

Health and Safety Policy

1. General Statement

In order to meet its obligations towards the general public and all lawful visitors to the Trust's premises, the Trust will pay strict attention to its duties under the **Health and Safety at Work Act 1974** and the **Occupiers' Liability Acts 1957 and 1984**.

This policy has been prepared in compliance with **Section 2(3)** of the **Health and Safety etc. at Work Act 1974** and binds all Trustees, employees, volunteers, visitors and Clients.

The Trust requires that all Clients and visitors to the Trust's properties adhere to this policy, a copy of which can be obtained on request.

1.1 This policy is informed by the following legislation:

1. Management of Health and Safety at Work Regulations 1999
2. Health and Safety at Work Act 1974
3. Employment Act 1989
4. Deregulation Act 2015
5. Health and Safety (First Aid) Regulations 1981
6. Consumer Protection Act 1987
7. Furniture and Furnishing (Fire) (Safety) Regulations 1988 (amended 1993 and 2010)
8. Electricity at Work Regulations 1989
9. Management of Houses in Multiple Occupation Regulations 1990 (amended 2007) and local HMO regulations
10. Health and Safety (Display Screen Equipment) Regulations 1992
11. Manual Handling Operations Regulations 1992 (amended 2002)
12. Electrical Equipment (Safety) Regulations 1994
13. Plugs and Sockets etc. (Safety) Regulations 1994
14. Equality Act 2010
15. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
16. Food Safety (General Food Hygiene) Regulations 1995 (amended 2005 and 2006)
17. Health and Safety (Consultation with Employees) Regulations 1996
18. Gas Safety (Installation and Use) Regulations 1998
19. Provision and Use of Work Equipment Regulations 1998
20. Employer's Liability (Compulsory Insurance Regulations) 1998
21. Control of Substances Hazardous to Health (COSHH) 2002
22. Regulatory Reform (Fire Safety) Order 2005
23. Smoke-free (Premises and Enforcement) Regulations 2006
24. Smoke-free (Exemptions and Vehicles) Regulations 2007
25. Smoke-free (Signs) Regulations 2007 (amended 2012)
26. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (amended 2015)
27. Construction (Design & Management) Regulations 2007 (amended 2015)
28. Corporate Manslaughter Act 2007
29. Building (Amendment) Regulations 2018

1.2. The main responsibility for Health and Safety lies with the Board of Trustees of Langley House Trust (the Trust), and is delegated to the Chief Executive.

1.3 The Trust appoints employees with designated responsibility for Health and Safety management.

1.4 The Trust keeps the workplace health, safety and welfare procedures under constant review, and will liaise with the Health and Safety Executive (HSE) where necessary, and keep itself informed of new legislation, EU Directives, regulations and British Standards in order to ensure on-going compliance with the law.

1.5 To comply with its statutory and common law duties, the Trust will arrange insurance against liability for death, injury and/or disease suffered by any of its employees arising out of and in the course of employment, if caused by negligence and/or breach of statutory duty on part of the Trust.

1.6 Trust employees must agree, as part of their contract of employment, to comply with their individual duties under both the **Health and Safety at Work Act** and the **Management of Health and Safety at Work Regulations 1999** and must cooperate with the Langley House Trust to carry out his/her Health and Safety duties under the Act.

Failure to comply with Health and Safety duties, regulations, work rules and procedures regarding health and safety, on the part of any employee, may lead to dismissal in the case of serious breaches or repeated breaches; such dismissal may be instant and without prior warning.

1.7 In accordance with the **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**, the Trust has instituted a system for reporting accidents, diseases and dangerous occurrences, to the Health and Safety Executive (HSE), in addition to its statutory duty to provide an Accident Book.

The Trust complies with its duties towards employees under the **Health and Safety at Work Act** and the **Management of Health and Safety at Work Regulations 1999**, so far as is reasonably practicable, in order to:

- *Provide and maintain equipment and systems of work that are safe and without risks to health, a safe place of work, a safe system of work.*
- *Ensure the safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances.*
- *Provide such information, instruction, training and supervision as may be necessary to ensure the Health and Safety at Work of its employees, clients and visitors*
- *Make regular risk assessments available to employees.*
- *Take appropriate preventative and protective measures.*
- *Provide employees with health surveillance where necessary.*
- *Appoint competent personnel to secure compliance with statutory duties and to undertake to reviews of the Policy as necessary.*

This Health and Safety Policy was approved by the Board on

Implementation of the Policy

2. Responsibility of individuals

2.1 All Langley House Trust employees have responsibilities for their own and others Health and Safety. In addition to this, each layer of management has particular responsibility for the overall management of Health and Safety. Below are the responsibilities for each layer of management within the Trust:

2.2 The Board of Trustees

The Board of Trustees is accountable for ensuring that the organisation fulfils its legal responsibilities, that the Policy objectives are achieved and that effective resources are in place for the achievement of the policies concerned with health, safety, welfare and environmental protection.

The Board monitors this through its system of internal controls, specifically through the Audit, Risk and Compliance Committee governance process.

2.3 Chief Executive

The Chief Executive holds Trust staff accountable to their particular Health and Safety responsibilities. The Chief Executive is central in ensuring proper resources are recommended for allocation to the management of Health and Safety within the Trust.

The Chief Executive will promote high quality practices in health, safety and welfare.

2.4 Corporate Directors and Heads of Departments

All Corporate Directors and Heads of Departments must ensure that arrangements for the Health and Safety of their employees employed within their function, are made known, maintained and reviewed whenever necessary, paying particular attention to changes in working practices, working environment, new employees, any accidents or incidents that take place or any reported concerns from employees, visitors and Clients.

2.5 The Corporate Director responsible for Health and Safety within the Trust

The Corporate Operations Director is the Executive Director responsible for the management of Health and Safety.

2.5.1 S/he is responsible for the management and oversight of Health and Safety and, alongside the Head of Care and Head of Housing and Property, will ensure that Trustees, Corporate Directors and Heads of Departments, managers and employees:

- Are aware of, and practice, current Health and Safety legislation
- Properly record and investigate all accidents, incidents and near misses.

2.5.2 S/he will:

- Ensure that the Heads of Care and Property fulfil their obligations
- Inform the Chief Executive, Trustees, Corporate Directors and/or employees of Health and Safety concerns as appropriate.

2.6 The Head of Housing and Property will:

- Ensure that s/he is aware of and implements, up to date Health and Safety legislation
- Properly records and investigates all reportable accidents, incidents and near misses
- Report all relevant accidents, incidents and diseases appropriately, including to the Health and Safety Executive (HSE) if required, in accordance with current legislation and good practice
- Contribute to the review of Health and Safety Policy and Procedures
- Facilitate the Health and Safety section of the Joint Consultative Committee and the National Consultative Group

- In collaboration with the L&D Manager, have in place a suitable and sufficient plan to deliver Health and Safety training to Trust employees
- Act promptly in co-ordinating any remedial work necessary from reported Health and Safety issues.

2.8 Managers

2.8.1 Managers are responsible to the appropriate Director/Head of Department for strict compliance with the Trust's Health and Safety Policy.

2.8.2 They must ensure that necessary consideration is given at all times to the requirements of the Trust's Health and Safety Policy and, in particular, the following:

- Safe methods of working
- Induction training including Health and Safety matters
- Welfare facilities
- Fire precautions
- Carrying out workplace inspections and advising as and where it is necessary improved methods of working
- Investigating accidents and incidents
- Whether sufficient employees are trained in Manual Handling and First Aid.

2.9 In addition to the responsibilities outlined above, all **Managers, Directors or Heads of Departments** (including Area Managers) are specifically responsible for:

- Ensuring that all activities carried out by Trust employees will not create a risk or a hazard to other employees, Clients or visitors
- Ensuring likewise that no operation carried out by contractors will place employees, Clients and visitors at risk
- Ensuring that employees and contractors are adequately trained and competent to carry out the work allotted to them without risk, and operate safe systems of work and where required provide permits to work
- Ensuring that Health and Safety training needs are identified, with arrangements for training being made as appropriate
- Ensuring that all relevant Trust policies and procedures are adhered to at all times.

2.10 Employees

All employees must ensure that:

- They are fully conversant with this Health and Safety Policy and its associated procedures to the extent that they apply to their role
- They cooperate with the Trust in meeting its statutory duties
- They take reasonable care of themselves and others who may be affected by their acts or omissions
- No-one intentionally or recklessly interferes with or misuses anything provided in the interest of Health and Safety
- All accidents and incidents are immediately reported to their line manager
- They are fully conversant with all Fire Procedures applicable to the area in which they are working
- All equipment provided for personal safety is used and maintained in a condition fit for that use, and any defects are reported immediately to management.

Where an employee identifies any condition which in his or her opinion is hazardous, the situation is promptly reported to their immediate manager.

2.11 Clients

All clients must ensure that:

- They cooperate with the Trust in meeting its statutory duties
- They take reasonable care of themselves and others who may be affected by their acts or omissions.

3. Arrangements

3.1 Health and Safety Training

To comply with the general duty to provide such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health, safety and welfare of employees, Health and Safety training will be provided:

- On induction
- At regular intervals as repeat training
- On the transfer or promotion of employees to new duties
- On the introduction of new technology
- On changes in systems of work
- When training needs are identified during risk assessments

3.2 Managers at all levels will be included in the Health and Safety training programme.

3.3 Records of Health and Safety training will be maintained by the L&D Manager.

3.4 Consultation

Consultation will take place through the Joint Consultative Committee (JCC) for employees and the National Consultative Group (NCG) for Clients. The JCC meet twice yearly and the NCG meet 3 times a year, and have employees and Client representation from each region.

3.5 Resolution of Health and Safety Problems

Any employee or Client with a Health and Safety concern must inform the local manager initially. If, after investigation, the problem is not addressed appropriately and in a reasonable time, or the manager decides that no action is required and the employee or Client is not satisfied with the explanation, the employee or Client may then refer the matter to the Head of Housing and Property. This must be in writing.

3.6 Health and Safety Procedures:

The Health and Safety Policy acts as an umbrella over a number of 'stand-alone' Health and Safety procedures which are more prescriptive and are regularly updated in the light of legislative changes. These procedures are available on the extranet and will be held within a Health and Safety File held at each Trust workplace. Links to associated procedures on the Trust's Sharepoint site are provided in Section 4 below.

4. Procedures Associated with this Policy

The following is a list of Health and Safety procedures which fall under this Policy:

- Health and Safety Risk Assessment Procedures
- Gas installation Procedures
- Food Hygiene Procedures
- Accident and Incident Reporting and Investigation Procedures
- Critical Incident Procedures
- Medication Procedures Self Administration of Medication Procedures
- Severe Weather Procedure
- House Cycle Procedures
- Legionella Procedures

- Fire Safety Procedures
- Procedures for the Control of Substances Hazardous to Health (COSHH)
- Vehicle Usage and Driver Safety Procedure
- Physical Intervention Procedures
- First Aid Procedures
- Infection Control Procedures
- Smoking Procedures
- Asbestos Management Procedures
- Portable Appliance Inspection and Testing Procedures
- Display Screen Equipment Procedures
- Lone worker Procedures
- Manual Handling Procedures
- Procedure for the Safe Handling of Trust Keys
- Repairs Procedure.

Other relevant Trust's Policies and Procedures are

- Asbestos Management Policy
- Environmental Policy
- Safeguarding Adults at Risk Procedures
- Child Protection Policy and Procedures
- Prevention of Financial Abuse Procedure.

5. Data Protection and Confidentiality

5.1 As part of its work, Langley House Trust and its subsidiaries (the Group) will collect, hold and use information about people who receive services from or who work with or for the Group. This will include the Group's clients, staff, supporters, volunteers, partners and suppliers and those applying to the Group for services or employment.

5.2 The Group upholds the rights of data subjects to have their information processed in a lawful, transparent and fair manner, in accordance with the Data Protection Act 1998 and the requirements of the General Data Protection Regulation 2018 and will process all personal information in line with its own Data Protection and Confidentiality Policy and Procedures. Failure to do so or to report a potential breach of data confidentiality may be investigated under the Group's Disciplinary Procedures.

DOCUMENT CONTROL**Document Information**

Version Number	Version 9
Dated	6 th January 2020
Author / Lead Director	Corporate Operations Director
Date of Last Review Date	17 th January 2019
Date of Next Formal Review	January 2021
Contact	Head of Housing and Property

Revision History

Version Number	Date Version	Nature of Change	Date Approved
2	27/11/12	Altered to include the new legislation relating to the corporate manslaughter bill	27 th Nov 2012
3	19/3/14	Format altered to comply with new Trust formatting. Altered the consultation section to reflect how consultation now takes place.	19 th Nov 2014
4	30/3/15	Altered to reflect changes in job titles in the Trust. Amended role of the Trustees	30 th March 2015
5	27/01/16	Reviewed and updated against legislation.	27 th January 2016
6	November 2016	Minor updates to include: <ul style="list-style-type: none"> Updating terminology i.e. Service User to Client, Staff to employees Revise Head of Quality references to Head of Care Add Head of Property responsibilities to act on incidents or H&S work on premises Renumbering of sections as necessary Embed Sharepoint/internet links to associated policies/procedures within document 	Board 25/1/2017
7	April 2018	Updated to reflect the requirements of the General Data Protection Regulation (May 2018).	May 2018
8	January 2019	Minor amendments to roles and responsibilities	Jan 2019

9	January 2020	Minor amendment to applicable legislation	
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