

# Shropshire Council Tree Safety Policy 2010

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## **1. Introduction**

- 1.1 This document describes how Shropshire Council (SC) plans to manage risk by the responsible and sustainable inspection and management of its trees. The policy sets out clearly responsibilities regarding tree safety and outlines a reasonably practicable system to mitigate the risk of damage, injury and loss of life from fallen or damaged trees on SC sites and roads.
- 1.2 Adopting a tree safety policy is a requisite in ensuring that SC is compliant with its legal obligations. The legal background informing the Policy is set out at Appendix 1: 'Relevant Law and Guidance'.
- 1.3 SC is responsible for large numbers of trees on a variety of sites. The Council is also indirectly responsible for many other trees through its duty to protect users of the public highway (circa 500,000 trees). There have been 4 fatalities in Shropshire due to the collapse of roadside trees since the year 2000, highlighting the need for thorough process and diligence in this area.

## **2. Risk Management**

- 2.1 SC recognises its duty under the Health and Safety at Work Act 1974 and otherwise in criminal and civil law to protect employees and members of the public, so far as is reasonably practicable, from danger arising from trees on its and other premises and from those adjoining roads for which SC has a duty of care.
- 2.2 Trees form a dynamic biological resource subject to the vagaries of pests and diseases, extremes of weather and the influence of human activities. Furthermore, as trees grow and mature they may develop dead wood, cavities or other potential defects as a natural part of the aging process.
- 2.3 Where a tree's condition has some weakness that renders it significantly likely to fail, it becomes a 'hazard'. Where there is both a hazard and a 'target' (ie people or property) that may be damaged by failure of a tree or part of a tree, then there is a quantifiable risk that requires assessment and management.
- 2.4 Risk assessment of trees is implemented through regular inspections, undertaken by competent people as part of a prioritised survey programme, linked to timely actioning of appropriate remedial tree work. Appendix 2: 'Levels of Competence and Standards of Work' addresses this subject in more detail.

## **3. Sustainability**

- 3.1 The policy must be implemented in full to provide the authority with a safe, efficient and legally defensible tree risk management system. This imposes obligations on all tree owning directorates which may require additional resources to implement effectively.
- 3.2 Lack of appropriate proactive management increases the risk of damage to people or property.

- 3.3 Where any tree or trees are felled as a result of this policy, the Council will endeavour to plant a suitable replacement to contribute towards maintaining a sustainable tree stock. This necessarily may not be at the same site.

#### **4. Roles and Responsibilities**

- 4.1 SC has a duty of care both as an owner of land and property and as an employer. The duty also extends to every one of its employees. In terms of tree safety, responsibilities lie particularly with directorates and services owning sites or premises containing, or affected by, trees. A summary of the main corporate roles and responsibilities in respect of tree safety is given below, although the list of people involved or affected is not exhaustive.

##### Chief Executive

- 4.2 Corporate responsibility extends from the elected Members in setting policy, through the Chief Executive for putting the following measures in place.

##### Corporate Directors

- 4.3 Directors are responsible for ensuring that this policy is appropriately communicated in their Directorates and that adequate planning, resources and access to training are provided to facilitate its implementation, so that health and safety obligations are met. With respect to school sites (see 4.12 below) the Director for Children and Young People's Services is responsible for ensuring that governing bodies have appropriate arrangements in place to meet their health and safety responsibilities.

##### Assistant Director Strategy and Development

- 4.4 The Assistant Director (AD) has responsibility for management of the Arboricultural Officers within the Natural Environment Team. The AD will ensure that sufficient suitably qualified staff are available to carry out tree inspections on SC sites and maintain an effective system of recording and reporting, subject to adequate provision of financial contributions by all relevant directorates.

##### Assistant Director Environmental Maintenance

- 4.5 The AD is responsible for ensuring that the regime of highway tree inspection and resulting actions are consistent with current published guidance regarding highway safety. The AD is also responsible for the Environmental Maintenance Area Managers, who must ensure that tree inspections are implemented to agreed policy and that the necessary remedial works are then undertaken to a safe and satisfactory standard.

##### Assistant Director Culture and Leisure

- 4.6 The AD must ensure that the tree safety policy is implemented and remedial works undertaken to a safe and satisfactory standard across all SC sites within their portfolio.

#### Assistant Director Housing Services

- 4.7 The AD must ensure that the tree safety policy is implemented and remedial works undertaken to a safe and satisfactory standard across all SC sites within their portfolio.

#### Head of Property Services

- 4.8 The Head of property services must ensure that the tree safety policy is implemented and remedial works undertaken to a safe and satisfactory standard across all SC sites within their portfolio.

#### Head of Environment

- 4.9 The Head of Environment is responsible for ensuring that Arboricultural Officers undertake tree safety inspections in accordance with this policy and for periodic review of the policy itself.

#### Arboricultural Officers

- 4.10 Arboricultural Officers (AOs) within the Natural Environment Team have the appropriate qualifications and experience to provide competent, professional tree safety advice on behalf of SC.
- 4.11 AOs will inspect trees on adopted highways and SC sites on appropriate cycles and produce reports identifying defective trees and recommending prioritised remedial works. Inspection cycles are discussed further in Appendix 3: 'Systems for Survey, Inspection and Remedial Work' and summarised in Table 1: 'Indicative Cycles for Tree Inspections'.

#### Highways Technicians

- 4.12 Highways Technicians are responsible as far as is reasonably practicable for identifying readily obvious defects or potentially dangerous trees when carrying out the inspection regime detailed in the Highways Operating Procedures for trees. They are also responsible for initiating remedial works, following tree safety reports received from AOs.

#### SC Site and Premises Managers

- 4.13 The site or premises manager and/or relevant directorate are responsible for commissioning and controlling remedial works, ensuring they are undertaken to a safe and satisfactory standard.
- 4.14 Between tree safety inspections, responsibility for site monitoring lies with the manager of the site/premises or designated officer with responsibility for health and safety. The designated person will monitor the site's trees as appropriate (particularly after storms or periods of heavy snowfall) seeking expert advice from the AOs when potential tree safety issues arise.

## School Governing Bodies

- 4.15 School governing bodies have delegated responsibility for health and safety issues on the site they control. They are responsible for compliance with the relevant law and guidance set out in Appendix 1 to this policy. Arrangements are to be notified to the Corporate Director of Children and Young People's Services. Appendix 4: 'Tree Safety Guidance for School Governing Bodies' provides further information.

## Landlord/Tenant Responsibilities

- 4.16 Tree safety responsibilities and procedures for inspection and carrying out remedial work must be clarified on sites operated by other service providers on SC's behalf; similarly where SC uses sites owned by others.

## **5. Principles of Tree Inspection**

- 5.1 On SC sites significant trees are surveyed, plotted and recorded as individuals or groups on 'Confirm' software. On major highways and urban roads all SC-owned trees will be similarly recorded, whereas privately owned trees are only plotted and recorded where they are identified as defective and requiring remedial works.
- 5.2 Tree inspections and reports prescribe remedial works for 'hazard' trees. Clearly identified procedures must be in place to action these (SC and private ownership), check that the works have been completed and, in the case of SC and school site trees, that the quality of the works is satisfactory.

## **6. Monitoring, Audit and Review**

- 6.1 There will be ongoing monitoring within the Tree Service of progress against the tree safety inspection timetables. End of cycle reports will be produced on completion of surveys.
- 6.2 Effective monitoring of tree remedial works is dependent on managers of highways, schools and sites or premises reporting back to the Tree Service on completed works. Without this feedback the AOs will only have occasion to check the quality of work carried out at the time of the next scheduled inspection.
- 6.3 This policy will be audited and reviewed in line with corporate procedure to ensure it remains up to date and fit for purpose in light of, for example, changes in legislation or guidance, or structure of the organisation.
- 6.4 The appendices form an integral part of this policy, but may be subject to alteration as required on an operational and point of detail basis.

Ends - see appendices and Table 1 for all details and supporting information.

**Table 1: Indicative Cycles for Tree Inspections**

<b>Site</b>	<b>Inspection Frequency</b>
A and B roads, urban network and secondary distributors	5 year cycle of inspection undertaken by Arboricultural Officers (AOs).
Minor roads	Obviously hazardous trees identified by Highways Inspectors in course of annual driven inspections. Ad hoc inspections undertaken by AOs upon request.
Schools	Mature and semi mature trees inspected every 2 years by AOs. Young trees inspected every 4 years.
Youth centres, Social Care sites, Leisure sites, civic sites and premises	As for school sites.
Parks & Countryside sites	Highest risk areas (zone 1): 2 year cycle of inspection undertaken by AOs. All trees recorded. Significant risk areas (zone 2): 2 year cycle of inspection but only hazardous trees recorded. Intermediate risk areas (zone 3): 4 year cycle of inspection but only hazardous trees recorded. Low risk areas (zone 4): no routine inspection cycle. Ad hoc inspections by AOs upon request.
Environmental Maintenance 'streetscene' public open space	Frequency of inspection and zoned areas as for Parks & Countryside sites.
Housing Services	Communal areas: 2 or 4 year cycle of inspection undertaken by AOs. Trees in tenants' gardens: ad hoc inspections by AOs upon request.
Forest Schools	2 year inspection cycle undertaken by AOs.

# Appendix 1

## Relevant Law and Guidance

### 1. Health & Safety Related Legislation

#### Health and Safety at Work etc. Act, 1974

- 1.1 This Act not only sets out employers duties regarding their own employees but also under sections 3 gives general duties owed to non-employees. These provisions require every employer to ensure the health, safety and welfare of non-employees (e.g. the public) who would be affected by work activity, acts or omissions. Also section 4 sets out general duties of persons concerned with premises to persons other than their employees.

#### Occupiers Liability Acts 1957 & 1984

- 1.2 The occupier must take 'reasonable care' or 'common duty of care' to ensure visitors to his property are safe. The 1984 act extended some protection to trespassers.

### 2. Health & Safety Related Guidance

#### Management of the Risk from Falling Trees (SIM 01/2007/05)

- 2.1 This HSE Sector Information Minute outlines standards of risk management for trees, risk assessments and routine checks by a competent person. Systems need to be in place to control risks from trees to employees, contractors and members of the public.

#### Well-maintained Highways: Code of Practice for Highway Maintenance. Roads Liaison Group, 2005

- 2.2 This document lays down extensive guidance over highway maintenance, including the requirement for arboricultural inspection at least every five years.

### 3. Nature Conservation Related Legislation

#### Wildlife and Countryside Act 1981 (and amendments)

- 3.1 The Act covers protection of birds, some animals and plants, the countryside, National Parks, designation of protected areas and public rights of way.

#### Natural Environment and Rural Communities Act 2006

- 3.2 Introduced a statutory duty for local authorities (and others) to have due regard to biodiversity in exercising their functions.

#### The Conservation (Natural Habitats, & c.) Regulations 1994 (as amended)

- 3.3 Gives protection to European Protected Species (EPS) and sites; introduces the requirement to obtain licences for any work that might harm EPS or their breeding or resting sites.

## 4. Case Law

### Caminer v. Northern and London Investment Trust

- 4.1 This is a case where a tree collapsed from private property into the road, damaging a passing car and the driver. Although in this instance the Trust was found not to be negligent the following was said in the judgement “it is the duty of all owners of property to manage it in accordance with good estate management ... Good estate management involves the inspection and the trimming of trees...”

### Quinn v. Scott

- 4.2 The following are taken from the judgement “... a landowner on whose land a belt of trees stood, adjoining a busy highway, was under a duty to provide himself with skilled advice about the safety of the trees...”
- 4.3 “The good landowner - using the word good in its moral sense - does not ruthlessly cut down every tree growing on his land as soon as it would pay him to do so. He has some regard for the beauty of the tree and of the countryside ... and have in mind what is called the amenity value of growing trees.” Judge Glyn-Jones.

### Gary Poll v Viscount Asquith of Morley and another

- 4.4 This case confirmed the responsibility of roadside tree owners to carry out appropriately detailed tree inspections by a competent surveyor (here a ‘level 2’ surveyor, requiring a specialist not a generalist).

### Birmingham City Council – July 2002

- 4.5 The HSE prosecuted the Council under s3 (1) of the Health and Safety at Work etc Act for failing to ensure the safety of those not in its employment. The HSE had served an Improvement Notice on the Council in 2001 requiring their tree management systems to be reviewed. The facts are that a diseased Ash tree toppled across both lanes of a road in high winds and killed 3 people. The Council was fined £150,000 and had £56,000 costs awarded against it.

### Albert Atkins v Sir James Scott

- 4.6 This case involved a collision between a motorist and a fallen branch. The motorist made a claim against the tree owner for damages. Judgement was awarded in favour of the defendant.
- 4.6 The predominant issue in this case was whether or not a crack present on the failed branch was visible from the ground by an observer. It was subsequently deemed that the crack could not have been easily seen and as such the resulting failure and collision must be classed as an accident.

## Appendix 2

### Levels of Competence and Standards of Work

#### 1. **Arboricultural Officers**

- 1.1 The minimum qualification required is the Technicians Certificate in Arboriculture granted by the Arboricultural Association, or an equivalent qualification, together with at least two years practical experience of tree management, preferably in a local authority situation.

#### 2. **Highways Technicians**

- 2.1 Technicians are not expected to have more than a rudimentary knowledge of tree matters, but can acquire basic knowledge and skills through appropriate training.

#### 3. **Site or Premises Managers and Others**

- 3.1 Initial briefing on the policy should be provided by Directorates.

#### 4. **Private Arboriculturalists**

- 4.1 A list of SC approved contractors is available from the Tree Service at the Shire Hall, or via the council website under environment/trees and woodland/tree surgeons.
- 4.2 The contractors listed have, as of February 2009, satisfied SC that their insurance, proficiency and policies are suitable to carry out works on council sites. This therefore constitutes an approved list for SC purposes. It does not constitute an approved list for private works, or guarantee that all requirements have been kept up to date, or standards of workmanship. This list is not a recommendation of any individual for a particular job and there will be other competent contractors available who have not chosen to express an interest in working for the council. SC cannot accept any responsibility for the actions of these contractors or the consequences thereof.
- 4.3 SC recommend all individuals/organisations satisfy themselves as to the suitability of the contractor they employ for the job and that they are trained and proficient in those tasks (they should be able to produce NPTC certificates of competence and/or an ID card or similar) and have current public liability insurance of at least £5 million.
- 4.4 All tree works should be carried out to BS3998 (1989): Recommendations for Tree Works. Poor quality tree work can render a tree in an even more dangerous state.

## Appendix 3

### Systems for Survey, Inspection and Remedial Work

#### 1. Baseline Survey

- 1.1 Knowledge of the tree resource, its ownership and current condition is fundamental to an effective tree management regime. Information on numbers, age, location, species, health and condition of trees is necessary to inform relevant policy and resource decisions. Baseline inspections have now been made of many SC high risk locations, but unitary status has brought additional sites and premises requiring initial baseline surveys.

#### 2. Data Management

- 2.1 Survey data needs to be accessible to all 'tree managers' and also needs to be updated regularly. An element of the 'Confirm Engineering' highways management suite of software has been developed for use by Environmental Maintenance and the Arboricultural Officers (AOs) to organise remedial action and future inspection regimes, in line with the measures laid out in this policy. Officers in the Environmental Maintenance directorate support and continue to develop the Confirm tree survey and management software.

#### 3. Tree Inspection Methods

- 3.1 AOs will undertake inspections from ground level using standard Visual Tree Assessment techniques. These are non-invasive methods that take visual account of the condition of the roots, trunk, main branch structure, crown, buds and leaves. Taken together these provide an assessment of general tree health, vitality and condition.
- 3.2 Where deemed necessary, AOs can undertake further investigation using (invasive) decay detection equipment such as the 'resistograph'.
- 3.3 An off-ground inspection may occasionally be required to properly inspect potential defects in the upper parts of a tree, not readily visible from the ground. Where this type of inspection involves the use of tree climbing equipment it must be carried out by appropriately trained and qualified personnel. AOs will liaise with relevant budget holders regarding the commissioning of such surveys, using contractors from the SC approved list.

#### 4. Inspection Regimes - Site-based Trees

- 4.1 For the purposes of this policy a 'tree' is any woody growth judged by the AO as may reasonably be expected to have capacity to cause harm. This means there is no simple definition (for example based upon tree height) as to what is included within, or excluded from, a tree safety inspection.

##### Schools

- 4.2 Arboricultural Officers currently inspect semi-mature or mature trees on all school sites every 2 years. Younger trees are inspected on a 4 year cycle.

- 4.3 Reports are sent directly to the schools and the surveys are also stored on an SC network drive.
- 4.4 Schools themselves are responsible for generating works orders and letting and supervising contracts to carry out the works indicated in the reports. They are also responsible for reporting back to the Site and Grounds Officer (SGO) within the Children and Young People's Services directorate, when works have been completed, in order that Confirm can be updated and jobs closed. In the event that works are not undertaken within the appropriate timescale identified in the report, the SGO will contact the school to ensure that work is promptly carried out.

#### Forest Schools

- 4.5 These wooded sites are usually privately owned but used by formal arrangement for delivering forest school sessions to predominantly early year's pupils, but also some secondary age groups. All trees are inspected within the area used as a forest school (which may be part of a much larger wood) due to the high intensity of use. Surveys will be carried out on a 2 year cycle, although *ad hoc* inspections may be carried out at the request of a forest school leader or development officer (who also carries out a brief formal inspection of the trees before each session).

#### Parks & Countryside Sites and Public Open Space

- 4.6 Trees on public open space and outdoor recreation/countryside heritage sites will be inspected on a cycle dependent on a risk assessment and consequent zoning of the site. Zoning will initially be carried out by the appropriate directorate staff but may be revised by AOs as a result of their inspections. The following tree safety zones will be mapped on Confirm.
- 4.7 Zone 1 – highest risk areas e.g. children's' play areas, car parks, toilets, picnic areas, fishing stations, main continuously used paths, formal seating and other key 'honeypots'/facilities: 2 year cycle, every tree plotted and recorded as individuals or groups.
- 4.8 Zone 2 – significant risk areas e.g. well used paths, frequently used open land or wooded walks, viewpoints, informal seating, stopping places: 2 year cycle, only hazard trees in need of remedial action prior to the next cycle, or those needing monitoring are plotted and recorded.
- 4.9 Zone 3 - intermediate risk areas e.g. occasionally used paths: 4 year cycle, only remedial action trees plotted.
- 4.10 Zone 4 – low risk areas e.g. unpathed wooded areas more than tree height from any of the above zones, or remote rarely-used areas: no formal cycle or inspection. Trees will be inspected only when a hazard has been identified and reported, but it is quite probable that remedial works would not be deemed necessary.

### Sports and Leisure Facilities

- 4.11 As with schools, inspection cycles will be 2 or 4 years, with all trees recorded on Confirm as individuals or groups. Reports will be sent to the facility manager, or other such arrangement as may be agreed, who will be responsible for any further actions such as instructing and reporting back on remedial works.

### Housing

- 4.12 The social housing stock, based around the former Bridgnorth District Council and Oswestry Borough Council areas, includes a large number of trees in gardens as well as trees on associated communal space. Trees on communal land will be inspected every 2 or 4 years, depending upon assessed degree of risk. Trees in gardens are, according to tenancy agreements, the responsibility of the occupier. *Ad hoc* garden inspections will be made at the request of the relevant housing manager, who receiving the resultant reports will have responsibility for any further actions.

### Social Care and Civic Sites and Premises

- 4.13 Social Care and civic sites and premises are managed centrally by Estates Services and Shire Services in the case of Shire Hall. AOs will work from a listing supplied of sites for inspection, cycles being either 2 or 4 years depending on the assessed tree safety risk. Reports will be sent to the site/premises manager, or other such arrangement as may be agreed, who will be responsible for any further actions.

### Other sites

- 4.14 Any other SC sites not covered by the above should be inspected on a risk assessed basis to be agreed with the holding directorate.

### Neighbour trees

- 4.15 AO tree safety inspections will note any tree hazards on adjacent land that might represent a risk to SC sites or interests. These trees will be plotted onto Confirm and listed in the tree survey report. Attempts will be made to notify the owner of the tree and secure appropriate remedial work.

## **5. Inspection Regimes – Highway Trees**

- 5.1 Highway trees fall into two categories. Trees growing in the verge are generally considered the responsibility of SC as the Highway Authority but less frequently may be the responsibility of an adjacent landowner or under a licence agreement. Most trees relevant to highway safety grow on private land adjacent to and within falling distance of the highway i.e. in hedgerow, field or garden etc. These trees are the responsibility of the landowner, although the Highway Authority nevertheless has a duty to ensure that users of the highway are not at risk.

- 5.2 Where ownership and responsibility is not clear and work is deemed to be necessary, sources such as the Land Registry will be consulted with a view to determining responsibility and taking remedial action.

#### A & B, Secondary Distributor and Urban Roads

- 5.3 NB: this category also includes any section of other class of road advised by the Assistant Director Environmental Maintenance to have heavy usage warranting similar treatment.
- 5.4 Whilst the hazard rating for the trees themselves on A, B and secondary distributor roads may be no different to trees on other classes of road, the 'target' rating is much greater, due to larger volumes and higher speeds of traffic. This results in a higher overall risk rating. Roads within the urban environment, particularly residential roads with mature street trees, carry a higher degree of risk because of the level and nature of target occupancy.
- 5.5 To comply with 'Well-Maintained Highways' the Code of Practice for Highway Maintenance Management (2005) and other guidance, roads need to be surveyed by a 'competent person' (Arboricultural Officer) on a cycle with a maximum duration of 5 years. There should also be an annual tree inspection (safety check) which does not carry the same high level 'competence' requirement.
- 5.6 Tree safety checks by Highway Inspectors are one element of their routine safety inspections which cover all aspects of highway safety maintenance. These are undertaken from a slow moving vehicle by a Highways Inspector accompanied by a driver. The frequency of these inspections is monthly on A & B roads, so covering the annual requirement.
- 5.7 *Ad hoc* inspections will also be carried out by Arboricultural Officers upon request, in response to specific situations.

#### Other Roads

- 5.8 C Class and Unclassified Roads are minor roads which have significantly lower traffic volumes and vehicular speeds and so represent a substantially lower risk. They will be subject to regular observation by Highways Inspectors during routine highway safety inspections. Full tree safety inspections by Arboricultural Officers will only be carried out on an *ad hoc* basis upon request.

### **6. Remedial Work**

- 6.1 All advised remedial works must be carried out by SC appointed contractors for SC owned trees, or through communication with landowners for privately owned trees. For roadside trees this may require the use of written letters and Section 154 notices, under the Highways Act 1980. In the case of privately owned trees guidance is provided but it is not possible to insist on the exact nature of the works so long as the danger is removed.

- 6.2 In the case of trees on school sites the necessary tasks may be identified and advice on possible contractors offered, however schools may choose their own competent contractor as long as the danger is removed promptly.
- 6.3 This document cannot describe in detail all the practical issues associated with contract specification, management, tree planting and aftercare, etc. The procedures for the safe management and control of contract works are available from the Central Safety Unit and should be available at every major SC site.
- 6.4 AOs will provide advice when requested, but it remains the responsibility of site or premises managers to ensure work is carried out to a safe and satisfactory standard.

## **7. Precautions When Contemplating any SC Tree Management Work**

- 7.1 In implementing the tree safety policy SC will:
- 7.2 comply with all relevant legal requirements, behave as a responsible body and promote other policies such as the enhancement of biodiversity and comply with protected species legislation.
- 7.3 Take advice on what work is required, means of execution, suitable contractors, scope for replanting if trees are felled, etc.
- 7.4 Obtain definitive information on any protection the tree(s) may enjoy, and obtain any necessary consent, such as may be required under Tree Preservation Order, Conservation Area or Forestry Commission felling licence regulations.
- 7.5 Appoint only competent and approved contractors and ensure that work is planned and adequately risk assessed.
- 7.6 Advise local authority members, immediate neighbours, the media, PR Unit and other interested parties, in advance of the works taking place, where works are significant, substantial or considered potentially controversial.
- 7.7 Monitor/check execution of the works carefully, to ensure high standards of workmanship and site restoration.
- 7.8 Provide updated information about the work to the Confirm survey database.

## Appendix 4

### Tree Safety Guidance for School Governing Bodies

#### 1. Introduction

- 1.1 School Governing Bodies have delegated responsibility and budgets to manage health and safety responsibilities on the sites they control. With respect to tree safety, the legislation relevant to general school occupation is the Health and Safety at Work Act 1974 and the Management of Health & Safety at Work Regulations 1999. When undertaking works on the school site, the Construction (Design and Maintenance) (CDM) Regulations also apply. Schools also have a legal duty to maintain trees for planning, environmental and habitat reasons. A full list of relevant legislation is provided at Appendix 1 to the Shropshire Council Tree Safety Policy.
- 1.2 The Local Authority retains a residual responsibility to ensure that schools take reasonable steps to ensure the safety of pupils (and the health and safety of staff in community and controlled schools). The Local Authority will therefore monitor schools' arrangements for tree safety, and reserves the right (as stated in the Fair Funding policy) to undertake essential works not addressed by the school and charge the costs to the school.

#### 2. Requirement for a Tree Safety Policy

- 2.1 Shropshire Council requires schools to adopt and maintain a tree safety policy and arrangements, either by adoption and implementation of the council's policy, or through alternative, locally determined policy and arrangements which are equally fit for purpose. In the latter case, schools are required to forward a copy of their proposed arrangements to the Corporate Director for Children and Young People's Services for comment prior to adoption.
- 2.2 Adoption and implementation of the Shropshire Council Tree Safety Policy will meet the Governing Body's policy obligations in full. This will also commit the Governing Body to undertake works to address any concerns raised through tree inspections carried out by Shropshire Council Arboricultural Officers (see 'Remedial Works' below).
- 2.3 Schools which do not adopt the Shropshire Council policy will need a policy which at least addresses:
  - Purpose of the policy.
  - Inspection arrangements for trees including at least the qualifications of inspectors and frequency of inspection.
  - Arrangements for remedial works, including at least the qualifications of workers and compliance with planning and environmental duties.
  - Record keeping.
  - Training for on-site staff and management.
  - Audit and review.

### **3. Inspection of Trees**

- 3.1 In order to help schools meet their responsibilities for tree safety, Shropshire Council will undertake surveys on trees on school sites on a 2 or 4 year cycle (see Appendix 3 and Table 1 of the SC Tree Safety Policy). These inspections are paid for centrally and will be undertaken on all school premises as part of Shropshire Council's residual safety duties and powers.
- 3.2 Reports will be passed to Governing Bodies who will then take responsibility for any action arising. All schools, regardless of the policy they adopt, will still need to carry out regular visual checks on trees, especially after adverse or severe weather. Schools which have bought into the Shropshire Council Children and Young People's Services Ground Maintenance Client Service (GMCS) can approach the Site and Grounds Officer on (01743) 254582 for advice, if they become aware of any problems. Other schools will need to contact a suitably qualified arboriculturalist direct for further advice.

### **4. Remedial Works**

- 4.1 Schools will be responsible for addressing any concerns raised by inspections, whether they adopt the Shropshire Council policy or their own policy. Guidance on required works will be given to schools as part of any Shropshire Council inspection report. However, schools can choose the exact nature of the works, and the contractor to undertake them, as long as the works address the tree safety concern.
- 4.2 Schools which buy into the GMCS can approach the Site and Grounds Officer for support in determining works and selecting a contractor from the SC approved list. Schools which choose a contractor from outside the approved list will be responsible for ensuring that the qualifications of staff, health and safety policy, method statements, and liability insurances of the contractor are appropriate for the task in hand. This is not covered by the GMCS.
- 4.3 All works undertaken should be notified in writing (via e-mail or letter) to the Children and Young People's Services Site and Grounds Officer for inclusion in the database to ensure correct monitoring and record keeping.