afPE Health and Safety Update October 2024

In this months' Health and Safety Newsletter, we have answered the most common question, sent in to us by members to answer, since returning to school in September.

Removing Personal Effects

The importance of having a clear and consistently applied policy for the removal of personal effects cannot be under estimated.

The Association for PE strongly recommends the practice of removing all personal effects at the commencement of every lesson to establish a safe working environment. This applies to all ear and body piercings, including retainer and expander earrings.

Schools have a duty of care to ensure students can participate actively without unnecessarily endangering themselves or those working around them.

Many schools simplify the situation by having a no jewellery policy across the school. This means that active lunchtimes and extra – curricular activities are not a problem as there is no jewellery present.

Religious items need to be removed or made safe. Health and safety law would usually take precedence over equality law because of the implication of the 'safety of others' and the specific duty set out in the Health and Safety at Work etc. Act 1974. Case law relating to human rights legislation has established that a student does not have the right to manifest their belief at any time and place they choose at school, and this includes the wearing of jewellery.

However, wherever possible, to respect religious or cultural sensitivities, we would recommend that schools enter into discussion with local faith leaders and parents to establish and maintain constructive communication with them and the local community, and to establish an inclusive school policy.

In the situation where removal of religious items proves to be extremely contentious and agreement for removal in PESSPA sessions cannot be achieved, the activity and involvement of the wearer needs to be suitably modified to mitigate undue risk. In practice this could mean an alternative physical activity/ task. It should not mean the pupil missing being active.

Clearly, the best model is no jewellery which makes it easier in a PE setting as it is part of a whole school policy.

Many schools ensure there is a statement on removing all personal effects, or having no personal effects worn in school, in their Admissions policy. They also mention having piercings executed at the beginning of the summer holiday so that they can be removed when the new term begins.

Best Wishes,

Nicky Scott and Jan Hickman

Health and Safety Officers

The Association for Physical Education