i>Coming into Force</i>	<i>1st April 1990</i>

The Secretary of State, in exercise of the powers conferred on him by section 2 of the Education (Scotland) Act 1980(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990 and shall come into force on 1st April 1990.

Interpretation

2. In these Regulations the following expressions have the meanings hereby respectively assigned to them:
 - "adult" means a person who has attained the age of 18 years;
 - "break time" means any break taken between classes at a school in the course of a day on which the school is open for the purpose of providing school education;
 - "playground" means, in relation to a school, the outdoor area provided by the education authority for recreation or play at break times by pupils in attendance at that school.

Safety and supervision of pupils

3. Without prejudice to any duties of education authorities arising under statute or any rule of law, every education authority:
 - (a) shall take reasonable care for the safety of pupils when under their charge: and
 - (b) without prejudice to the generality of the duty under paragraph (a) above, and the provision of such supervision of pupils as if required to comply with that duty in any circumstances, shall secure that at each school under their management which is:
 - (i) a primary school at which 50 or more pupils are in attendance; or
 - (ii) a special school;pupils are supervised by at least one adult when in a playground during any break time.

The number of pupils in attendance at a school

4. For the purposes of these Regulations the number of pupils in attendance at a school shall be the number who were in such attendance at the last 31st August.

Ian Lang
Minister of State
Scottish Office
St Andrew's House, Edinburgh
19th February 1990

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that, without prejudice to any other duty owed under statute or common law, an education authority shall take reasonable care for the safety of pupils under their charge. They are also specifically required to secure that at each school under their management which is either a primary school attended by 50 or more pupils, or a special school, pupils are supervised by at least one adult when in a playground during any break time. This specific duty is stated to be without prejudice to the provision of such supervision as is necessary to comply with the general duty to take reasonable care for pupils' safety in any circumstances.

ISBN 0 11 003295 0

Appendix 2

STRATHCLYDE EDUCATION DEPARTMENT

Department of Cleaning and Related Services

Pupil Supervision - Training Material

There are some things in every school that you must report, eg

- racist remarks;
- foul and abusive language;
- smoking;
- bullying/extortion;
- children and young people fighting;
- strangers at the gates or within the premises - must be shown to the school office or directed off the premises.

The janitor as a deterrent

As mentioned earlier it is envisaged that the role of the janitor will be to act as a 'deterrent' at moments of potential 'flashpoint'.

The best tactic for keeping things under control is prevention. Your presence should stop trouble before it starts, ie be a deterrent.

When you are on duty the children and young people should treat you with respect. You will not get this respect automatically just because you are an adult. Young children tend to test out your limits in a very provoking way. Young people tend to get resentful if they think they are being ordered around.

Tread carefully if you do find yourself in a situation where children and young peoples' behaviour is borderline. You cannot hope to tackle every single bit of misbehaviour. Concentrate on dealing with the most important things like, for example, a stranger within the premises.

Setting common standards

It is important that you and your colleagues all deal with child and young person supervision in a similar way. Children and young people will spot differences and will try to play one janitor off against the other.

Remember:

- (a) treat each child and young person fairly and equally, no matter who they are, where they come from, the colour of their skin or what you know about their previous behaviour;

- (b) treat each child and young person with respect; don't ever make degrading comments about them or use unkind labels to describe them;
- (c) never touch or strike a child or young person; don't ever threaten a child or young person physically; don't 'invade' the space around them so that they feel threatened; this is **critical**.

NB A janitor must behave as any caring adult would behave.

The playground

A janitor can only be in one place at a time. In large areas the janitor cannot be everywhere.

Therefore it is reasonable to define the playground area as being the ground inside the school gates except in multi-playground schools. During periods of supervision the role of the janitor is to patrol and provide a presence within the school premises, as directed by the head teacher/campus principal or nominee, but not outwith the school gates.

When providing child and young person supervision it is advisable to keep on the move. Don't stand in one place for any length of time. Try and vary your route to avoid being at the same place at the same time each day.

It is very important that your patrol covers all areas of the playground. If you stand talking to other janitors or people or spend a long time with a group of children and young people it means that all sorts of things could be happening that you don't know about.

Don't let children and young people think that they can get away with things because you are not watching.

How to present yourself in the playground

- look pleasant;
- always be polite and courteous;
- remain distant when approached, ie be friendly if children and young people approach you in a friendly way;
- don't get too absorbed with what children and young people are doing, eg games;
- personal questions - answer within limits;
- talking about school work - keep remarks very general;
- talking about families - with caution - do not pry;
- never discuss teachers or other members of staff;
- never touch a child or young person;
- never let a child or young person touch you eg cling to your arm.

NB During periods of supervision the janitor will direct all non-pupils with business in the school to the school office and direct others off the premises.

Wet weather flashpoints

More accidents occur during wet weather. Keep an extra careful watch on wet days - more accidents happen when youngsters are cooped up inside.

On winter days when it is cold, children and young people will want to loiter inside buildings so they can stay in the warmth a bit longer.

Responsibilities of head of establishment

The janitorial function is now centred within the Department of Cleaning and Related Services and is subject to the management control of Cleaning and Related Services. However, the janitorial function is still under the daily direction of the head of establishment, ie head teacher/campus principal or nominee.

The head teacher/campus principal or nominee will instruct janitorial staff in relation to pupil supervision.

Role of janitor instructing or directing staff solely employed for child and young person supervision

Some education establishments employ supervisory assistants to assist with child and young person supervision. Under the general direction of the head teacher/campus principal or nominee, the janitor will liaise with, and if necessary, direct or instruct the supervisory assistants.

The janitor will also be responsible for all relevant administration procedures for these staff, ie:

- communications relating to absence;
- timesheets;
- staff records;
- notifications relating to engagements and terminations;
- documentation relating to health and safety procedures;
- documentation relating to reporting of accidents.

Potential flashpoints

There are bound to be times when children and young people don't quite behave as you would like. If you are not prepared for what might happen you could be taken off guard.

On the spur of the moment, you might say or do things that would make matters worse. If however you have thought things through, in advance, you will be much more likely to do and say the right things and prevent things getting out of hand.

Potential flashpoints and some points to think about

Lunch queues

Jostling and irritation can cause an eruption

Ensure queues are orderly

Identify where and how people should queue

Prevent trouble arising; avoid queues which 'cross' each other

Bus queues

Buses that enter school ground

Ensure that they enter slowly and that children and young people are kept well back

Buses that stop at school gates

Ensure children and young people stand on pavements and are in orderly queues. Do not allow queues to 'cross' each other

Toilet areas

Children and young people gathering in clusters or at rear of toilet buildings

Patrol regularly to stop groups collecting

Toilets which are kept locked

Know who has the key and the method for gaining access

Pupils clustering together

In groups within the playground

Patrol regularly to stop groups collecting

Acting suspiciously

Report to the head teacher/campus principal or nominee immediately

Loitering

Encourage, politely, to 'move on'

Commotion in the playground

Fighting, bullying, extortion or swearing and abusive language

Report immediately to the head teacher/campus principal or nominee

Smoking

In playground, toilets or within buildings

Report immediately to the head teacher/campus principal or nominee

Parental confrontation

Parent appearing at school gate or an angry parent

Show to school office and report immediately to the head teacher/campus principal or nominee

Drug abuse and drunkenness

Group of youngsters huddled together; empty bottles, containers or syringes	Be vigilant. Report any suspicions to the head teacher/campus principal or nominee immediately
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Identifying your own flashpoints

In our dealings with other people, we have our own 'private flashpoints' - the things that others do which instantly make us irritated. When we feel like this, we talk angrily, we lash out and say things that make matters worse.

There may be things that young people do that will trigger this off in you. If you know what tends to make you mad, and have thought about it, you will be less likely to go off at the deep end, for example.

A child or young person does very slowly and reluctantly something that you have asked to be done	Do not interfere or make comments
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A child or young person answers you back rudely or impertinently	Remain polite and courteous. Do not lower your standards
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A child or young person deliberately drops litter	Request politely that the child or young person uses waste bin provided. Avoid a confrontation
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Dealing with unacceptable behaviour

Give children and young people a chance to take back what they have said if they have been rude	Can act as a brake and prevent situation getting out of hand
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Control your anger and irritation	If you don't, you will lose your authority
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Be polite and courteous at all times	Do not lower your standards by being rude
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Avoid being drawn into an argument	Undignified
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Find out facts	Do not make assumptions
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Don't threaten disciplinary action at the first sign of trouble	Weakens position
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Treat each child and young person fairly	Keep respect
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Avoid patronising and sarcastic remarks	Rude, and sets poor example
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Don't shout	Adds to commotion and sets bad example
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Never touch or strike a pupil	'Hands off' policy at all times
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NB Unacceptable behaviour should be reported to the head teacher/campus principal or nominee. You will not know every child or young by name. It would be helpful if you could give a brief description of the child or your person concerned, eg dark hair, stocky build, aged about 15 years, wearing a green jersey with white spots and blue denim jeans.

STRATHCLYDE EDUCATION DEPARTMENT

Department of Cleaning and Related Services

Janitors

Pupil Supervision

Introduction

For some time now the government has intended to introduce regulations regarding child and young person supervision. The Safety and Supervision of Pupils (Scotland) Regulations 1990 have been formalised through Parliament with the implementation date being 1 April 1990.

The new job description for janitorial staff includes child and young person supervision. The role of the janitor here will be to provide **adult presence** at times when children and young people gather, eg break times, lunch periods, bus queues. It is envisaged that the role of the janitor will be to act as a **deterrent** at moments of potential 'flashpoints'.

In each school child and young person supervision will be slightly different as per local school rules, but there will be many things in common.

It is important that you are absolutely clear what your duties and responsibilities are before you start, otherwise all sorts of problems and confusion could arise.

Provision of an adult presence

The Safety and Supervision of Pupils (Scotland) Regulations 1990 places a **statutory duty** on education authorities to take reasonable care for the safety of pupils under their charge. It also introduces a statutory duty to provide adult supervision at break times.

Definition of an "adult" - An adult means a person who has attained the age of 18.

The role of the janitor is to provide an **adult presence**.

Pupil supervision

When providing supervision at the designated times you will probably not see any teachers, eg break times, lunch periods, bus queues. However, the head teacher/campus principal or nominee will back you up if necessary. If something does happen when on duty you should report the matter to the head teacher/campus principal or nominee.

STRATHCLYDE EDUCATION DEPARTMENT

Department of Cleaning and Related Services

Janitors

Pupil Supervision

- Introduction Regulations
- Provision of an adult presence Definition of an 'adult'; child and young person supervision
- The janitor as a deterrent Setting common standards
- Janitorial presence How to present yourself in the playground; coping with emergencies
- Responsibilities of head of establishment
- Role of janitor instructing or directing staff solely employed for pupil supervision
- Potential flashpoints Potential flashpoints and some points to think about; identifying your own flashpoints; dealing with unacceptable behaviour