Health and Safety Policy

STATEMENT OF INTENT

East Kent Housing is committed to achieving a high standard of health and safety compliance in all service areas through effective, proactive management and a co-operative effort at all levels.

This undertaking will ensure, as far as is reasonably practicable, the safety and health of their employees and of others that may be affected by their acts or omissions. This includes the provisions of the Health & Safety at Work Act 1974 and all other regulations made under this as well as other relevant acts.

To achieve these goals East Kent Housing will pay particular attention to the provision of the following measures:

- Hazard identification and risk assessments for all work places and work activities, employing best practice whenever possible.
- Consultation with employees and their representatives on all matters relating to their health and safety at work.
- Safe and healthy working environments.
- All plant and equipment is maintained, inspected and suitable for purpose.
- Articles and substances hazardous to health are handled, used, stored and transported safely.
- Employees (contractors where appropriate) are provided with adequate and appropriate instruction, training and supervision to avoid hazards and to work safely.
- Members of the public are not exposed to risks to their health and safety from any activities undertaken by East Kent Housing.
- Contractors, consultants, volunteers etc. undertaking work on behalf of East Kent Housing will do so to the same standards as outlined in the policy (and associated documents). All contractors will be monitored.
- Suitable welfare facilities are provided for staff.
- All accidents or near misses are investigated to ascertain the cause and to enable appropriate changes and controls to be put in place.
- The likely impact on the health and safety of employees and others is considered early during the decision making process of senior management and committees.

Resources

East Kent Housing will ensure that sufficient resources are made available to enable the above measures to be applied effectively and to ensure legislative compliance is achieved.

Resources will include officer time, funding, equipment and the agreement to sharing information on best practice amongst the East Kent local authorities.
**Employee Responsibilities**

Employees of East Kent Housing must also be aware that they have responsibilities under the Health & Safety at Work Act 1974. They must:

- Take reasonable care for their own health and safety and for other persons who may be affected by their acts or omissions at work.
- Co-operate with their management to ensure they can discharge their legal responsibilities.
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare at work.

Signed:

Interim Managing Director,

East Kent Housing
1. **ORGANISATION**

The following sections describe the framework of responsibility by which health and safety is managed within the organisation. The framework sits within the interim and long-term management and executive structures of East Kent Housing.

Each level of the management structure has allocated responsibilities for health and safety. Through this framework managers in particular will, with the provision of specialist advice, take responsibility for their staff, their work activities and their environment. This will, over time, change attitudes towards health and safety, encouraging greater commitment and developing a positive culture. This process must be driven from the top down.

**Executive Board**

This is made up of tenant and leaseholder members, local authority council members and independent members. They cannot delegate or devolve their accountability but can devolve responsibility for operational duties. They are responsible for ensuring that:

- They are fully aware of their own health and safety responsibilities and how to carry out those duties.
- An effective management structure and arrangements are in place to ensure that the health and safety policy and procedures are effectively managed, monitored and implemented within their areas of control.
- The development and implementation of a more localised health and safety policy that includes the practices, procedures, systems and accountabilities which are based on corporate policy and guidance.
- That they encourage and support active communication and co-operation between management and employees.

**Interim Managing Director, Transformation Manager (Operations) & Transformation Manager (Business Support)**

The interim managing director, together with the two transformation managers, have responsibility to ensure the development, implementation and monitoring of East Kent Housing health and safety policies, including the organisation and arrangements to ensure:

- The health and safety policy is reviewed bi-annually.
- Adequate resources are made available to enable East Kent Housing employees to fulfil the aims of the policy.
- Competent persons are available to advise on the application of health and safety law in relation to East Kent Housing activities and the production of their systems and procedures.
- Health and safety is given the same importance as other business aims.
- Delegate responsibility for operational application through the management structure.
- Managers responsible for the day-to-day, on-site management of premises and property are aware of their health and safety responsibilities and are able to utilise the health and safety map system to confirm their risks have been suitably addressed. Managers should be supported by the provision of adequate information, instruction, training and resources.
- The Transformation Manager (Operations) has the ‘director’ health and safety responsibilities allocated to them.
Managers

Managers are responsible for ensuring that the following takes place in their departments:

- Safe systems of work and procedures are developed and implemented.
- Suitable and sufficient risk assessments are undertaken for all work related activities undertaken by their staff. These activities are identified and prioritised by using the health and safety map relevant to their area of control.
- That they encourage and support active communication and co-operation between management and employees.
- Health and safety training needs are identified and that the correct members of staff receive appropriate training.
- Resources are sufficient to provide adequate supervision and instruction to staff to the level identified in the risk assessment.
- Members of staff are kept updated and informed about health and safety issues that may affect them and encouraged to develop a positive and proactive safety culture.
- Work equipment is suitable for the task for which it is being used. That it is properly maintained and where appropriate routinely and regularly inspected and tested.
- Accidents and incidents within their areas of control are reported and adequately investigated in order to establish the root causes and to enable measures to be introduced to prevent re-occurrence.
- Formal procedures are in place for the selection, approval and monitoring of contractors.
- Where buildings or premises are shared with another user, the health and safety responsibilities are clarified and agreed.
- Health and safety records such as premises inspections are maintained and made available for audit.
- Positive action is taken over any wilful disregard of the East Kent Housing health and safety policy, procedures and arrangements by any employee. If required this will be done via the disciplinary procedure.

Members of Staff

Under section 7 of the Health & Safety at Work Act 1974 employees also have obligations. They must:

- Be familiar with and follow all instructions and arrangements for health and safety issued by their employer. If they are in any doubt they must ask their line manager or supervisor for a further explanation.
- Follow all safe working practices and not put themselves, or others who may be affected by their acts or omissions, at risk.
- Co-operate with their managers in implementing the organisations codes of practice and health and safety policy.
- Bring to the attention of their line manager or supervisor any hazards, situations or working practices, which have the potential to lead to injury, ill health or contravention of health and safety regulations.
- Where safety clothing or equipment has been identified and issued, to ensure that it is inspected prior to use, used correctly for its intended purpose and properly stored when not in use.
- Report all accidents, incidents, dangerous occurrences and near misses on the accident reporting form and pass to their manager.
- Not interfere with, or misuse anything provided in the interests of health and safety.
**Health and Safety Assistance**

The East Kent HR Partnership provides a corporate health and safety service to East Kent Housing within the residual agreements for shared services within the East Kent Joint Arrangements Committee. The health and safety case consultants will provide advice and support to the interim managing director, the executive Board, senior managers, managers and staff members within the organisation.

They will:

- Monitor changes in health and safety legislation, identifying those that have a direct effect on East Kent Housing, and pass this information to senior management for action where necessary.
- Review health and safety policies and procedures to ensure that they comply with the statutory regulations.
- Provide advice and support to leadership teams in the development and implementation of procedures and safe systems of work.
- Provide health and safety advice to all employees.
- Monitor the implementation and effectiveness of health and safety policies through a programme of inspections and audits. Inspections may be unannounced where there is a serious concern for staff or public safety.
- When serious hazards are identified take appropriate action, which can include the decision to stop a work activity if it is likely to cause injury to employees, contractors or members of the public.

2. **COMMUNICATION**

Effective communication is an essential part of developing a positive safety culture. All members of staff are encouraged to discuss any health, safety and welfare concerns with their team leader, supervisor or manager, without the fear of repercussion.

Several different methods can be used to communicate with staff as follows:

- Written communication made available to all staff including the health and safety policy, risk assessments and procedures.
- Ensuring health and safety is a standing agenda item on departmental management and team meetings.
- Consultation with staff as part of the creation and review of risk assessments and operating procedures.
- Quarterly staff consultation forums held with staff, Unions and management representation to discuss health and safety issues.
- Tool box talks on specific topics or procedures e.g. identified via accident and incident report, rolling programmes.
- Provision of training courses briefing sessions on identified topics.

2.1 **Staff Consultation Forums / Staff & Safety Joint Consultative Group**

These groups can provide a regular method of consultation between staff, management and the Unions. One role of the groups is to review the measures that
have been taken to ensure the health, safety and welfare of all the staff and others that might be affected by their acts or omissions.

A joint forum proposal is being developed for East Kent Housing and will be presented to the Board by June 2011 for agreement.

Interim informal arrangements, based on best practice and existing plans, will be in place from 1 April 2011 until a joint forum proposal is adopted by the Board.

3. COMPETENCE

If all employees are to make a positive contribution to health and safety there must be appropriate systems in place to ensure they are competent.

Systems will include the following:

- Recruitment and placement procedures, which ensure that employees have the necessary physical and mental abilities to do their jobs or can acquire them through training and experience.
- Systems to identify health and safety training needs arising from recruitment, changes in staff, plant, substances, technology, processes or working practices.
- The need to maintain or enhance competence by refresher training (to include temporary workers).
- Provision of resources, information, instruction and training as required
- Arrangements to ensure competent cover for staff absences, particularly those with critical health and safety responsibilities.

4. ARRANGEMENTS

There are a number of methods utilised to ensure that the activities and services provided by East Kent Housing are as safe as possible for employees, contractors, members of the public and any others that might be affected.

The following list gives examples of some of the most common methods:

- Corporate safety guidance notes and policies provided centrally by the East Kent HR Partnership.
- Risk assessments completed for all activities undertaken by East Kent Housing with a check made against the associated health and safety map to ensure all areas of risk have been identified and risk assessed.
- Documented safe systems of work.
- Safety signage
- Selection, provision and maintenance of personal protective equipment.
- Central purchasing policies for equipment, materials and substances.
- Monitoring and controlling exposure to substances hazardous to health.
- Maintenance of statutory registers of tests and inspections.
- Equipment maintenance and inspection schedules.
- Safety inspection schedules and reports.
- Use of contractors who are on the approved list.
- Contract terms and conditions.
- Health and safety training and the maintenance of training records.
- Employment of competent management and supervision.
- Staff consultation forums or similar meetings.

The sum of all documents produced in support of the above activities will form the arrangements section of this safety policy.
Introduction

If health and safety is poorly or inconsistently managed the potential impact on the organisation or its employees can be severe. Costs can include:

- Injury and ill health
- Lost time
- Reduced productivity
- Low morale
- Replacement infrastructure (as a result of accidents or enforcement)
- Enforcement action (improvement/prohibition notices)
- Prosecution (fines / custodial sentencing)
- Civil claims (staff, public or contractors)
- Damage to reputation of the organisation or an individual

Managers play a pivotal role in ensuring East Kent Housing continues to comply with health and safety legislation and avoid the consequences listed above. Managers have a wide range of responsibilities of which health and safety is just one that places a demand on a finite time resource.

With this in mind the health and safety maps have been created as part of the management system as a tool to simplify the process of managing health and safety risk. Managers can use the maps to ensure that the risks they are responsible for either operationally or strategically have been appropriately addressed, thus helping to avoid the outcomes listed above.

The expected benefits of using the H&S maps include:

- Reducing the potential for accidents to occur
- Identifying the H&S requirements for each service across the organisation and where gaps in compliance exist
- Provide a means for senior managers to ensure the risks they are ultimately responsible for have been suitably addressed.
- Engage all managers in the managing of H&S
- Ensure that internal H&S audits are targeted on significant risks
- Provide new managers with a comprehensive list of what risks they are responsible for.
- Provide documented evidence that East Kent Housing proactively identifies and manages its health and safety risks. This provides support in:
  - Internal H&S audits, inspections and HSE visits
  - Demonstrating suitable and sufficient controls during a prosecution (Corporate Manslaughter Act) or civil claim
What's in a health and safety map?
Each checklist relates to a particular service section and lists safety responsibilities under the following headings:

- **Standard Risk Assessments**
  These are standard risk assessments that need to be carried out for, or by, all staff. Most office-based risks have been incorporated within this heading.

- **Standard Training**
  This refers to safety related training that all staff are required to do.

- **Work Specific Risk Assessment**
  These assessments are completed for work activities, tasks, equipment, events etc that are specific to that service. Managers should complete the risk assessment template using risk rating matrix both of which are available on the intranet.

- **Work Specific Training**
  This section identifies training to enable staff to undertake the specific activities identified and assessed in the work specific risk assessments. This often requires retraining or assessment on a regular basis.

  This can also include training in specific areas of safety legislation relevant to the section’s activities (e.g. child protection policy, legionella, asbestos etc).

- **‘Red Line’ Requirements**
  This section identifies any responsibilities the service has where legislation or regulations have specific compulsory requirements or duties, which are often related to the frequency and type of inspection. Failure to comply with these regulations could result in a serious safety failure, which could lead to enforcement action and/or prosecution from the HSE. For example asbestos, legionella, Construction, Design & Management regulations.

How to use the H&S maps
The maps provide a tool for managers to ensure the H&S requirements they are responsible for are managed in an appropriate way.

It is expected that the transformation managers will ‘drive’ the process of completing the maps with their senior managers. This can be either during departmental management meetings, in the course of regular one to ones or both. The frequency of review will depend on outstanding actions or issues, however it is recommended that in most cases a review is conducted a minimum of twice a year to ensure there have been no significant changes to either the risks or how they are managed. Some ‘low risk’ services may only require an annual review. Minutes of departmental meetings where maps are discussed should be retained for a period of 2 years.

Each map is provided on a template that provides space for recording comment, further action or progress against each entry and when it has been completed to a satisfactory level.
The service planning process includes a statement that the risks identified in the H&S maps have been addressed to a satisfactory level. This process requires senior management to ‘sign off’ the service plan and as a result the maps.

It is important that the maps are completed by senior managers and not delegated as this demonstrates a commitment to ensuring their area operates safely and is also a recognition of their legal responsibilities.

**Audit**

The East Kent HR Partnership will develop a programme of H&S audits across East Kent Housing. The maps will be used to focus the audit on key risks in each area.

For further information on anything covered in this guidance note please contact the East Kent HR Partnership on 01304 872799.
## Compliance Guide

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<thead>
<tr>
<th>Legal compliance</th>
<th>Base Legal Status For Transfer</th>
<th>Further Actions Required</th>
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</thead>
<tbody>
<tr>
<td>Health and Safety Policy</td>
<td></td>
<td>A written policy is required under section 2 (3) of the health and safety at work act where companies employ more than 5 people.</td>
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<td></td>
<td>Policy to the Board for adoption 14 March 2011</td>
<td>- Establish how staff will be consulted with on H&amp;S matters. Recommended creation of H&amp;S committee and H&amp;S reps in each department and a director responsible for driving H&amp;S issues.</td>
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<tr>
<td>Fire Safety Policy</td>
<td></td>
<td>The Regulatory Reform (Fire Safety) Order 2005 requires employers to provide clear guidance on how fire safety is managed and to undertake fire risk assessments</td>
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</table>
|                           | Clear awareness that transferred staff will follow local existing guidance. | - Adapt the principles of the Canterbury policy  
- Confirm who the responsible person is for housing stock  
- Establish who completes Fire Risk Assessments (FRA) for housing stock in each of the four authorities  
- Establish if all four authorities have undertaken FRAs and where any potential gaps are.  
- Decide on common approach to completing FRA (consultant/ or in house) as there may be cost implications if a higher standard is to be achieved  
- Establish how fire safety is managed through housing officers and what is expected and what training is offered.  
- Review information provided by Savills |
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| **Risk Assessment** | Risk assessments are completed at all authorities following their own forms and guidance. | • Develop risk assessment guidance note for use by EKH.  
• Establish risk assessment status for each authority.  
• Commence use of the H&S maps  
• Complete training for managers in completing risk assessments. |
| **Health & Safety Maps** | H&S maps have already been produced for the housing departments that exist currently in each authority.  
A guidance note has been prepared that explains the process  
Maps are about to be rolled out in all four authorities | • The maps will need adjusting to reflect the new structure of EKH to ensure the right risks have been identified.  
• A guidance note has been drawn up for use by EKH  
• Briefing sessions to explain the process to be held once EKH is up and running.  
• Process established where heads of service/senior managers sign off on their completed map. This is likely to be as part of the assurance statement or service planning process |
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<tr>
<td>Accident &amp; Incident Reporting</td>
<td>Currently all four authorities have a slightly different system to report through to EKHRP and this will continue in the interim. Work is underway to create a common approach.</td>
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- Adapt accident reporting guidance note and accident reporting form for use by EKH  
- Accident reports to continue to be sent to EKHRP.  
- Awareness training for staff on the requirements of accidents, incidents, near misses, diseases, dangerous occurrences etc. |
| Asbestos |  
- Control of Asbestos Regulations 2006, regulation 4 imposes the duty to manage asbestos containing materials (ACM) in non domestic premises |  
- Use existing local authority practices until EKH has one developed  
- Adapt the best asbestos policy for EKH.  
- Identify the structure for the management of asbestos including the duty holder that has clear responsibility for the maintenance or repair of non domestic premises.  
- Establish how asbestos is managed across housing services in all four authorities to identify gaps and cost implications where standards fall below others in relation to.  
  - Identification of ACMs (competent surveyor, survey schedules, testing regime)  
  - Information management (asbestos registers, assessments, control strategies, removal programmes etc)  
  - Engagement of competent contractors and contract management.  
  - How general maintenance operation where asbestos is present are controlled – completion of risk assessments  
  - Training for staff  
    - property team - hazards / dangers of asbestos, identification, management process  
    - housing officers – general hazard awareness and management. |
| Legionella |  
- Duty under Health and Safety at Work Act 1974 and Control |  
- Use existing local authority practices until EKH has one  
- Adapt the best legionella policy for EKH.  
- Identify the structure for the management of legionella including a person specifically tasked with managing the scheme. |
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<tr>
<td>of Substances Hazardous to Health Regulations to assess risks to staff including legionella that may affect staff and members of the public. Approved code of practice on Legionella (L8) must be followed</td>
<td>developed</td>
<td>• Establish how legionella is managed across housing services in all four authorities to identify gaps and cost implications where standards fall below others in relation to.</td>
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<td>o Assessments are completed for each property to identify potential risks (including plan of cold and hot water systems).</td>
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<td>o maintenance, examination and testing schedule is in place for each property</td>
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<td>o How information is recorded, stored and shared</td>
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<td>o Engagement of competent contractors and contract management to carry out the maintenance, examination and testing.</td>
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<td>o Training provision for staff:</td>
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<td></td>
<td>▪ Property teams – hazards/dangers, what it is sources of exposure, control measures, management plan.</td>
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<td>▪ Housing offices – general hazard awareness and controls in place.</td>
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<td>Display Screen Equipment</td>
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<td>Duty under the Display Screen Equipment Regulations to ensure there is no risk to employees from the equipment or how it is being used. Use existing local authority practices until EKH has one developed</td>
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<td>• Adapt the common policy for EKH</td>
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<td></td>
<td>• Continue with workstation assessment on the e-learning system. This will be a change for the Canterbury staff who complete something slightly different.</td>
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<td></td>
<td>• Continue with the training on the e-learning system.</td>
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<td>• Establish whether all staff have competed a workstation assessment within the last year</td>
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<td>• Establish whether staff have undertaken the training course within the last 3 years.</td>
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<td>• H&amp;S maps identify the requirement to carry out DSE risk assessments via e-learning.</td>
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<td>Driving at work</td>
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<td>Vehicles are classed as work equipment and are therefore covered under the Provision and Use of Work Equipment Regulations. Use existing local authority practices until EKH has one developed</td>
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<td>• Develop a policy for EKH</td>
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<tr>
<td>Covers all equipment used</td>
<td>Use existing local authority practices until EKH has one developed</td>
<td>• Identify any items of equipment used by EKH which need a specific risk assessment.</td>
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<tr>
<td>Work at Height (Amendment) Regulations 2007</td>
<td>Use existing local authority practices until EKH has one developed</td>
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<tr>
<td>Covers all areas of work at height where there is a risk of a fall liable to cause personal injury.</td>
<td>Use existing local authority practices until EKH has one developed</td>
<td>• Identify specific work activities which may involve working at height.</td>
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</tbody>
</table>
| Contractor control | Use existing local authority practices until EKH has one developed | • Important area of concern as there will be a considerable use of contractors across the housing stock.  
• Contractor control to be consistent across all areas  
• Contractor control policy to be developed |
<p>| Control of substances hazardous to health | Use existing local authority practices until EKH has one developed | • Develop a common policy for EKH |
| Specific regulations to cover the handling and use of hazardous substances | Use existing local authority practices until EKH has one developed | |
| Manual Handling Operations Regulations 1992 | Use existing local authority practices until EKH has one developed | • Develop a common policy for EKH |</p>
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<td><strong>First aid</strong></td>
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| First aid at work regulations | Each authority currently has a list of first aiders and these will need to continue until there is a review | • First aid training is booked by EKHHRP  
• Need to ensure sufficient cover is maintained in all four authorities |
| **Stress at work** |                                |                           |
| No specific regulations but covered under the H&S at Work Act with requirement for staff to be provided with a safe working environment | None of the authorities currently have a policy. | • Develop a stress policy for EKH, |