

Education Law and Safety/Health Management

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Abstract

This study investigated education law and safety/health management. Education law is very important not only to teachers but to all who are involved in the education and circular world. The roles of safety/health in Nigeria and the world at large toward quality service delivery are never to be debatable. Countries and continents over years are faced with challenges of how to enhance the health, safety and security of lives and properties and citizens in the society. The issue of management was also looked at, as it concerns safety and health. Importance of safety and health were also highlighted. Challenges to effective management of safety and health were enumerated in this study. Conclusion was made followed by suggestions which some of them are (1) the rudiments of education law and safety and health management should be taught in schools (2) education law and safety/health management should be taken to other health sectors other than schools.

Keywords: Education Law, Safety/Health Management.

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INTRODUCTION

The roles of safety and health in Nigeria and the world at large towards quality service delivery are never to be debatable. Countries and continents over years are faced with challenges of how to enhance the health, safety and security of lives and properties and citizens in the society. The challenges are therefore on how to bring development in all areas of human endeavours since the decline in revenue from oil and myriads of unemployed Nigerian youths have shown the need for diversification of the country's economy into areas such as production, manufacturing and education. This is because only the acts and practices of production can create employment.

Education law is very important not only to teachers but to all who are involved in the education industry. It is imperative that all teachers should be very knowledgeable about education law due to changes and challenges that surround the education sector. As Marne (2005) puts it "law grows as the people grow and develops with the people. Law is the result of a varying, progressive, slow and lengthy formation by society, rather than of the arbitrary will of a law giver"; thus the court in deciding cases are in truth applying what has previously existed in the common consciousness of the people and this in itself underscores the fundamental

foundation of law. That is why Blackstone (2000) an English Jurist emphasised that law is a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong and any abbreviation is visited with punishment. Invariably, law is a cornerstone of all interactions of life including organizations; hence safety and health management is not left out.

Somers and Somers (1984) traced the inception of the modern safety movement to around 1912 with the first cooperative congress and the organization of the National Safety Council. It was at about this time that state workmen's compensation laws were enacted which imposed financial responsibility upon the employer to compensate personnel injured on the job as well as to pay for the expenses of hospitalization. The National safety Council also began to carry out its sensitization campaign of educating employers on the hidden and indirect costs of industry related accidents and diseases. This opened the eyes of employers that operating an unsafe plant is costly and that safety is good business. Here the interest of the employer and employee coincide because the employee does not want to be injured and the employer does not want to be incurring the cost of the employee's injury. The major concern of this movement was to acquaint

the public with the fact that there was in business a high incidence of industrially caused accidents and diseases. The progress made in the reduction of industrial accidents and diseases has been attributed to the humanitarianism of business. Flippo (1984) stated that preserving human life is an objective that requires no explanation and that economics had much to do with the safety movement.

Definition and Conceptual Clarification of Subject Matter Management

Refers to a set of activities which has come to be classified as planning, organizing, leading, (coordinating and directing) and controlling in order to use available resources to achieve a desired outcome in the most efficient way (Victor, 2012). The concept management most times, is used in place of administration; the words however are different but could be used interchangeably. The difference remains that management is a science. A science is that which is systematic and involves principles, a science is a knowledge gained through study and practice of a particular discipline or area with their principles. It is the fact of knowing and understanding principles of anything. Administration is therefore the act, practice and application of science or process of management

(its systematic and procedural principles) guiding the study of management. These principles can also be called principles of administration. The act of studying to know and understand the science of management i.e the principles and system that management is made of e.g POSDCORB is what administration is all about. A system is that which has three characters; interrelate, interconnected and interdependent parts all functioning together to achieve an objective. So is administration a part of the system of management that helps it achieving organizational goals. Whichever way the definition goes administration is inside management. Mullins (1999) opined that management is a process while administration is an act.

Safety and Health Management System

A safety and health management system details how safety and health is managed and includes the policies and procedures in relation to organizational structure, the planning activities, responsibilities, practices, procedures and resources for developing implementing, achieving reviewing and maintaining the safety and health policy within the school and for all activities associated with the school. Nevertheless, there are processes to be followed by the school head for effective management of school health and safety.

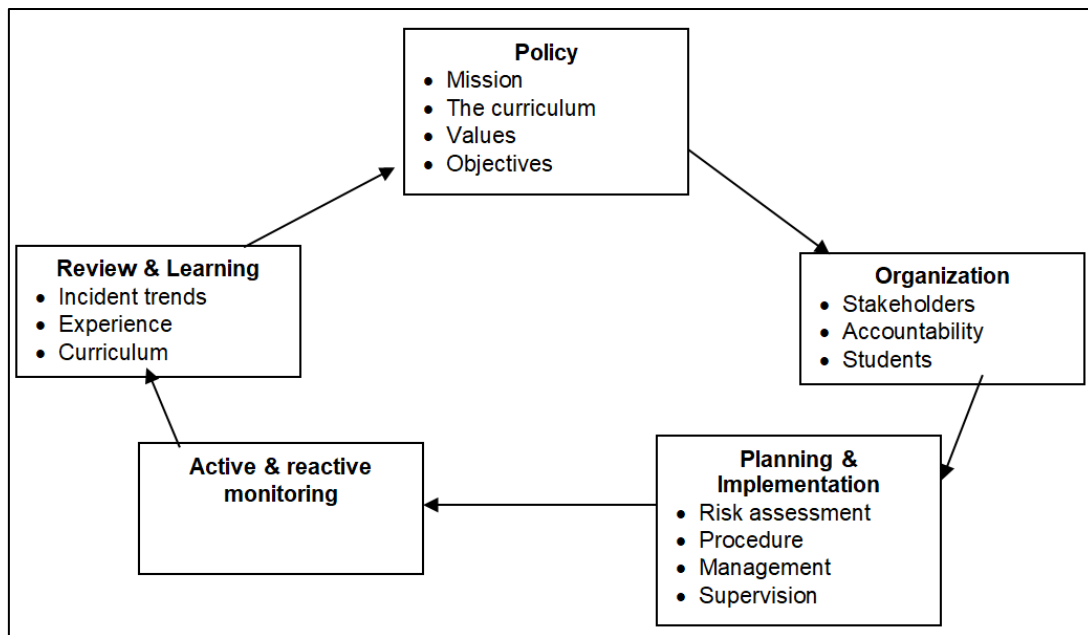


Fig. 1: Royal society for the prevention of accident
 Source: Royal society for the prevention of accident (ROSPA, 2012)

The source explains that for there to be prevention of accident, there must be a policy framework. It also emphasized that stakeholders in an organization must be taken into consideration. Planning and implementation viz-a-viz risk assessment procedure, management and supervision must be in place. Not only that, there should be monitoring of the

procedure by activating and reactivating. Review mechanism must also be taken into cognizance.

Safety management is a systematic approach to managing safety in an organization or institution. It is a business-like approach to safety that has a systematic, explicit and comprehensive process for managing safety risk. Safety management indicates how best to eliminate

or reduce the damage which may be caused by any particular hazard using the resources available. It is the duty of management to ensure that relevant act establishing safety policies are implemented to achieve the desired result. Armstrong (2009) stated that health and safety policies and programmes are concerned with protecting employees and other people affected by what the company produce and does.

Importance of Safety and Health

There are so many reasons why health and safety are important in our day to day activities and in all facets and endeavours of profession. Though, education profession and the school environment is our major concern but the general importance of health is to be considered here. It is important to emphasize that both the employee and employer are equal stakeholders in the effort to maintain a high standard of health and safety in the workplace. Hence, it is vital to consider the reasons why it is important to maintain a high standard of health and safety.

Economic Values

Apart from the cost reduction it does, effective safety and health management promotes business efficiency. Many people have been affected by the ill-health related issues and disease which are caused due to failure and inefficiency in management of safety and health. Governments have come to realize that industrial accidents and disease results in losses for the state (through welfare payments to the disabled, cost of treatment and the loss of the services of the employee). The organizations themselves also sustain losses in terms of litigation fees, fines imposed on them, compensatory damages, lost production, loss of good will from employees and other stakeholders. This, of course is more apparent in societies where rules and regulations are obeyed and sanctions enforced when they are not obeyed.

Legal Values

According to the health and welfare at work Act, 2005 (the 2005 Act) requires all duty holders to ensure the safety health and welfare of workers. Members of public are to conduct all work activities in such a way and manner of ensuring their safety health and welfare. This therefore, requires all, of the legal responsibilities to be proactive in the affairs of their safety, health and welfare as well as dealing with them holistically and systematically. There are usually legal sanctions associated with not maintaining high health and safety standards, which may be enforceable in civil or criminal law. This is usually a function of regulatory bodies put in place for such purposes. A corporate organization may eventually realize that the cost of non-compliance may be as immense as to encroach seriously on the organization's profit margin.

Ethical and Moral Values

Education itself is known as that which transmits morals, values and anything worthwhile from generation to generation. It is a universal practice done by societies at all stages of development as it describes human and the processes by which knowledge (ethics, morals and values) through learning are impacted, faculties trained as well as skills developed. According to Durkheim in Aminigo (2003), there is just one form of education ideal or actual but many forms. To him, there are many forms of education as there are different environments in a given society; meaning society and environment would determine the type of education that is needed. Fafunwa in Aminigo (2005) described education as the process by which a young child or adult develops the abilities and other forms of behaviours which are of positive or acceptable value to the society in which he lives.

While Julius Nyerere in Aminigo (2008) sees education as the process whereby one generation passes on the next, its knowledge and wisdom. These set of reasons (ethical and moral values) for health and safety becomes interesting and important because they bring about the necessity for proactive management of safety in the school environment work place. It therefore, helps organizations like the school to prevent ill-health and carries in the school and its environs.

Challenges to Effective Management of Safety and Health in Schools

Substantial evidence has shown that safe feeling and good health condition influence learning and that education influences health and safety of people. Increasing evidence also shows that health programmes offer high cost-benefit ratio (WHO, 1996).

1. **Use of Low-Quality Materials by Contractors:** Usually, school projects are often awarded to contractors. Many of the contractors employ the use of substandard materials in building schools in an attempt to increase their profit margin. It is therefore not surprising, the cases of fire incidence, building collapse, and so on in schools. When low-quality materials are used in building, there is little or nothing school heads can do because they are not building experts and may not even know of it. Thus, it is the responsibility of government through its supervisors to ensure that standard is strictly adhered to in building schools.
2. **Non-Challant Attitudes by Users:** Many users of safety and health equipment are non-challant in attitude in the sense that they are reckless their usage and put "I don't care" characters even when they know the consequences attached to it.
3. **Lack of Knowledge:** Many lack the knowledge on how to use this equipment. Infact they should have asked questions on how to use them or employ an expert who knows how to operate it.
4. **Corruption:** Some people take joy in stealing or diverting government properties moreso when it

comes to safety and health in schools. Government may mean well by providing these equipment but most school administrators.

CONCLUSION

Everyone should be conscious of his environment when it comes to safety and health management because disease and danger bequest both young and old. Government at all strata should promote safety and health management in ministries, departments and agencies for a better life of its citizenry.

SUGGESTIONS

1. The rudiments of education law and safety and health management should be taught in schools.
2. Professional health workers should be posted in schools for the benefit of staff and students.
3. Sick bay should be established in schools under the ambits of education law as its guide.
4. Both staff and students should be given safety and health briefs periodically as the awareness will help them individually.
5. Education law and safety and health management should be taken to other health sectors other than schools.

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