HEALTH AND SAFETY POLICY – APPENDIX 10
TREE MANAGEMENT POLICY

INITIO LEARNING TRUST

September 2024

Reviewed Annually

1. Initio Learning Trust recognises that trees can present a risk to persons and property on or adjacent to school sites.

2. Initio Learning Trust recognises that the retention of trees in urban and suburban areas is highly desirable for:

    2.1 The contribution they make to the visual quality of the landscape.
    2.2 The contribution they make to sustainable urban drainage.
    2.3 The contribution they make to managing the effects of climate change.
    2.4 The contribution they make to wildlife conservation and biodiversity.
    2.5 The protection they provide from UV exposure.
    2.6 The contribution they make to maintaining mental health and well-being.
    2.7 The links they have to our historic past.

3. Initio Learning Trust recognises that there is an acceptable degree of risk associated with the retention of trees in urban and suburban locations provided that said risk does not outweigh the benefits the trees provide.

4. Initio Learning Trust will commission suitably qualified, experienced and insured professional arboriculturists to periodically inspect the trees on their school campuses to identify trees which show indications of being an unreasonable risk to persons or property on or adjacent to the land under their management.

5. The frequency of these inspections will be governed by an assessment of site risk and informed by Government and other published guidance.

    5.1 The frequency of surveys will be between 1 and 3 years.
    5.2 It may be that some parts of sites will require more frequent surveys than others.

6. It will be the duty of the appointed Arboriculturists to perform their own risk assessment when entering Initio Learning Trust sites to undertake surveys.

7. Arboricultural surveyors entering Initio Learning Trust sites will have undergone an Enhanced DBS check.

8. Tree surveys will be undertaken on foot and initially based on visual observations.

9. Further, more detailed surveys could be recommended if appropriate and proportionate.

    9.1 Any such additional survey work must be undertaken by a surveyor qualified to Level 6 or above in Arboriculture and with a minimum of 10 years' experience.

10. Tree survey results will be presented in the form of:

    10.1 A sketch plan which gives each item reported a number and an approximate location.
    10.2 A description of the tree which includes its species, age and size.
    10.3 An annotated photograph of the tree
    10.4 A description of the hazard it represents.
    10.5 The recommended remedial action.
    10.6 A time scale within which the recommended action should be undertaken.
    10.7 An indication of any re-survey or further investigation requirements if appropriate.
    10.8 An indication of any Statutory Requirements such as clearance over public highways and public footways.
    10.9 The surveyor may make comments regarding any general tree management issues encountered during the condition survey which may be of advantage to Initio Learning Trust in managing future costs.

11. Initio Learning Trust will act upon these recommendations.

12. Initio Learning Trust recognises that trees are living organisms and, as such, are not 100% predictable.

13. Initio Learning Trust will request that their on-site staff maintain a degree of vigilance and report any worrying signs that they see in any trees on or adjacent to school sites.

14. Initio Learning Trust will require all tree works to conform to the current BS3998 – recommendations for Tree Work - in publication at the time.

15. Initio Learning Trust will require that all tree work contractors perform their own risk assessments prior to undertaking any works.

16. It is the policy of the Initio Learning Trust that all tree work contractors give proof of relevant qualifications, certifications and insurance before undertaking any works to The Trust's trees. Particular care must be taken to ensure compliance for any contractors involved in works adjacent to public highways, footpaths or overhead cables.

Appendix 1: Supporting information from Mark Hinsley Arboricultural Consultants Ltd

Risk and liability: It is the responsibility of the owners of anything to take all reasonable precautions to prevent injury or loss occurring to a third party as a result of their property. That general duty of care is enhanced in the case of properties where people are required to visit, such as a school or place of work, encouraged to visit as a commercial venture, or permitted to visit, such as a public Highway or Footpath, or reside, such as their own home.

It is recognised that trees offer significant benefits in the way that they contribute to the landscape and environment. Any perceived risk that trees represent is therefore balanced against the benefits that they provide. The complete removal of all risk from trees would require the complete removal of all trees. As such an action would cause serious environmental damage; it would not be considered a reasonable response to all levels of risk.

Risk assessment: The assessment of risk from trees is a combination of two main factors: the first is the likelihood that all or part of a tree may fail; the second is the likely consequences of such a failure. The likelihood that a tree may fail will tend to be linked to any signs of disease, decay or structural malformation, although there are some species characteristics of relevance. The consequences of tree failures relate to whatever is likely to be in the target area of the tree at the time the tree falls or sheds a limb.

There is a third factor which is: the more significant the tree is in the local area, the more risk it is reasonable to accept in connection to its retention.

It necessarily follows that the more serious the likely consequences of failure, and/or the less valuable to the wider community a particular tree is, the less reasonable is the retention of a tree with an apparent defect.

Putting the issue into perspective: In Principles of Tree Hazard Assessment and Management, published in 1999 under the Government sponsored Research for Amenity Trees thread, David Lonsdale points out that, in the UK, the Health and Safety Executive had set a limit of acceptable risk of death from an identifiable risk that is imposed upon people for the “wider interest” as 1:10,000. Tree fatalities in this country occur at an average rate of 6 per year, which equates to approximately 1 per 10,000,000 of the population, way below the threshold for serious concern.

Our roads are safer now than they have been for decades. However, 1,560 people lost their lives last year and 126,407 suffered injury that required a visit to A&E in accidents related to vehicles.

Last year there were 31,000,000 cars on our roads – that works out at one nasty incident for every 168 cars.

The average number of people ending up in A&E due to accidents involving trees is 55 per year. This compares to 262,000 due to footballs, 10,900 from children’s swings, 6,000 when putting on one’s trousers and 2,200 because of wheelie bins.

According to the Forestry Commission, there are 3,814,000,000 trees in the UK – and 123,000,000 of them are not in woodland.

Even if we pretend that none of the accidents occurred in woodland, these figures still work out at only one nasty incident for every 2,016,393 trees.

Duty of Care: Whilst the risk to users of the schools, neighbours and passers-by, is clearly low, it cannot be ignored. The above statistics take no account of the amount of tree management and surveying that is carried out on trees in or adjacent to public places. How much the low level of accidents can be attributed to an inherently low risk and how much to good management practices is impossible to quantify.

A string of High Court decisions has shown that, whilst it can be acceptable for a landowner to retain a risk because said risk is outweighed by other benefits of wider interest, it is not acceptable for such risk to be retained in ignorance. The clear duty that is being placed upon owners of areas of land on which there are trees is to be aware of their condition, situation and the potential risk associated with them, so that decisions to remove or retain are made from an acceptable degree of knowledge.

Level of data collection: It is easy in a situation such as this to collect data for data's sake and undertake surveys that really benefit nobody but the surveyor. In densely populated urban areas, it is not unusual for tree owning bodies to have a detailed inventory of every tree they are responsible for. At the primitive end of the market, number tags are pinned to trees and detailed plans produced; at the other end trees are GPS plotted onto computer generated plans and maps. In both cases every individual tree has its own entry with details of species, size, condition etc. This is not simply a liability survey but also informs management regimes such as the periodic pollarding of street trees.

The purpose of a tree risk management survey is to identify trees which appear to have the potential to be an unreasonable risk to persons or assets and to recommend remedial actions to remove or reduce said risk. Trees that are not considered to be an unreasonable risk do not need to be routinely recorded provided they have been inspected. This approach to tree surveying is known as negative reporting. In adopting a negative reporting survey regime, the Initio Learning Trust will ensure that resources are not wasted on voluminous reports about trees which are reasonable to retain, but instead reports are clearly targeted at actions which are required to maintain a reasonable level of safety and the time frame within which they should be actioned.

Zoning: In schools some areas will experience more intensive use than others. For this reason, the likely consequences of a tree failure will vary in severity across different sites and different parts of sites. Levels of risk can be crudely defined as High, Moderate or Low. Given the nature of schools and school campus use, it is likely that there will be more hours in a 24-hour period when there is nobody on the school campus than when the campus is in use. Further, there will be areas that, even during the hours of usage, will only occasionally have anybody or anything active in them. Given the above, such area can only be defined as moderate or low risk. The most likely scenario for high-risk zoning would be school boundary trees which might overhang a busy road which presents a high number of vulnerable targets over an extended period.

If a tree stands in a low-risk area, whatever its condition, it is a low risk. It would be a disproportionate use of limited resources for the Initio Learning Trust to invest in frequent

inspections of such a tree. Zoning allows resources to be more efficiently targeted to areas where the most benefit in risk reduction can be achieved.

The nature of trees: Trees are self-optimising organisms. Trees adapt to the conditions in which they are growing and the forces which act upon them by growing strengthening wood where they need it. Where possible trees should be managed with the minimum of intervention. Trees are at their most vulnerable when they or their immediate surroundings have undergone significant changes either above or below ground.