

# HOMES FOR LIFE HOUSING PARTNERSHIP

## Health & Safety Policy

Date Issued:	October 2015 (Version 5)
Due Review Date:	October 2020
No of Pages:	9 (including signing sheet)
Objective:	To describe the Company's health & safety policy and procedures
Responsible:	Business Manager

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The Board of Directors of Homes for Life Housing is responsible for the conduct of the business of the Company.

The *Health and Safety at Work etc. Act 1974* imposes statutory duties on employers and employees. To enable these statutory duties to be carried out, it is the policy of Homes for Life Housing Partnership so far as is reasonably practicable, to ensure that responsibilities for safety and health are assigned, accepted and fulfilled at all levels of the company; that all practicable steps are taken to manage the health, safety and welfare of all employees; to conduct the business in such a way that the health and safety of visitors, to any premises under our control, is not put at risk.

It is the intention of the **Homes for Life**, so far as is reasonably practicable, to ensure that:-

- The working environment of employees and others affected by the Company's undertakings, including tenants, visitors and contractors is safe and without risks to health and that adequate provision is made with regard to the facilities and arrangements for their welfare at work.
- The provision and maintenance of machines, equipment and systems of work which are safe and without risks to health to employees, contractors and any other person who may be affected with regard to any premises or operations under our control.
- Arrangements for use, handling, storage and transport of articles and substances for use at work are safe and without risks to health.
- Adequate information is available with respect to machines and substances used at work detailing the conditions and precautions necessary to ensure that

- when properly used they will be safe and without risk to health.
- Employees are provided with such instruction, training and supervision as is necessary to secure their health and safety.
  - The Health and Safety Policy will be reviewed and updated as and when it is necessary. Communication of any such changes will be made to all employees.

It shall be the duty of all **employees** at work to ensure:-

- That reasonable steps are taken to safeguard the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.
- Co-operation with Homes for Life so far as is necessary to ensure compliance with any duty or requirement imposed on the employer, or any other person, under any relevant statutory duties.

### **Responsibilities – Overview**

The Company recognises that all individuals within the organisation have a responsibility to ensure their own safety and that of others. Consequently, all employees will have the potential to be held liable if their negligent acts or omissions result in harm being caused to any other persons. Those in positions of responsibility have additional obligations, by virtue of their ‘managerial’ functions. Indeed, the Health & Safety Commission (HSC) document *Enforcement Policy Statement*, HSC15, 01/02, notes the following on ‘Prosecution of individuals’:

*“...enforcing authorities should identify and prosecute or recommend prosecution of individuals if they consider that a prosecution is warranted. In particular, they should consider the management chain and the role played by individual directors and managers, and should take action against them where the inspection or investigation reveals that the offence was committed with their consent or connivance or to have been attributable to neglect on their part and where it would be appropriate to do so in accordance with this policy. Where appropriate, enforcing authorities should seek disqualification of directors under the Company Directors Disqualification Act 1986.”*

The following sections set out the principal Health & Safety related responsibilities of Individuals within the organisation. These duties will be in addition to the general duty on all individuals to ensure the Health, Safety and Welfare of themselves and all others who may be affected by their undertakings.

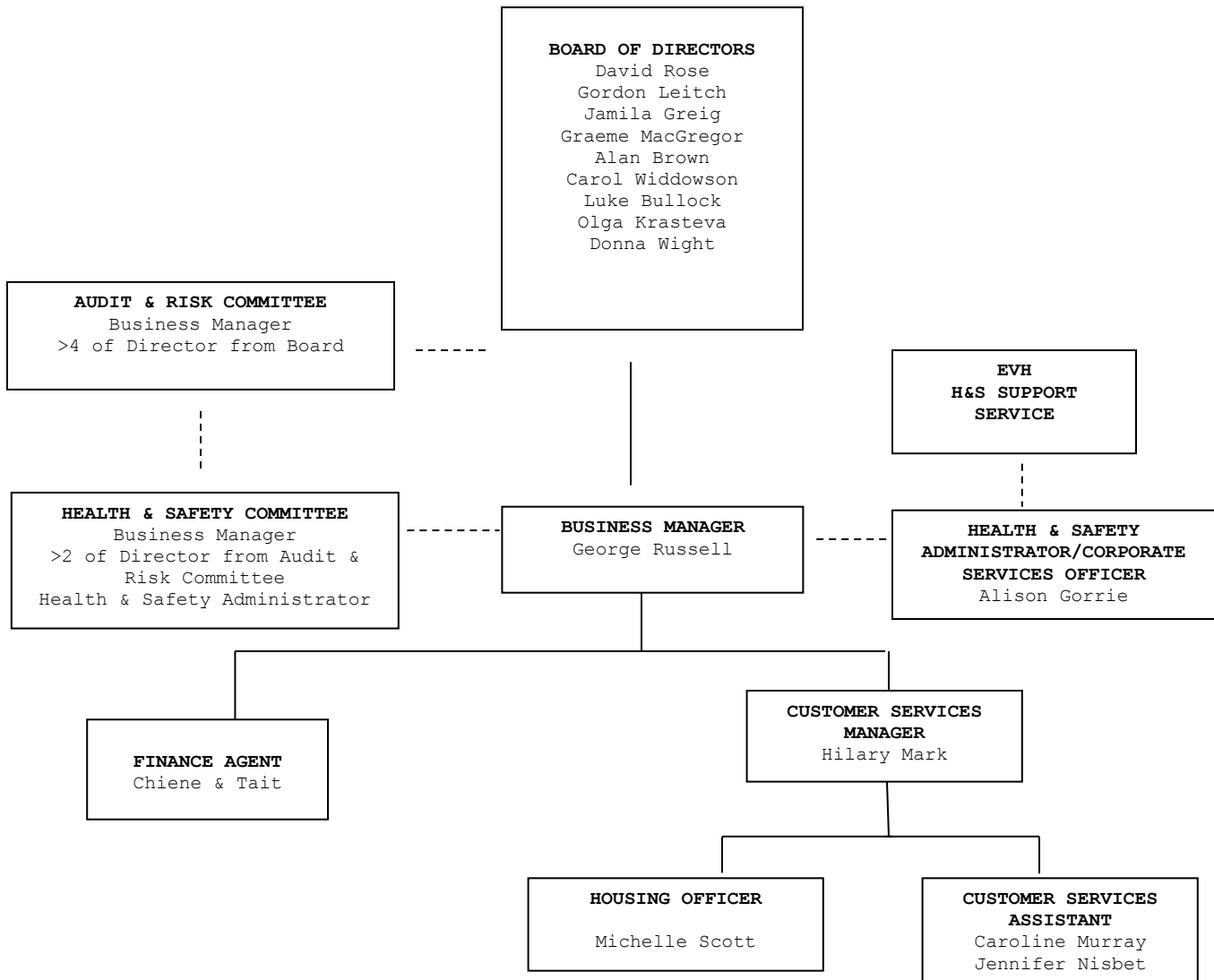
The rather unique management structure of Housing Associations/Co-operatives, however, differs from the traditional business organisation where a Board of Directors, Owner/Manager or Senior Management Board clearly runs the undertaking. Care has,

therefore, been taken to determine realistic responsibilities of the Board of Directors and Business Manager in particular.

In addition to the *individual liability* of senior staff, the *Corporate Manslaughter and Corporate Homicide Act 2007* allows *companies and corporations* to be prosecuted for corporate homicide (in Scotland) where serious management failures result in death. Under this Act there is no longer the need to identify a ‘controlling mind’ (i.e. one individual whose negligence or recklessness caused the death) to convict an organisation of homicide, thus making it easier to prosecute organisations.

The management responsibilities defined within the Control Manual should ensure that adequate and appropriate managerial control is exercised over Health & Safety issues to prevent against prosecution for corporate homicide

**Responsibilities – Health & Safety Organisational Chart**



## **Responsibilities – Board of Directors**

The Board of Directors, headed by a Chairperson, comprises 'lay persons' from the local community, acting largely as a body to oversee the operations carried on by the Company. The Board is responsible for approving certain company decisions and funding / resourcing requests made by the Business Manager.

It is recognised that the Board of Directors is not actively involved in the day to day running of the organisation. The Board is collectively responsible for providing leadership and direction on Health & Safety. This includes but is not limited to setting Health & Safety strategy, policy and ensuring compliance through appropriate controls and monitoring. The Business Manager shall be responsible for implementing the Company's strategy and policy for health & safety.

The Board of Directors will endorse the Health & Safety Policy and Control Manual and the Chairperson will sign the Health & Safety Policy Statement along with the Business Manager. Where there is a change of personnel, the incoming Chairperson will sign the policy to ensure the commitment on behalf of the Committee remains current.

The Board of Directors will place 'Health & Safety' as a standing item on the Agenda of all general meetings. This will allow the Business Manager to report on safety performance, funding requirements, safety failures and other Health & Safety related issues. The Board of Directors will give all such issues due consideration and will make available all reasonable funding and support as may be required.

The Health & Safety Committee will comprise at least 2 directors nominated by the Audit & Risk Committee, together with the Business Manager and the Corporate Services Officer (as Health & Safety Co-ordinator). This statutory management committee will review the findings of all internal and external Health & Safety audits carried out within the organisation and will authorise the use of all reasonable support required to rectify any significant non-compliances identified by the audits. For the avoidance of doubt, the Health & Safety Committee has authority delegated directly from and reported directly to the Board not the Audit & Risk Committee.

The Health & Safety Committee will take an active interest in the investigation of any significant safety failure, making available all reasonable resources for a full investigation and for the taking of adequate measures to rectify any deficiencies in the existing arrangements.

All of the Board of Directors will undergo training in 'Health & Safety Awareness' and in management responsibilities. This will ensure that directors have a working knowledge of the topic, which will assist in the discussion of Health & Safety at all meetings. This should also assist the Board of Directors in determining whether the Business Manager is managing Health & Safety adequately within the organisation.

The Business Manager will delegate with the approval of the Board of Directors to staff, directors and other appropriate persons, actions required to be taken to implement policies, procedures, arrangements and any other initiatives authorised by the Business Manager.

### **Responsibilities - Business Manager**

The Business Manager is responsible for the general day to day running of the Company. It is recognised that this function incurs the overall responsibility for Health & Safety management within the organisation and the following procedures will be adopted to ensure adequate provisions are made and maintained. In essence, the Business Manager will fulfil the position now commonly known as 'Director Responsible for Health & Safety'

The Business Manager will endorse the Health & Safety Policy and Control Manual and will sign the Health & Safety Policy Statement along with the Chairperson of the Board of Directors. Where there is a change of personnel, the incoming Business Manager will sign the policy to demonstrate commitment and acceptance of responsibilities.

The Business Manager will hold ultimate responsibility for the *implementation* of the organisation's policy, procedures and arrangements. To this end, and to comply with the duties set out in the *Management of Health and Safety at Work Regulations 1999, as amended*, he/she will appoint an adequate number of competent persons to achieve and maintain legal compliance. This will include a Health & Safety Administrator and the EVH Health & Safety Support Service. The Business Manager will also take action to reduce the Health & Safety risks to acceptable levels for employees, and others affected by the Company's undertakings, including tenants, visitors and contractors. The Business Manager may be held liable where Health & Safety offences are committed with his consent or connivance or as a result of his/her negligence (Health & Safety at Work Act).

The Business Manager will report on safety performance, funding requirements, safety failures and other Health & Safety related issues at each Board meeting, as well as make available all internal and external audit reports to the Board. Fully justified requests will be made to the Board for any resources, support or funding required for Health & Safety purposes.

The Business Manager will ensure that Health & Safety considerations are taken into account for all new investment opportunities and in the organisation's purchasing policy. The objective will be to minimise risks as early in the purchasing chain as is reasonably practicable.

The Business Manager will be responsible for maintaining an adequate programme of Risk Assessment, allocating duties and funds as appropriate to keep assessments and control measures current.

The Business Manager will be responsible for maintaining an adequate programme of staff training in Health & Safety issues, ensuring that all staff are given appropriate instruction, information and training to reduce the risks associated with their work to an acceptable level.

The Business Manager will ensure that adequate communication channels exist throughout the entire organisation to allow Health & Safety issues to be dealt with timeously and effectively, through relevant procedures such as for reporting of incidents, including near misses. All staff will be given the opportunity to raise any safety related queries with appropriate management staff.

The Business Manager will ensure that all significant safety failures are fully investigated and reported to the Health & Safety Committee or Board of Directors as appropriate. He/she will also ensure that all necessary support is sought to adequately investigate the situation and develop suitable remedial measures to reduce the likelihood of a similar incident recurring.

The Business Manager will give due consideration to all Health & Safety related requests from the Health & Safety Administrator, and all other staff, taking appropriate action where necessary and requesting support/approval from the Board of Directors where required.

### **Responsibilities - Employees**

While the duties of management staff have been made clear in previous sections, it is recognised that ALL employees have general duties to ensure their own safety and that of others. Indeed, the *Health and Safety at Work etc. Act 1974* notes the following in respect of employees' duties:

*"It shall be the duty of every employee while at work -*  
*(a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work; and*  
*(b) as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with."*

The following procedures will, therefore, be adopted by all employees to ensure their duties are adequately discharged.

Employees will comply with the policies, procedures and arrangements set out in the Control Manual and with any information, instruction and training provided. In addition, any risk control measures and equipment provided to ensure safe working practices will be properly used.

Employees will report to their HOD or other member of management any identified breaches of Health & Safety procedures, any accidents or safety related incidents and any aspect which appears to them to give rise to a significant risk to the Health & Safety of employees or other persons. Such reports will be made without undue delay.

Employees will inform their HOD or other member of management, without undue delay, where they believe that further training or other risk control measures would be beneficial. Tasks will not be carried out where the employee believes significant risk to be present.

Employees will co-operate in all safety programmes, training, risk assessments and other initiatives that are intended to reduce risk and will actively implement any control measures identified as being required.

Employees will not participate in horseplay, practical jokes or other acts which may result in harm being caused to themselves or to other individuals.

### **Responsibilities – H&S Committee**

The H&S Committee will provide an open forum for the discussion of all Health & Safety related issues raised by members of the Committee and by any other relevant sources.

All Committee members will undergo suitable training, which will include as a minimum 'Health & Safety Awareness', but may include training in more depth on relevant issues. This will ensure that all members have a working knowledge of the topic, commensurate with their role in the Committee and within the organisation as a whole.

The Committee will suggest solutions and initiatives for issues arising, which will be minuted and presented to the Business Manager each meeting, without undue delay.

Where appropriate, the Committee will draft and revise relevant policy, procedures and arrangements, for ultimate approval by the Business Manager and Board of Directors.

The Committee will delegate, with the Business Manager's approval, to members and to other appropriate persons within the organisation, actions required to be taken to implement policies, procedures, arrangements and any other initiatives authorised by the Business Manager.

The Committee will review the Health & Safety performance of the organisation, analysing accident statistics, reported breaches of policy and procedures, audit and inspection reports and data from other information gathering exercises.

Recommendations on options to improve safety performance will be made to the Business Manager without undue delay.

## **Responsibilities – H&S Administrator**

The function of the H&S Administrator is, by definition, one of ‘**administration**’ as opposed to ‘**management**’. The H&S Administrator will be fully supported by the Business Manager.

The H&S Administrator will undergo suitable training, which will include as a minimum ‘Health & Safety Awareness’ and instruction in the implementation of the policies, procedures and arrangements set out in the Control Manual.

The H&S Administrator will maintain the master Control Manual and the record keeping system in an up to date and tidy condition. This will include the dissemination of all Manual updates to Manual holders and the filing of appropriate records.

The H&S Administrator will comply with his/her duties as set out in the Control Manual and will report the findings of any inspections, audits and other information gathering exercises to the H&S Committee without undue delay.

Where the H&S Administrator has reason to believe that personnel are, or may foreseeably become, exposed to significant risk, direction will be sought from the Business Manager without undue delay.

The H&S Administrator will provide assistance to the Business Manager and Board of Directors in the undertaking of risk assessments, control implementation, policy development, etc. This may involve liaison with the EVH H&S Support Service. It should be noted that the H&S Administrator will not be solely **responsible** for developing corporate policy, merely for **assisting** in its development and implementation.

## **Responsibilities – EVH H&S Support Service**

EVH maintains a contract with an external Health & Safety consultancy firm, which provides professional and technical support to the Company. This service complements the available internal resources, thus assisting the organisation to discharge its duty as set out in the *Management of Health and Safety at Work Regulations 1999, as amended* to appoint an adequate number of competent persons to achieve and maintain legal compliance.

The H&S service includes the provision of:

- external auditing of the Health & Safety system
- Control Manual updating service
- helpline for all Health & Safety related queries
- specialist consultancy and training support as required

## **Monitoring**

**This Health and Safety Policy and related Practice will be reviewed as necessary, but not less than once every five years.**





## Health & Safety Policy - Update for Version 5

I (Name) ..... Director/Staff (please delete as appropriate)  
have read and understood the policy

Please sign, and pass it to Alison

Signed: .....

Date: .....