



EMMAUS CATHOLIC MAC

Tree Management Policy

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Post holder responsible	Chief Finance and Operations Officer



Commitment to Equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

This Tree Management Policy has been approved and adopted by Emmaus Catholic Multi Academy Company on 10th September 2023 and will be reviewed in September 2025.

Signed by Director of Emmaus Catholic MAC:

Signed by CSEL for Central Team:

Schools to which this policy relates:

Signed by Principal for – Hagley Catholic High School

Signed by Principal for – Our Lady of Fatima Catholic Primary School:

Signed by Principal for – Our Lady & St Hubert’s Catholic Primary School:

Signed by Principal for – St Ambrose Catholic Primary School:

Signed by Principal for – St Francis Xavier Catholic Primary School:

Signed by Principal for – St Gregory’s Catholic Primary School:

Signed by Principal for – St Joseph’s Catholic Primary School

Signed by Principal for – St Mary’s Catholic Primary School:

Signed by Principal for – St Philip’s Catholic Primary School:

Signed by Principal for – St Wulstan’s Catholic Primary School:

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DEFINITIONS

The Company’s standard set of definitions is contained at [Definition of Terms](#) – please refer to this for the latest definitions.

1. What You Need to do

- 1.1 Emmaus Catholic Multi Academy Company (the 'MAC') recognise that trees within school grounds should be subject to appropriate management to ensure the safety of our community.
- 1.2 The MAC will seek advice from a competent person (arboriculturist) to undertake periodic reviews.
- 1.3 We will complete a risk assessment for trees in conjunction with the competent person and take any necessary action resulting from the risk assessment process to ensure risks are reduced to as low as reasonably practicable.
- 1.4 The MAC will put in place an appropriate regime for the on-going care, inspection and maintenance of trees.
- 1.5 The MAC will report to the landowners any concerns that are highlighted in the tree surveys.

2. Legislation

- 2.1 Health and Safety at Work etc Act 1974
Management of Health and Safety at Work Regulations 1999
Workplace (Health, Safety and Welfare) Regulations 1992
Occupiers Liability Acts 1957/1984

3. Why do we Need to Manage Trees

- 3.1 Latest figures from the Forestry Commission suggest that in the UK there are around 3 billion trees. Considering this significant figure, the number of serious or fatal accidents involving tree failures is extremely low.
- 3.2 However, as the National Tree Safety Group highlights, when such events do occur, they become newsworthy because of their very infrequency and that "naturally and rightly, fatal and serious accidents are investigated and can result in litigation".
- 3.3 As well as direct risks to persons from failures, trees that are not appropriately managed may also cause indirect hazards to people and premises, for example, through unwanted root growth.
- 3.4 As such, Emmaus Catholic Multi Academy Company will take reasonable steps to identify trees, which represent a significant risk to people or property, assess the risk from those trees and take any necessary action to manage the risks in a proportionate way.

3.5 Good tree management will have a significant role in:

- avoidance of harm to those occupying or visiting premises
- avoidance of harm to buildings (particularly to foundations) including neighbouring buildings
- avoidance of harm to those on the public highway or in neighbouring buildings
- regulation of tree felling particularly in conservation areas
- protection of trees of special amenity value
- protection of wildlife species and their habitats

4. Roles and Responsibilities

- 4.1 All landowners have a common duty of care under the Occupier's Liability Act 1957 to take all reasonably practicable precautions to ensure the safety of those who are on their land. The Church Supplemental Agreement permits Emmaus Catholic Multi Academy Company the legal use of the land to establish and maintain, and to carry on or provide for the carrying on of, an independent school.
- 4.2 For school buildings that are not located on Diocesan premises and are leased to the MAC from other providers. The lease must be considered for the roles and responsibilities.
- 4.3 The 1957 act is mainly concerned with lawful visitors and provides that all lawful entrants are owed the same 'common duty of care'. As the 1957 act was not concerned with trespassers, the 1984 was enacted to govern the duty of occupier to trespassers.
- 4.4 In addition, the Health and Safety at Work etc Act 1974 requires employers to conduct their undertaking in such a way so as to ensure people are not exposed to risk to their health and safety.
- 4.5 Where a tree is hazardous because of decay or structural weakness and shows external signs of being in such a condition, the occupier of the land on which it stands is normally liable under UK laws for any personal injury or other damage it causes by breaking or falling.
- 4.6 This liability arises from provisions by which the occupier has a common duty of care to others who enter the land or its vicinity. The occupier is defined as the person 'occupying or having control of the premises'.

- 4.7 Emmaus Catholic Multi Academy Company are responsible for ensuring that all trees are managed in an appropriate manner, following best practice and guidelines.
- 4.8 Refer to the health and safety policy for roles and responsibilities within the MAC.

5. Management of Trees

- 5.1 Emmaus Catholic Multi Academy Company will ensure they have an effective system for managing trees to meet the requirements set out in the Management of Health and Safety at Work Regulations 1999 and the associated Approved Code of Practice. This will involve:
 - instructing specialist competent persons to assist in the management of trees on school grounds,
 - setting an appropriate Policy (including determination of responsibilities)
 - assessing the risks associated with trees,
 - taking appropriate action to manage trees so as to achieve an acceptable level of risk,
 - defining a monitoring and inspection cycle,
 - keeping records of risk assessments, action, monitoring and inspections.

6. Competent Advice

- 6.1 Case law and good practice has identified several levels of competency in relation to the management of trees.
- 6.2 It is recommended that the initial specialist assessment be undertaken by an individual with Level 3 competence (e.g. arboriculturist).
- 6.3 Those trees that are determined as higher risk should be inspected by a professionally trained arboriculturist at intervals determined by the risk assessment.
- 6.4 Any recommendations for remedial work must also come from an appropriately qualified arboriculturist.
- 6.5 Staff undertaking regular monitoring of trees should have some experience and/or knowledge so as to be able to identify obvious, visible failure or disease and take the necessary action (e.g. contacting arboriculturist).
- 6.6 Any external consultants should normally be registered as consultants by the Arboriculture Association.

7. Risk Assessment

- 7.1 The MAC are +required to consider the level of risk associated with trees and whether it is reasonable to protect against that risk. This will enable the risks associated with tree stocks to be prioritised and help identify any checks or inspections needed.
- 7.2 A tree risk assessment process will require the following steps to be undertaken:
- assess target(s) that may be vulnerable (e.g playgrounds, neighbouring premises, buildings)
 - assign target zones to target areas as appropriate
 - determine tree inspection type and priority
 - assess trees for hazard (identify trees needing more detailed inspection)
 - make tree risk assessment (assess the probability that a hazard may result in harm)
 - assign risk categories to trees and prioritise management
 - implement management system including remedial action, monitoring and inspection regime

8. Taking Management Action

- 8.1 Once a tree has been identified that presents an elevated risk, action should be planned and taken to manage the risk. Any management regime adopted should identify appropriate measures to maintain trees at an acceptable level of safety, whilst balancing landscape and wildlife considerations.
- 8.2 In general terms, this can be based upon either managing the target or managing the tree itself.
- 8.3 Target management can be undertaken by various actions including:
- Target separation, for example by moving pathways away from the risk zone,
 - Preventing access to the risk zone, for example by the use of barriers and signs,
 - Strengthening or protecting the target from impact damage.
- 8.4 Tree management may involve some form of tree surgery which could have environmental implications such as loss of habitat for wildlife.
- 8.5 Any arboriculturally work required should be carried out by a competent arboriculturist. Any such work should also be kept to a minimum to reduce environmental impacts.

9. Ongoing Inspection and Monitoring

- 9.1 The need for a particular tree or group of trees to be inspected by a competent person depends on the usage of the area within their potential falling distance.
- 9.2 Inspection is unquestionably necessary within zones where people, or high-value items of property, are continuously or frequently present close to trees which are capable of being hazardous.
- 9.3 Inspections should also be made immediately after any exceptionally severe weather event that might have caused damage to trees. Also, on the basis of expert advice, it may be necessary to make detailed inspections of particular trees at prescribed intervals if they have been found to show signs of progressive deterioration in their condition.
- 9.4 Local monitoring may also be undertaken. It is possible to recognise signs of possible weakness without detailed training, but establishments are expected to seek expert advice if they themselves are not able to recognise all these signs.
- 9.5 Staff must report any defects, near misses and accidents relating to trees to the Site Manager / School Business Manager so that remedial action can be taken if required.
- 9.6 Key to any inspection regime is competency, with useful guidance on competency being found in both the NTSG and English Nature documents detailed below.

10. Record Keeping

- 10.1 The MAC will keep the following records:
 - Details of service level agreements with contractors in relation to tree management
 - Copies of risk assessments and any subsequent reports
 - Details of any remedial work undertaken
 - Copies of any inspection or monitoring reports
 - Details of any training undertaken of staff in relation to monitoring

11. Further Information

- 11.1 National Tree Safety Group: Common sense risk management of trees- Guidance on trees and public safety in the UK for owners, managers and advisers The National Tree Safety Group has publications produced by the Forestry Commission to provide guidance on trees and public safety in the UK (ntsgroup.org.uk)

- 11.2 AFAG is an advisory group of the Health and Safety Executives (HSE's) Agriculture Industry Advisory Committee (AIAC) Introducing the Arboriculture and Forestry Advisory Group (AFAG) (hse.gov.uk)