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8

Safety in PE

INTRODUCTION

Your first priority in any PE lesson is to ensure pupils' safety. In PE, high quality organisation and management skills are crucial in all activities, for example, gymnastics, swimming and athletics, as they influence not only pupils' learning but also their safety in your lessons. You establish rules and routines and shape pupils' behaviour which enhance both learning and safety. Chapter 6 looked at organisation and management skills, this chapter considers safety within PE lessons.

OBJECTIVES

By the end of this chapter you should:

- understand your responsibilities for safety; and
- be able to create a safe environment in your lessons.

UNDERSTANDING YOUR RESPONSIBILITIES FOR SAFETY AND CREATING A SAFE ENVIRONMENT IN YOUR LESSONS

Teachers, lecturers and others in positions of responsibility, have a duty of care for those in their charge to ensure that planning and implementation include recognition of safety as an important element.

(BAALPE, 1995, p. 5)

Safety is arguably the most important factor in your planning. In all PE lessons the safety of pupils and hence of the environment and equipment must be of paramount importance. All activities taught in PE have their own safety regulations of which pupils must be made aware. The area is vast and the BAALPE (1995) publication *Safe Practice in Physical*

Education is essential reading for all aspiring PE teachers as it covers all aspects of safety. Adams states:

It is not surprising that the subject leading to most accidents is physical education. Not only may dangerous apparatus be used but the physical effort and bodily contact involved always present dangers. During physical education lessons the teacher must be present throughout.

(Adams, 1983, p. 122)

As a PE teacher you are trusted to teach hundreds of other people's lively children! You do, for example, take them swimming, ask them to throw javelins, do somersaults, archery, rugby, mountaineering, cross main roads to playing fields and go on school skiing trips. All these activities have a risk of accident (an accident is any event which cannot be prevented, or which cannot reasonably be foreseen so that steps can be taken to guard against it), and some, such as a skiing trip, could be viewed as *very high risk* activities.

In all physical education activities *risk assessment* should be applied wherever foreseeable risks or hazards may occur. A hazard is anything that may cause harm (a busy road or a steep slope) while a risk is the chance that someone may be harmed by a hazard. The role of responsible staff is to decide whether a hazard is significant and, if so, to determine and implement the precautions necessary to eliminate or minimise the risk presented

(BAALPE, 1995, p. 43).

One way of assessing risk is given in Figure 8.1, while Figure 8.2 applies some of these risk categories to examples of activities taught in PE.

Use the information in Figures 8.1 and 8.2 to undertake Task 8.1.

TASK 8.1 AWARENESS OF 'SAFE PRACTICE' IN YOUR SUBJECT

Make a list of all activities you may teach in a PE programme (you may want to refer to the list you made for Task 1.5) and categorise these into: SLIGHT RISK, MODERATE RISK and HIGH RISK. After completing this task refer to Part 2 'Activities' in *Safe Practice in Physical Education* (BAALPE, 1995) and ensure you are aware of the teacher's responsibility for safe practice in these activities.

Risks may be placed on a scale of 1–5 as shown below

5 Very Likely

If the work continues as it is, there is almost a certainty that an accident will happen

4 Likely

An accident is unlikely to happen without an additional factor. This could be the effects of wind, vibration or human carelessness.

3 Quite Possible

An accident may happen if additional factors are present, but is unlikely to happen without them. This additional factor is more than a casual slip or nudge

2 Possible

Probability of accident is low. Other factors must be present for an accident to occur.

1 Not Likely

There is no risk present. Only under freak conditions could there be any possibility of an accident or illness.

Figure 8.1 Risk (likelihood of accident) rating *Source:* (European Education Consultants, 1997)

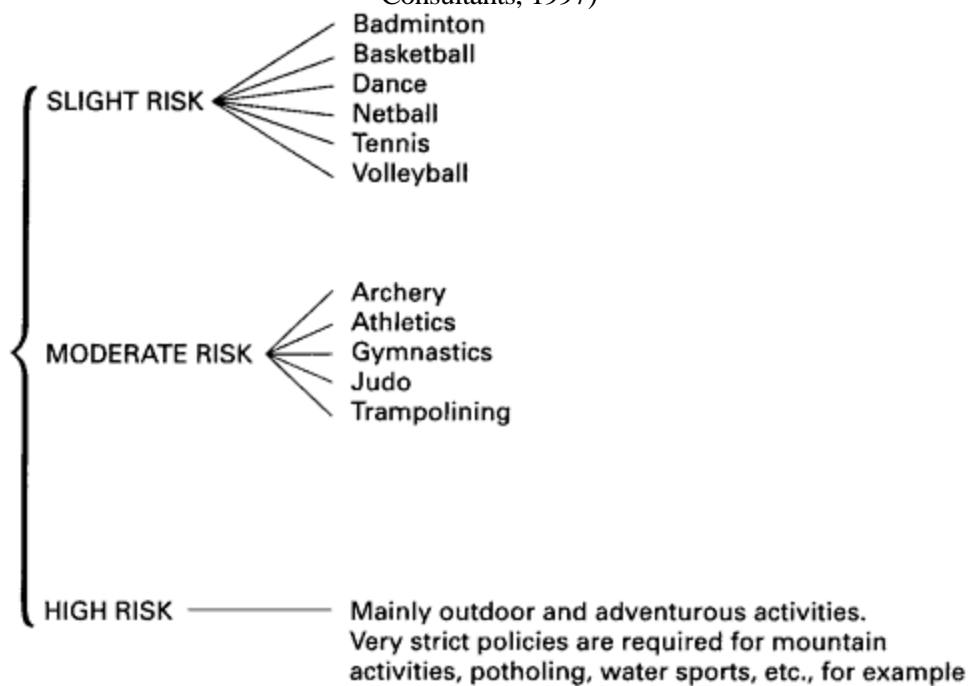


Figure 8.2 Risk categories applied to examples of activities taught in PE

Physical education teachers at primary and secondary levels can greatly improve their policy and safe practice in physical education if they examine very carefully all the working environments in which they place themselves and their pupils. They should remove or significantly reduce the incidence of accidents through effective management of potential hazards.

(BAALPE, 1995, p. 45)

At no time should young people participate in higher risk activities which are not planned, are unsupervised or which the leader has not approved. Cover for all eventualities should be planned for higher risk activities.

(BAALPE, 1995, p. 188)

There is no doubt that activities taught in PE involve risk and that accidents happen. However, this should be put into perspective. You should realise:

- that if safety precautions are taken then accidents are few;
- most accidents occur in the home, not in PE;
- if physical activities are to be exciting, exhilarating, fun, then by their nature they are risky, but this is part of the challenge and fun.

Nowhere in school life is the need for safe practice greater than in physical education. Physical education is by its very nature a challenge to growing children, setting goals which in order to be met demand a mixture of skill, fitness and personal judgement. The risk of accident and injury is ever present, but the ability to anticipate hazards and to minimise them can be developed early on in a physical education teacher's career.

(BAALPE, 1995, p. 9)

THE LAW IN RELATION TO PE TEACHING

As well as knowing any national regulations and specific rules for the activities you teach, you need to know what the law demands of you as a teacher. It has been stated that:

- 1.2.1. There are long established and important common law requirements for those acting *in loco parentis*.
- 1.2.2. Teachers and others with this legal responsibility must exercise the same *duty of care* as would a reasonable parent.

- 1.3.1. *In loco parentis* forms the basis for *duty of care* which all teachers must operate when they have children in their care. This applies to all activities within the school curriculum, to extracurricular activities during or outside normal school hours and whether undertaken on or away from school premises.
- 1.4.2. Over the years it has been established through the courts that a school teacher should be expected to know a good deal more about the propensities of children than might a prudent parent. Add to this that some aspects of physical education have a high level of risk and required awareness and a *higher duty of care* is now expected of physical education teachers.

(BAALPE, 1995, Chapter 1)

Reporting accidents

If there is an accident in your lesson you need to be aware of the procedures in your particular school for first aid and for writing up an accident report. One example of a school accident form is given in Figure 8.3.

TASK 8.2 REPORTING ACCIDENTS

For each of your school experience schools, find out what you have to do if there is an accident in your PE lesson. What formal procedures are in place? Store this information in your professional portfolio for reference if needed.

Negligence

If there is a very serious accident the law would consider whether there was negligence on the part of the teacher. Negligence is usually considered under the following three factors:

- 1 The defendant (teacher/LEA) owed a duty of care;
- 2 The teacher failed in that duty by what he or she did or left undone;
The plaintiff (the pupil) must have suffered some damage through that act or omission.

NB. It follows that no claim will succeed in respect of what is strictly an accident.

Where claims have been made for negligence, regulations and books state that the law always considers three vital areas:

SCHOOL ACCIDENT REPORT

Injured or Affected Person

Surname:	Forename(s):	
Address:	Age:	Gender:
Status:		
Tutorial if student:		

Details of Accident or Incident

Nature (state whether injury, near miss or other):	
Location:	
Date:	Time:
Witnesses:	

Details of Injury

Nature (if none write none):			
Part of body:			
Treatment (tick boxes):			
No treatment	<input type="checkbox"/> First aid	<input type="checkbox"/> Resumed work/ returned to class	<input type="checkbox"/>
Sent home	<input type="checkbox"/> Attended GP	<input type="checkbox"/> Sent to hospital	<input type="checkbox"/>
Parent/Carer contact successful/unsuccessful	<input type="checkbox"/> Time	<input type="checkbox"/> Detained for ____ hours	<input type="checkbox"/>

Outcome

Not off work or school	<input type="checkbox"/> Off work or school more than 3 days	<input type="checkbox"/> Permanent partial disability	<input type="checkbox"/>
Off work or school less than 3 days	<input type="checkbox"/> Permanent total disability	<input type="checkbox"/> Temporary incapacity	<input type="checkbox"/>

Description of Events Leading up to Accident or Incident

--

Description of Immediate Actions

--

Description of Possible Causes

--

Review of Options to Prevent Re-occurrence

--

Recommendations

--

Report Completed by

Name:	Signature:	Date:
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Figure 8.3 Example of a school accident report form

1. ENVIRONMENT: facilities and equipment to be safe and appropriate for the activity, (see BAALPE, 1995, p. 45);
2. SUPERVISION: this should be constant. A teacher must never leave pupils unsupervised.

Student teachers on teaching practice should always be supervised by qualified teachers. Even though they may reasonably assume greater responsibility for classes as their initial training progresses, it is important to realise they cannot assume full *in loco parentis* responsibility until they are finally qualified on satisfactory completion of their courses. The responsibility is retained by the class teachers and cannot be transferred to the students.

(BAALPE, 1995, p. 33)

Your ability to, for example, discipline, organise, observe and position yourself are important in effective supervision. Effective supervision means, for example, that you must keep an accurate register:

The use of attendance registers at the beginning of lessons, following the movement of pupils, is essential in schools in case of fire. It also further enables the accounting of all pupils and thereby contributes to the *duty of care* required of the teacher . . . The same duty of care by the teacher applies to all pupils in a class whether or not they are able to participate in physical education.

(BAALPE, 1995, p. 34).

3. INSTRUCTION in safety regulations. You must know specific rules for the activity, warn pupils of particular danger, set up safe routines with pupils and use appropriate lesson plans.

In cases of claims these three factors are always examined closely. The environmental factors are very important and you need to establish rules for the pupils you teach to ensure they are safe at all times. Some rules are identified below:

Playing fields

establish rules for walking to and from playing fields, especially if you have to cross main roads;

- beware of frosty, muddy, slippery surfaces. Make sure pupils wear appropriate footwear;
- if there is no pavilion what is the procedure for accidents? Where is the first aid kit stored?;
- stakes used for goals/markers must be over 5 feet high;
- a whistle is always very useful;
- avoid shelter under trees in a storm;
- if using a car or minibus to take pupils to playing fields (or elsewhere) make sure you have the correct level of insurance cover. Your own personal car insurer may need to be informed that you are transporting pupils and using your car for work purposes.

Tarmac areas

- make sure activities are appropriate for the surface (for example, hockey balls can rise on a hard surface);
- beware of uneven surfaces, frozen surfaces early in the morning, and leaves on the surface, especially after rain;
- have rules (for example, no climbing over fences or railings to retrieve equipment). Establish rules for retrieving balls, especially near roads;
- do not use racing games to touch walls.

Gymnasium/hall

- move out of the way projecting equipment (for example, chairs, piano, mat trolleys);
- activities must be appropriate for the space. Beware of windows;
- beware of slippery and highly polished floors;
- beware of splintered/dirty floors. Shoes may be needed;
- do not allow pupils to work in stocking feet because of the danger of slipping;
- know how the apparatus comes out and fixes;
- do not use racing games to touch walls;
particular care is needed when 'outdoor' activities come into a confined space (for example, a boy was killed when hit by a golf club being swung by another pupil in a golf lesson in a gymnasium).

There are activities which are notorious for leading to accidents; for example, dive rolls, straddle vaults and leapfrog, using trampettes or when pupils enter the gymnasium before the teacher.

There are ways of protecting yourself against claims for negligence:

- know your subject;
- know the safety rules. Always be seen to carry them out;
- prepare pupils. Warn them of particular dangers;
- have a knowledge of first aid;
- if accidents happen, know the procedures;
- be a member of a union.

You should appreciate how important it is to use all your organisation and management skills to keep pupils 'safe' when in your supervision (see Chapter 6).

TASK 8.3 LEGAL LIABILITY CASES

Look at the following legal liability case studies (Eassom, 1996) and identify the following:

- Is there a 'duty to care'?
 - How has that 'duty to care' been breached (if indeed it has)?
 - In what way(s) has that breach been a causal factor in the injuries sustained?
 - Are those injuries substantial enough to warrant a negligence suit?
 - What factors would influence a court in determining the extent of the 'duty to care'?
- 1 In the middle of a Netball lesson, the school secretary arrives to ask the PE teacher if she can spare 5 minutes for an urgent 'word' with the headteacher. The girls are divided up into two teams and left to play unsupervised. During this time, one girl trips and fractures her kneecap. Has the PE teacher been negligent?
 - 2 Whilst trampolining, a fault with the legs of the trampoline causes it to collapse injuring one of the pupils standing by its side. The teacher had not checked the trampoline before its use. However, the trampoline had been serviced the previous week by the manufacturer and it subsequently materialises that it had been repaired with a faulty part. Who, if anybody, is negligent and why?
A ball skills lesson is about to begin on the tennis courts when the teacher notices that the end court is unsuitable to play on: it is under the trees and consequently still very wet and slippery after

the winter rain. The teacher conducts the lesson, based on a series of relay races, on the adjacent courts and warns the pupils to 'be careful' if they need to go to the end of the courts to retrieve the ball. One pupil invariably runs onto the area, slips, and lands awkwardly on the base of his spine causing serious disability. Would the PE teacher be found negligent?

The outcomes of these specific cases are given at the end of this chapter (see pp. 128–129). Did you answer them correctly?

Rules in PE for safety

As you can see, accidents can happen and as a teacher you need to be aware also of the Health and Safety at Work Regulations (1992) and the need to fill in Risk Assessment forms (an example is given for sports and PE in Figure 8.4).

It would be wise to work to a set of general rules in all your lessons. The following are some things you need to think about in terms of safe practice in PE:

- the teacher must know of any infirmity, physical disability, injury or allergy of any pupil which could affect his performance in the session, as well as being aware of accident-prone pupils;
- the teacher must plan lessons appropriate to the age, sex and experience of the pupils and be aware of limitations brought about by fatigue, fear or recklessness;
- the working space must be made as safe as possible (for example, removal of projecting furniture in halls or not using frozen hockey/football pitches);
- the teacher must know the safety regulations which are specific to activities being taught (this includes rules of the game/sport as these often include safety measures);
- most practical activities require a warm up prior to the session;
- the teacher should make pupils responsible for checking equipment therefore making them 'safety conscious';
- appropriate clothing or footwear must be worn by participants (see rules of the specific game/sport);
 - no jewellery should be worn when participating in practical activities. This includes ear-rings, nose-rings and finger-rings. Netball rules (AENA, 1991) state, for example, 'If a wedding ring is worn it shall be taped' and 'Fingernails shall be cut short';

Signature:.....
Date:.....

Source: European Education Consultants (1997)

- long hair must be tied back;
- defective equipment must not be used. Also the teacher must be aware of using improvised equipment;
- if spectacles are worn they must have unbreakable lenses. Wearers of contact lenses should have a spare pair (or pair of spectacles) in case of loss;
- practical activities must be properly supervised and the teacher must be present at all times;
- the teacher should not participate alongside pupils because of the physical mismatch and because it is difficult to join in and supervise at the same time;
- it is essential for the teacher to obtain the headteacher's permission before introducing a new activity, particularly one of a hazardous nature. Also the LEA may require the teacher to have a recognised qualification in the new area;
- any injury must be reported immediately to the teacher in charge;
- the teacher must know the emergency/accident procedure of the school and have a working knowledge of first aid. Some playing fields have no telephone or first aid box on site and acceptable alternative arrangements have to be made.

SUMMARY

Your prime concern must be to ensure your pupils' safety in PE lessons. After reading this chapter you should understand your responsibilities for safety and be able to create a safe environment in your lessons. You should also appreciate how important your choices of teaching methods/strategies are in ensuring that the pupils you teach are safe and unlikely to have any serious accidents in your lessons. In order to ensure safety in your lessons you need to constantly monitor what is happening in your lessons. You must also have effective organisation and management skills (see Chapter 6).

FURTHER READING

Adams, N. (1983) *Law and the Teacher Today*, London: Hutchinson. Chapters 6 and 7 give some interesting case histories in relation to negligence and supervision.

BAALPE (1995) *Safe Practice in Physical Education*, West Midlands: Dudley LEA.

Chapter 1 'PE and the Law', provides very important information for all teachers . Part 2 on safety procedures for activities is particularly important.

Barrell, G.R. and Partington, J.A. (1985) *Teachers and the Law*, Cambridge: Cambridge University Press. A comprehensive book examining the law in relation to all aspects of school life.

Stock, B. (1993) *Health and Safety in Schools*, Kingston upon Thames: Croner Publications Ltd. Chapters 3 ('Health and Safety') and 6 ('Accidents') are particularly informative.

Answers to questions in Task 8.3 (Eassom, 1996)

In all three cases there is an immediate 'duty to care' because the pupils are children and teachers are acting at all times *in loco parentis*. There are further factors determining the extent of the duty to care in each of the three cases.

There is no doubt in the netball lesson that the teacher has neglected her duty to care. Pupils must be supervised at all times. This has implications for allowing pupils to get changed for PE without supervision, perhaps because there is only one member of staff and it is a mixed-sex group. In this case, the potential danger of the activity is not immediately apparent, although it ought to be foreseeable that injury is quite possible when running around on a hard concrete/tarmac surface. The injury sustained is certainly substantial enough to warrant a liability suit if it is deemed that negligence has occurred. *The deciding factor in this case is whether or not the breach of the duty to care was a causal factor in the injuries sustained.* As it is presented, the facts would suggest otherwise. Children trip and hurt themselves in all sorts of situations. What matters here is whether or not the teacher's presence might have prevented the accident. However, other factors might need to be considered. Was the pupil misbehaving or acting foolishly such that the teacher's presence might have been important in stopping the pupil? Was the injury compounded by the actions of the other pupils trying to help? In other words, did the teacher's absence lead to a worsening of the injury than might have been the case if she had been there? Given that this extra information is not available; judged on the facts as they stand, it is unlikely that the teacher would be found liable. But, she would most definitely come in for harsh criticism over her action in leaving the pupils unattended. It

would have been quite acceptable in this instance to have another adult/teacher supervising the pupils in the teacher's absence, even if that supervisor was not a PE specialist.

Verdict: *No negligence.*

- 2 This situation presents something of a red-herring. The teacher clearly neglected his duty to care to quite a large extent. A trampoline is potentially one of the most dangerous pieces of equipment that might be used in a PE lesson. The teacher has an even greater duty to care because of this potential danger, the lack of expertise of the pupils and the foreseeability of accidents occurring. However, what matters here is that prevention of the accident would have required an expertise in trampoline manufacture that a PE teacher cannot possibly be expected to possess. The equipment manufacturer also has a duty to care to its customers. In this case, they are the ones whose breach of their duty to care has been a contributory factor in the accident. The injuries are substantial and the manufacturer is liable for those injuries under the *Consumer Protection Act 1987*. The teacher would have learnt a salutary lesson, but would not find himself in court (at least not as a defendant)!

Verdict: *Negligence on the part of the manufacturer.*

This situation is more clear cut. The facility is unsuitable for the activity to be carried out. Legal precedent was set as long ago as 1938 with the case of *Gillmore v. London County Council* in which the Council were found negligent for allowing a

PT class to take place in a hall with a highly polished floor, resulting in injury to Gillmore. In this case, the teacher has attempted to avoid negligence by warning the pupils of the dangers. Nevertheless, it must be foreseeable that children might do just what they are not supposed to do. Here, it is inappropriate to expect pupils in the excitement of the activity to be able to stop and make judgements about the need for care on the slippery surface. The potential danger imposed by the unsuitable playing surface combined with the foreseeability of an accident occurring render a far greater duty to care on the teacher. That duty has been breached; the breach was a contributory factor in the injury; and the injury is substantial enough to warrant compensation.

Verdict: *Negligence.*