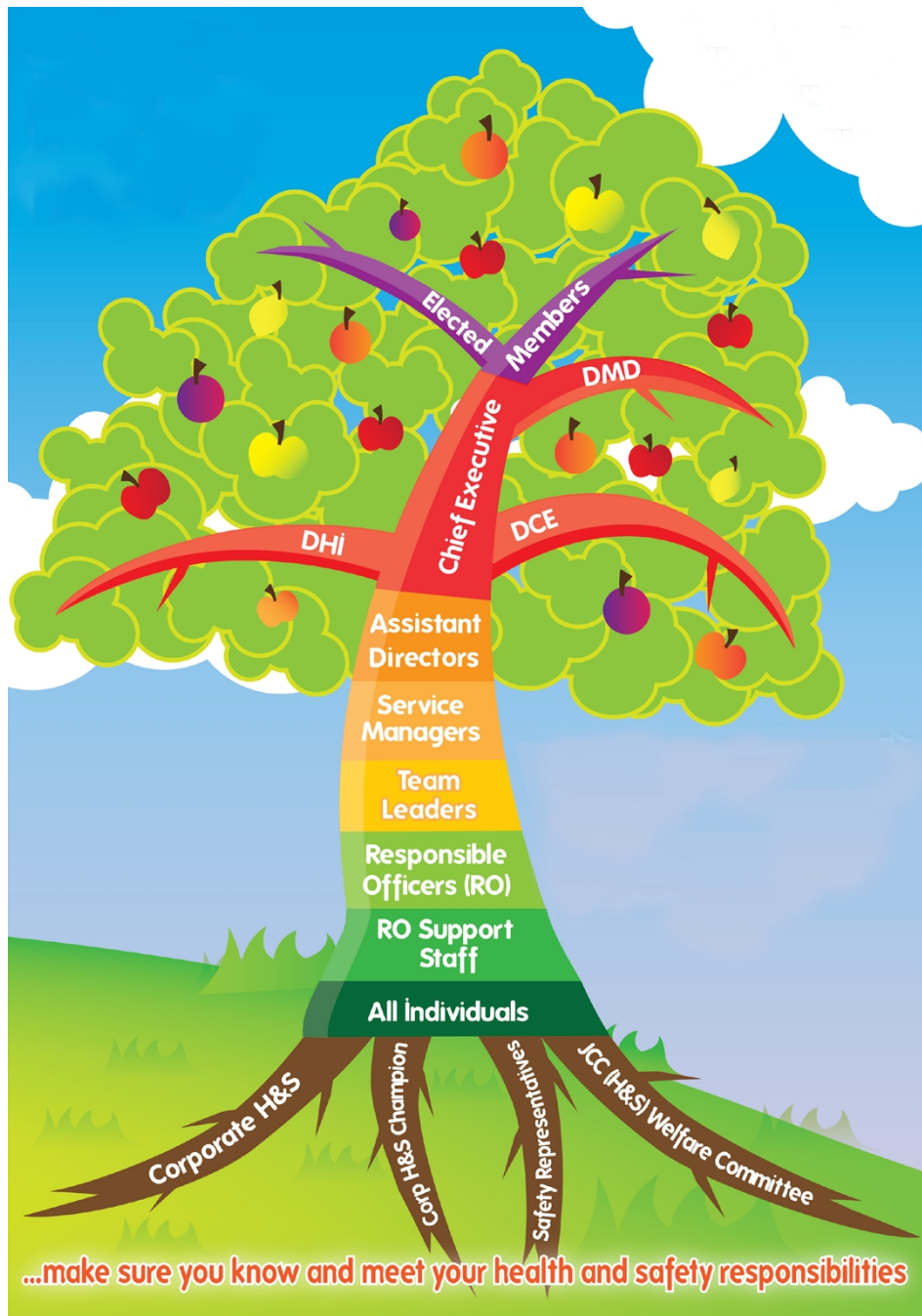


CITY OF  
*Lincoln*  
COUNCIL



# Health, Safety & Welfare Policy

## FINAL DRAFT – June 2019

## Document Control

<b>Organisation</b>	City Of Lincoln Council
<b>Title</b>	Corporate Health Safety & <i>Welfare</i> Policy
<b>Date</b>	To be completed
<b>Consultation Required</b>	Joint Consultative Committee (Health, Safety & Welfare) Executive – 28 June 2016
<b>Approval Required</b>	Executive – 4 July 2019
<b>Distribution</b>	All Staff & Elected Members
<b>Revocations</b>	Corporate Health & Safety Policy 15 April 2013
<b>Protective Marking</b>	Password Protected
<b>Next Review Date</b>	July 2021

## CONTENTS

Page

<b>1</b>	<b>GENERAL POLICY STATEMENT</b>	<b>5</b>
<b>2</b>	<b>ORGANISATION FOR HEALTH AND SAFETY</b>	
2.1	Individual Responsibilities.....	7
2.2	Tree of Responsibility.....	7
2.3	Safety Matters Review Group.....	8
2.4	Joint Consultative Committee (Health, Safety & welfare).....	9
2.5	Non-Council Employee Responsibilities.....	9
	2.5.1. Contractors and other such persons	10
	2.5.2. Manufacturers and Suppliers	
	2.5.3. Volunteers	
	2.5.4. Partnership working	
<b>3</b>	<b>ARRANGEMENTS FOR HEALTH &amp; SAFETY</b>	
3.1	General.....	11
3.2	Supplementary Policies.....	11
	3.2.1. Asbestos Policy	
	3.2.2. Fire policy statement	
	3.2. 3. Unacceptable behaviour Policy	
	3.2. 4. Smoking Policy	
	3.2. 5. Managing Stress Policy	
	3.2..6 Flexible Working Policy	
	3.2.7 Driving policy	
	3.2.8 Health surveillance policy statement	
	3.2.9.General Data Protection Regulations	
	3.2.10. Construction Design Management Regulations statement.	
3.3	Communication, Co-operation and Consultation.....	13
3.3.1	Co-operation with Regulatory Authorities	
3.4	Training, Instruction and Supervision.....	14
3.5	Risk Assessment.....	14
	3.5.1 Working at height.	
	3.5.2. Control of hand arm vibration	
	3.5.3 Control of Noise	
	3.5.4 Manual Handling	
	3.5.5 Hazardous Substances	
	3.5.6 Control of Legionella	
	3.5.7 Display Screen Equipment	
	3.5.8 Pregnant Workers	

3.5.9. Young Persons

3.6	Personal Protective Equipment.....	17
3.7	Incident Reporting.....	18
3.8	Property Management.....	18
3.9	First Aid.....	19
3.10	Employees Health .....	19

**4 MONITORING & REVIEW OF THE HEALTH & SAFETY POLICY**

4.1	Monitoring of the Policy.....	19
4.2	Review.....	20

**APPENDIX 1 – TREE OF RESPONSIBILITY .....** Separate Document

## **HEALTH AND SAFETY AT WORK etc. ACT 1974**

### **1. GENERAL POLICY STATEMENT**

City of Lincoln Council, as a corporate body and employer, recognises and accepts its responsibility to provide a safe and healthy working environment for their employees, and non-employees, who may be affected by the Council's work activities.

The Council will take necessary steps to fulfil its statutory duties under the Health and Safety at Work etc., Act 1974, and associated legislation made under the Act, paying particular attention to the provision and maintenance of:-

- (a) Safe plant and equipment in conjunction with safe systems of work;
- (b) Safe arrangements for the use, handling, storage and transport of monies, articles and substances;
- (c) Sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own health and safety at work;
- (d) A safe place of work including safe access and egress;
- (e) A healthy working environment;
- (f) Adequate welfare facilities;
- (g) Suitable and sufficient risk assessments to identify work hazards present and ensure satisfactory implementation of control measures to protect the health and safety of employees, and non-employees who may be affected by such work;
- (h) Adequate procedures to ensure all contractors and others where we have a duty of care are fully compliant with this policy and health and safety legislation.
- (i) Competent technical advice on health and safety matters.

The Council will co-operate fully in the appointment of safety representatives by recognized trade unions and will comply with the requirements of the Safety Representatives and Safety Committees Regulations 1977, Approved Code of Practice & Guidance. Staff with a specific responsibility for health and safety will be provided with sufficient facilities and training to carry out their tasks. The Council will consult with employees and safety representatives directly and via Joint Consultative Committee (Health, Safety & Welfare).

The Council expects every employee to comply with its agreed policies, standards and procedures and to take all possible care for their own health and safety and that of others who may be affected by their acts or omissions.

The Council is committed to continuous improvement and will implement a Health & Safety Annual Development Plan.

Signed.....

Dated .....

Angela Andrews

Chief Executive & Town Clerk

Signed.....

Dated .....

Councillor Ric Metcalfe

Leader of the Council

Signed.....

Dated .....

Councillor Donald Nannestad

Deputy Leader of the Council

Signed .....

Dated .....

Simon Walters

Corporate Director Health & Safety Champion &

Director of Communities & Environment

Signed.....

Dated .....

Unison Health & Safety Representative

Signed.....

Dated .....

Unite Health & Safety Representative

Signed.....

Dated .....

GMB Health & Safety Representative

## **2. ORGANISATION FOR HEALTH AND SAFETY**

### **2.1 INDIVIDUAL RESPONSIBILITIES**

All Council employees have a legal responsibility to meet the statutory requirements of the Health and Safety at Work etc. Act 1974. At all levels of the organisation, our people will be:

- Responsible for the safety and wellbeing of themselves, those people they manage and the people they work for;
- Aware of their responsibility for health and safety issues and their effects on people within the activities they control; and
- Aware of the influence that their action or inaction can have on the effectiveness of our safety management and performance.

The ultimate responsibility for health and safety within the City Of Lincoln Council lies with the Chief Executive, as the head of paid service.

The corporate director nominated to be the Health and Safety Champion is the Director of Development & Environmental Services. The Health and Safety Champion has a critical role in providing strategic direction and support to ensure health and safety risks are properly managed.

The role of the Health & Safety Champion does not, however detract from the responsibility of other Directors and members of the Corporate Management Team in accepting their responsibilities for specific areas of health and safety risk management under their control.

### **2.2 TREE OF RESPONSIBILITY – APPENDIX 1**

The Tree of Responsibility (TOR) sets out those health and safety responsibilities according to role across the organisation. It identifies generic roles within the Council, such as,

- Elected Members
- Departmental Directors
- Assistant Directors
- Service Managers
- Team Leaders
- Responsible Officers
- Responsible Officer Support Staff, and
- Individuals

And identifies specific roles that have additional health and safety responsibilities to those listed above, such as, but not exclusively:-

- Chief Executive
- Director of Directorate of Communities and Environment
- Corporate Management Team

- Assistant Director – (Growth and Regeneration)
- Assistant Director –(Housing)
- Assistant Director – (Health & Environmental Services)
- Property Services Manager
- Corporate FM Officer (Corporate Property)
- Environmental Health and Corporate Safety Manager
- Corporate Health & Safety Service and
- Trade Union Safety Representatives

The guiding principle in the application of the tree of responsibility is to ensure that where a restriction exists, financial or otherwise, which prevents a health and safety action from being implemented that this failure is reported up through the organisation.

The Tree of Responsibility (**appendix 1**) incorporates a colour coded system intended to assist all individuals to identify their role and their health and safety duties and responsibilities. It is recommended that this system is applied to each directorate organisational structure chart to enable all individuals within the Council to have clarity as to their own health and safety duties and responsibilities.

### **2.3 SAFETY MATTERS REVIEW GROUP**

The purpose of this group is to assist the Council in meeting the matters set out the in General Policy Statement. In particular **but not exclusively** it will oversee:-

- a. The implementation of the Control of Contractor procedures and review the Control of Contractors Health & Safety Competency Register.
- b. The implementation and compliance with the Asbestos Policies, management plan and procedures.
- c. The implementation and compliance with the Control of Legionella procedures.
- d. The system adopted for the recording of risk assessments
- e. The council's health and safety training needs, requirements and recommend solutions to training gaps identified.

### **2.4 JOINT CONSULTATIVE COMMITTEE (HEALTH, SAFETY & WELFARE)**

The main purpose of the committee is to:-

- a. Establish negotiations between the Council and its employees on matters relating to the health, safety and welfare of its employees. In doing so the committee will recommend, instigate, develop, monitor and review actions to safeguard the health, safety and welfare of all persons affected by the activities of the Council.
- b. To review the policies of the Council in relation to the health and safety of its employees and to make recommendations there to.



- c. To make recommendations to the Executive of the Council as to the application and implementation of the Corporate Health Safety & Welfare Policy.

A copy of the policy and constitution of the Joint Consultative Committee (Health, Safety & Welfare) can be found in Authority Wide – Corporate Health & Safety – JCC or by contacting your Safety Representative or the Council’s Corporate Health and Safety or Human Resources.

## **2.5 NON-COUNCIL EMPLOYEES’ RESPONSIBILITIES**

### **2.5.1 CONTRACTORS OR OTHER SUCH PERSONS**

Only competent contractors or other such persons will be permitted to undertake services for the Council.

The Council needs to ensure that contractors or other such persons they engage have the skills, knowledge and competency to carry out the service to the required standards without risks to health and safety. The contractor selection and monitoring procedure should be followed this requires a health and safety competency assessment form completed by the contractor (or other such person) and associated documentation supplied. An assessment as to the contractor’s competency to carry out work on behalf of the Council will be made and a record kept. All documents provided by the contractor will be retained as evidence.

Contractors or other such persons will be required to conform to all relevant Health and Safety legislation or Council instructions that are applicable and to ensure that their employees and sub-contractors also conform.

Any health and safety concerns or issues arising from the health and safety competency assessment or monitoring of contractors or other such persons will be referred to the Corporate Health and Safety.

No Contractor or other such person shall work for the Council unless the Control of Contractors procedures have been adhered to. A copy of the procedures can be found on Authority Wide Corporate Health & Safety – Control of Contractors or by contacting the Corporate Health and Safety.

### **2.5.2 MANUFACTURERS AND SUPPLIERS**

The Health and Safety at Work etc. Act 1974 requires that all plant, machinery, equipment, appliances and materials are so designed and constructed so as to be safe and without risks to health.

Manufacturers and suppliers must provide adequate operating and/or handling instructions and information about any conditions necessary to ensure that their products will be safe and without risks to health when properly used. This information must be made available to all relevant employees.

### **2.5.3 VOLUNTEERS**

The Council recognises the immense benefits that volunteers bring and the bridges that they build between the Council and the local community. In return the Council hopes to give its volunteers an opportunity to exercise their skills in a different environment and to undertake new experiences.

The council has volunteers carrying out activities within a range of environments which exposes them to risks to their health and safety. These risks will be effectively managed through the application of all relevant health, safety and welfare policies, processes and procedures by the councils' managers.

***Volunteers will not be used as substitutes for employees and an established post will not be used to recruit volunteers, i.e. there will be no job substitution done through volunteer placements.***

#### **2.5.4. PARTNERSHIPS**

***Defined as any management with one or more external organisations where the council is providing or receiving a function or service with or without payment. This includes arrangements such as service levels agreements, shared services, statutory partnerships, contractual arrangements and informal working groups.***

***All partnership arrangements will ensure that the health and safety roles and responsibilities are clearly defined between all parties involved. The Council will take the necessary steps to fulfil its statutory duties under the Health and Safety at Work etc., Act 1974, and associated legislation made under the Act.***

### **3. ARRANGEMENTS FOR HEALTH & SAFETY**

#### **3.1 General**

The following arrangements supplement the policy but are not intended to be exhaustive. Constant observance of the policy, adherence to rules and maintenance of good practices and procedures will prevent employees suffering an injury and in some cases property and equipment damage.

#### **3.2 Supplementary Policies**

##### **3.2.1 Asbestos Management Policy**

***The Council will take all necessary steps to fulfil its statutory duties under the Health and Safety at Work etc., Act 1974, and in particular the Control of Asbestos Regulations and have regard to Approved Codes of Practice and Health & Safety Executive guidance.***

***The Council recognises that it has a responsibility to protect employees and others who may be affected by its operations against the risk of asbestos exposure arising from the use of equipment or work related activities, or from the deterioration of Asbestos Containing Materials (ACMs) in its domestic, non-domestic city of Lincoln Council buildings/land, owned, leased and/or managed by the Council. To underpin the following policy statements Annex 1 - Asbestos Management Policy Action Plan will be in place and continually updated and monitored quarterly.***

**The Council will:-**

- ***Work towards, as far as is reasonably practicable, zero exposure to hazards associated with ACMs.***

- *before undertaking work in maintenance, demolition, refurbishment and where appropriate any other work which is liable to expose employees to asbestos, carry out a suitable and sufficient risk assessment and determine whether asbestos is present and if so, what type, contained in what material and in what condition. (All survey work will be undertaken in accordance with HSG 264 – Asbestos The Survey Guide)*
- *Approach the management of all properties on the basis that ACMs are present unless there is evidence to prove otherwise.*
- *Only allow appropriately trained employees to undertake non licenced work on ACMs following consultation and agreement with the appropriate unions, employees and Joint Consultative Committee (JCC) Safety Representatives has taken place.*
- *Monitor where appropriate known ACMs by periodic inspections undertaken by either trained in-house staff or by a competent contractor.*
- *Undertake suitable and sufficient risk assessments to protect employees from any potential risk or hazard associated with their work activity on known ACMs or from the unexpected disturbance of ACMs.*
- *Ensure safe systems of work are employed so that work is carried out safely and any risk is minimised.*
- *Ensure emergency procedures are in place to deal with the unexpected release or disturbance of ACMs.*
- *If any employee or occupant of council controlled domestic or non-domestic premises considers that they have been exposed to asbestos fibre, this will be reported and investigated as appropriate through the Council's incident reporting procedure on the Council's internal incident report form. The appropriate Trade Union Health and Safety Representative(s) will be notified of the incident and an investigation will be carried out by Corporate Health & Safety. Trade unions may undertake their own investigation.*
- *Produce a resourced asbestos training programme, the level and frequency of training delivered will be determined by roles and responsibilities.*
- *Provide the level of personal protective equipment appropriate to the task to be undertaken to every employee free of charge.*
- *Maintain an Asbestos Register for all domestic, non-domestic city of Lincoln Council buildings/land, owned, leased and/or managed by the Council and update the Asbestos Register on the basis of any re-inspection, treatment and/or removal works undertaken.*
- *Conduct ongoing surveys of residential council properties in relation to ACMs so as to reduce the number of 'cloned' properties on the Council Housing Asbestos Register year-on-year.*
- *Ensure that where asbestos information has been cloned from other similar council housing archetypes to another that a risk assessment will be carried out and the appropriate survey will be undertaken dependant on the maintenance or refurbishment works required.*
- *Ensure annual surveys of Council allotments are undertaken.*
- *Use suitably qualified, experienced and competent contractors in accordance with HSE and CAR requirements (including UKAS accredited for sample analysis or air sampling) where it is a requirement for the work with ACMs.*

- ***Follow the Council's Control of Contractors procedures in assessing and monitoring the health and safety competency of contractors.***
- ***Ensure contractors engaged to carry out work on any of the Council's buildings are provided with information on the location of known ACMs advised of the appropriate precautions and procedures to be followed.***
- ***Keep domestic, non-domestic city of Lincoln Council buildings/land, owned, leased and/or managed by the Council tenants, leaseholders informed if asbestos is discovered in a property or if their property forms part of the asbestos survey programme. The method of communicating this information should be documented in the Asbestos Management Action Plan.***
- ***Where appropriate, label all known ACMs.***
- ***Consult with Trade Union Safety Representatives and the Corporate Health and Safety Team on policy, procedural changes and the outcome of investigations into incidents reported.***
- ***Advise Trade Union Safety Representatives, as soon as possible of an incident relating to employee exposure to an unexpected release of ACMs***
- ***Upon request provide relevant information to the emergency services on the location and condition of any known or presumed ACM in Council managed properties.***

### **3.2.2. Fire Policy.**

The City of Lincoln Council recognises that fire is a significant hazard to the safety of both buildings and their occupants. The Council will comply with its statutory fire duties and meet its responsibilities under current fire legislation (The Regulatory Reform (Fire Safety) Order 2005). The Council will provide the appropriate fire precautions and fire management systems and ensure that those systems are operating effectively.

In order to comply with the Regulatory Reform (Fire Safety) Order 2005 the Council will:

- Provide buildings in which fire precautions appropriate for their use are taken into account during the design and construction.
- Provide and maintain fire detection, alarm systems, emergency lighting, firefighting equipment, evacuation signage, means of escape and protected escape routes.
- Provide responsible officers and other relevant staff with adequate information, instruction and training in order that they may manage and implement the above scheme and undertake and record local water hygiene tasks and checks as required.
- Ensure competent persons, who have sufficient knowledge and training, are available to implement its fire safety procedures.
- Carry out suitable and sufficient fire risk assessments of all premises to assess the risk to relevant persons from fire and to evaluate the adequacy of the protection measures and compliance with all relevant legislation.
- Periodically test, monitor, audit and review all procedures, fire prevention and protection measures and systems.
- All employees will act in accordance with all fire safety procedures, safe systems of work or instructions that have been initiated by management for their health and safety

### **3.2.3 Unacceptable Behaviour Policy**

The council has a responsibility to provide a safe, healthy, and civil working environment for its employees and people visiting its premises. It recognises that it has an obligation to strive to eliminate the distress/danger posed by unacceptable behaviour and will be fully supportive of those who are affected by unacceptable behaviour encountered as a result or during the course of their work.

The Council will:

- Endeavour to prevent unacceptable behaviour to employees occurring out of or as a result of their work.
- Ensure the implementation of this Unacceptable Behaviour Policy and the associated procedures and any relevant guidance.
- Ensure adequate resource such as training and support is available to meet the obligations of this policy and the procedures.
- Ensure that all relevant risk assessments include a consideration of unacceptable behaviour as part of work activities.
- Ensure that employees have correct means to report incident(s) of unacceptable behaviour.
- Ensure that where unacceptable behaviour incidents are either physical assault or threatening behaviour where the potential could result in physical assault these are reported to the police.
- Advise the employee and any other person(s) relevant of the correct course of action to be taken appropriate to the level and nature of the incident.
- Provide suitable support to any employee who becomes a victim of unacceptable behaviour not only regarding their welfare and any criminal investigations but also if the employee wishes to make a formal complaint or pursue civil action against an individual.

Further guidance can be found on Authority Wide>Corporate Health Unacceptable Behaviour or by contacting the Corporate Health and Safety.

### **3.2,4 Smoke Free Policy**

This policy aims to make sure that all people who use our facilities are not put at risk from second hand smoke, it seeks to encourage a healthier workforce that recognises the benefits of a non-smoking environment.

***This policy is applicable to all employees, agency workers, councillors and contractors who undertake activities on behalf of the Council on any of our premises. This policy is also applicable to visitors and customers attending at any council premises.***

Council employees and contractors who undertake any work activity at council tenanted properties should not be exposed to the effects of second hand smoke. If during a visit, a client refuses not to smoke, the organisation will support any member of staff who leaves the premises on the grounds of health and safety.'

Smoking is strictly prohibited on Council premises, including entrances and anywhere on within its grounds including car parks. Any vehicle used for Council business will be smoke free. A

copy of the policy ***on the intranet within the Human Resources Policy Handbook and further advice can be obtained by contacting HR or Corporate Health and Safety.***

### **3.2.5. Managing Stress Policy**

The Council recognises that workplace stress maybe a health and safety issue for any person employed by the Council and acknowledges the importance of identifying and reducing workplace stressors where possible. The Council will endeavour to assist such employees in dealing with stress related issues, whatever their cause. A copy of the policy can be found on the intranet within the Human Resources Policy Handbook and further advice can be obtained by contacting HR or Corporate Health and Safety.

### **3.2.6. Flexible Working Policy**

The Council is committed to the implementation of work-life balance and flexible working policies to support improved organisational productivity and performance whilst helping employees to improve the quality of their working life and/or more effectively combine work with their other responsibilities. Further details can be found on the intranet within the Human Resources Policy Handbook.

### **3.2.7. Driving Policy**

The Council will ensure that its duties under Road Traffic law are met, have suitable health and safety arrangements in place to manage its fleet activities, and as far as reasonably practicable that its employees and others will not be put at risk by the Councils work related driving activities.

Due to the nature of some tasks it may be necessary to drive for work purposes, (this does not include driving to and from the normal place of work). Road Safety legislation will take precedence over any work procedures however, if it is necessary for individuals to drive as part of their work procedures to exist to identify risks and reduce these by all reasonably practicable means. Full details and guidance can be found on Authority Wide Corporate Health & Safety – Guidance of Use of Own Vehicles.

### **3.2.8. Health Surveillance Policy**

City of Lincoln Council are fully committed to ensuring the effective management of health, safety and wellbeing and provide a programme of health surveillance where it allows for the early identification of occupationally linked ill health or disease.

***Medical issues not relating to a statutory duty remains private and confidential between employee and OH provider unless the employee gives consent.***

Health surveillance helps identify any corrective action required, after all other reasonable precautions and control measures have been implemented.

Health surveillance is provided to those employees who are exposed to noise, vibration, dusts and some other substances hazardous to health.

As a responsible employer, the council has a duty to monitor the health of their employees when a risk assessment identifies that there is a specific known risk to their health or well-being; for example carrying out hearing tests on employees who work in noisy environments.

The council uses a specialist health surveillance provider, through its' occupational health service.

The results of health surveillance are confidential and are collected and stored by our occupational health provider, Health Management. They will treat it as confidential medical information which legally has to be stored for 40 years. These medical records cannot be accessed by anyone else without the written consent of the employee.

Concerns may be raised as a consequence of the initial health surveillance and the CMO will often need to take instruction from the councils HR or Corporate Health and Safety Team to further fully investigate the case, to come to a formal diagnosis. **All information will be directly sent to employees and employers at the same time.**

Where any reportable diseases are identified from the health surveillance, they will be reported as required by RIDDOR and all relevant risk assessments and safe systems of work and control measures will be reviewed to ensure full legal compliance and effective controls are being used.

### **3.2.9. General Data Protection Regulations**

**All data will be held in accordance with the Data Protection Act 1998 and the General Data Protection Regulation (EU) 2016/679 (GDPR).**

**Safeguards will ensure the security of the data and will comply with Article (1) (f) of the GDPR.**

**All personal information:**

- 1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless at least one of the specific conditions in Schedule 2 to the DPA are met;**
- 2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;**
- 3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;**
- 4. Shall be accurate and, where necessary, kept up to date;**
- 5. Shall not be kept for longer than is necessary for that purpose or those purposes;**
- 6. Shall be processed in accordance with the rights of data subjects under the DPA;**
- 7. Shall be kept secure i.e. protected by appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to personal data; and**
- 8. Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of data protection.**

**The DPA provides rules for the processing of any personal data. It also makes a distinction between personal data and "sensitive" personal data (see glossary for definitions). Sensitive personal data requires stricter processing rules, as at least one of the conditions in Schedule 3 to the DPA need to be met, in addition to at least one condition in Schedule 2 to the DPA.**

### **3.2.10. Construction Design Management Policy.**

**The City of Lincoln Council as the client for whom the construction project is being carried out must ensure suitable arrangements are in place for managing a project. The Council will appoint the other duty holders (principle designers and principle contractors). The council will also ensure that sufficient time and resources are allocated to the project.**

***The Council will ensure that the relevant information is prepared and provided to other duty holders. The Council as the Client will make sure that the principle designer and principle contractor carry out their duties under CDM and that welfare facilities are provided for the project.***

***When the City of Lincoln Council takes on the role of more than one duty holder (client, principle designer and principle contractor), it will ensure that those within the organisation undertaking the relevant duties, have the skills, knowledge and organisational capability and capacity to meet the applicable statutory duties and provisions set out in the Construction, Design and Management Regulations.***

### **3.3 Communication, Co-operation and Consultation**

No safety policy is likely to be successful unless it actively involves all employees.

Employees will be consulted on health and safety matters either communicating directly through line management at team meetings, team briefings, intranet Safety Matters or directly by Trade Union Safety Representatives.

Employees can raise concerns directly to Corporate Health and Safety or by making use of the Council's *Whistle Blowing Procedure*, further details of which can be found on the Intranet within the Human Resources Policy Handbook.

Safety Representatives appointed by the recognised trade unions have an important role in consulting and communicating with staff on health, safety and welfare related issues. Therefore it is to be accepted by Directors, Assistant Directors, Service Managers and Team Leaders that the Council will provide safety representatives, with reasonable facilities, assistance, attendance at TUC, union specific training and any other council delivered training appropriate for the purpose of carrying out their functions as defined by the Safety Representatives and Safety Committees Regulations 1977. Functions of the safety representatives include:-

- a. the investigation of potential hazards, dangerous occurrences and causes of accidents at the workplace
- b. The investigation of employee complaints relating to that employee's health, safety or welfare at work.
- c. Making representations to the management on matters arising out of (a) and (b) above.
- d. Making representations to the employer on general matters affecting the health, safety or welfare at work of the employees at the workplace.
- e. carrying out inspections

None of the functions undertaken by Safety Representatives are imposed upon them by the Council, however, reasonable time off without loss of earnings will be given whilst undertaking health and safety functions.

#### **3.3.1 Co-operation with Regulatory Authorities**

Any contact, including correspondence from any regulatory authority, in particular, the Health and Safety Executive (HSE), the Fire Authority and the Environment Agency must be notified to



Corporate Health and Safety by the quickest possible means. Corporate Health and Safety will provide those services with appropriate support and advice.

### 3.4 Training, Instruction and Supervision

All employees regardless of position, length of service or role will be provided with appropriate health and safety training. Training needs will be determined by a number of mechanisms, including, assessment of the individuals job role and activities expected to be undertaken, risk assessment controls, appraisals, or in some circumstances as part of professional or self-improvement.

It is recognised that the funding of essential health and safety training will be prioritised against the corporate training budget.

Employees must co-operate, by ensuring that all health and safety training and instruction as is deemed necessary is completed.

***A copy of the Training and Development Policy can be found on the intranet within the Human Resources Policy handbook. Further advice can be obtained by contacting HR or corporate Health and Safety compliance officer.***

### 3.5 Risk Assessment

Risk assessment is the foundation in building an effective health and safety management system and its purpose is to make sure that appropriate workplace precautions are implemented and kept in place to safeguard employees, elected members and the public alike.

The responsibility for ensuring that suitable and sufficient risk assessments are carried out, recorded and that staff are aware of and comply with health and safety requirements is set out within the Tree of Responsibility in Appendix 1.

- (a) The responsibility for ensuring the implementation of the control or precautionary measures is set out within the Tree of Responsibility in Appendix 1.
- (b) Risk assessments will be carried out by trained Risk Assessors. The views of employees and their safety representatives should be considered as part of the process in identifying hazards, evaluating risks and deciding upon the appropriate control or precautionary measures to eliminate or minimise risks.
- (c) The authorisation of risk assessments will be carried out only by those who have been trained, as the process of authorising a risk assessment requires the evaluation that the control or precautionary measures defined within the risk assessment are reasonable and effective in either eliminating or minimising risk.
- (d) Corporate Health & Safety will provide framework risk assessments where it is appropriate to do so. Generally it will be those that apply to a group of workers as a whole over several locations i.e. lone working, such framework risk assessments must be adapted to be service specific.
- (e) Risk assessments will be recorded and held on a central database.

The Management of Health & Safety at Work Regulations 1999 sets out the general requirement for risk assessments to be carried out, recorded and control measures implemented, however there are a number of specific regulations that require risk assessments to be undertaken and the Council, as an employer must have regard to:-

### **3.5.1 Working at Height**

**Falls from height are the largest cause of fatality and serious injury in the construction industry, accounting for around 50% of all construction fatalities including low level falls and falls through fragile material. They also account for a significant proportion of fatalities and injuries within other sectors.**

**The CoLC therefore requires that full precautions are put in place to prevent falls, or where this is not possible, that measures are put into place to minimise the risk of injury from a fall. This applies to all staff and contractors who carry out WAH.**

**What is work at height?**

**The Work at Height Regulations 2005 define work at height as all tasks or activities where a person or materials could fall any distance liable to cause injury, including falls into excavations etc. from ground level or below. It also includes falls from ladders, steps and hop ups, which are widely used within many of the council's workplaces.**

**Suitable and sufficient risk assessments of all work at height must be carried out before any WAH takes place to ensure that all control measures to prevent the risk from falls are in place.**

**Duties of managers/team leaders**

**All managers/team leaders must:**

- **Carry out detailed, suitable and sufficient, task specific risk assessments on all work at height, before it is undertaken.**
- **Ensure that adequate arrangements are in place for the provision and safe use of suitable and sufficient equipment for work at height.**
- **Provide equipment for work at height that is suitable for the task and is sufficient to enable the task to be completed safely, as far as reasonably practicable.**
- **Ensure employees are adequately trained to enable safe selection and use of the Appropriate equipment.**
- **Ensure adequate hazard management is carried out to ensure the correct access Equipment is selected and used and hazards are adequately controlled.**
- **Where work at height is deemed to be high risk, ensure that a documented safe system of work (SSW) is developed from the RA, detailing the specific control measures to be implemented to eliminate or minimise the risk of falls and include emergency/rescue arrangements.**
- **Ensure that all persons undertaking WAH are competent and receive a recorded task briefing /toolbox talk on the agreed SSW before work is allowed to commence.**
- **Ensure that all WAH is supervised, regularly monitored and reviewed by competent persons.**
- **Ensure that where contractors are engaged to carry out WAH, they are on the CoLC Control of Contractors Register and that they have submitted suitable and sufficient risk assessments and method statements.**

**The hierarchy of measures and options which MUST be implemented when planning WAH are as follows:**

- **Avoid working at height completely.**
- **Prevent falls using a safe place to carry out work.**

- **Prevent falls using collective equipment.**
- **Use personal protective equipment (PPE): Fall restraint.**
- **Minimise the distance the worker could fall.**
- **Minimise the impact of a fall.**
- **Use PPE: Fall arrest.**

**Where specialist access equipment is to be used, such as a mobile elevated working platform (MEWP) suitable and sufficient risk assessments and method statements along with specialist training must be in place before work is carried out.**

### **3.5.2 Control of Exposure to Vibration**

**CoLC will ensure that systems and procedures are implemented to effectively manage employee exposure to vibration.**

**The Council also operates a corporate procedure for the selection, evaluation and monitoring of contractors which is used to ensure that all significant health and safety risks to the employees of contractors and sub-contractors, such as exposure to hand arm vibration are effectively managed.**

**The council will ensure that:**

- **Employee exposure to hand arm vibration is reduced to a minimum and kept below the Exposure Limit Value (ELV) (5.0m/s<sup>2</sup> A (8)).**
- **Employee exposure to hand arm vibration is reduced to a minimum and so far as is reasonably practicable, kept below the Exposure Action Value (EAV) (2.5m/s<sup>2</sup> A (8)).**
- **Information and training is provided to all affected employees.**
- **Exposure levels are assessed.**
- **A programme of measures to reduce exposure and provide appropriate health surveillance when exposure reaches the exposure action value (2.5m/s<sup>2</sup> A (8)) is implemented.**

**Employees who are exposed to vibration will receive adequate information, instruction and training through briefing sessions and HSE guidance to enable them to fully understand the risks from exposure and the measures required to prevent unsafe levels of exposure.**

**The council will implement safe systems of work which ensure that all employees are not put at unnecessary risk. These safe systems of work will be documented and effectively communicated to all relevant employees.**

### **3.5.3 Control of Noise**

**CoLC recognises and accepts that it is responsible for the health, safety and welfare of its employees when at work.**

**Some employees may have to carry out work which exposes them to noise. The council therefore has a duty to ensure that employee exposure to noise is eliminated, or where this is not possible, the noise levels are assessed and that measures are implemented to control exposure and lower it as far as possible.**

**Exposure to noise can cause distraction, increase the likelihood of accidents through hindering effective communication, make warnings harder to hear and can cause Tinnitus and noise induced hearing loss.**

***CoLC will ensure that systems and procedures are implemented to effectively manage employee exposure to noise and to ensure compliance with the Control of Noise at Work Regulations 2005.***

***We will assess and identify measures to eliminate or reduce risks from exposure to noise so that we protect the hearing of our employees.***

***The Council also operates a corporate procedure for the selection, evaluation and monitoring of contractors which is used to ensure that all significant health and safety risks to the employees of contractors and sub-contractors, such as exposure to noise, are effectively managed.***

***CoLC will ensure that:***

- ***Employee exposure to noise is eliminated wherever possible or if this is not possible, reduce the risks from exposure to noise.***
- ***Provide employees with hearing protection if we cannot reduce the noise exposure enough by using other methods;***
- ***Make sure the legal limits on noise exposure are not exceeded.***
- ***Information and training is provided to all affected employees.***
- ***Exposure levels are assessed.***
- ***We provide appropriate health surveillance (hearing checks) for all our employees who are likely to be regularly exposed above the upper exposure action values, or are at risk for any reason, e.g. they already suffer from hearing loss or are particularly sensitive to damage.***

***The council will implement safe systems of work which ensure that all employees are not put at unnecessary risk. These safe systems of work will be documented and effectively communicated to all relevant employees.***

#### **3.5.4 Manual Handling**

All manual handling tasks with a significant risk of injury will be suitably risk assessed, and control measures implemented where required and practicable, in accordance with the Manual Handling Operations Regulations 1992.

#### **3.5.5 Hazardous Substances**

All substances hazardous to health used within the workplace will be suitably assessed in accordance with the requirements of the Control of Substances Hazardous to Health Regulations 2002. Where possible, hazardous materials will be substituted by non-hazardous or less hazardous substances.

Material Safety Data Sheets will be requested by management from manufacturers or suppliers of substances, and all relevant details will be made available for users of the substance, prior to use.

#### **3.5.6 Control of Legionella**

The Council will ensure, so far as is reasonably practicable, that no occupant of, or visitor to a council controlled premises could be exposed to a risk arising from Legionella bacteria.

The Council recognizes and accepts its legislative obligations, including the Health and Safety at Work etc. Act 1974, the Control of Substances Hazardous to Health Regulations 2002 and the HSE Approved Code of Practice and guidance - The Control of Legionella Bacteria in Water

Systems 2013 (L8), HSG 274 part 2 control of legionella bacteria in hot and cold water systems, and part 3 control of legionella bacteria in other risk systems.

In particular, the Council will:-

- Appoint a competent contractor to advise and assist in assessing and managing risk from water systems in council controlled premises. All relevant water systems will have a suitable and sufficient risk assessment and a written scheme for preventing or controlling the risk from legionella bacteria.
- Provide responsible officers and other relevant staff with adequate information, instruction and training in order that they may manage and implement the above scheme and undertake and record local water hygiene tasks and checks as required.
- Ensure that contractors delivering services within a non-domestic building on the Council's behalf, such as leisure centres, have effective water hygiene management arrangements and are meeting the requirements of the above Code of Practice and guidance L8.

### **3.5.7 Display Screen Equipment**

All display screen equipment and 'users' as defined within the Health and Safety (Display Screen Equipment) Regulations 1992 will be assessed.

### **3.5.8 Pregnant workers**

1999 requires the protection of new or expectant mothers.

Procedures are in place to protect new and expectant mothers from possible ill health effects at work. The Council is committed to ensuring a safe environment for all new and expectant mothers throughout employment and will ensure appropriate arrangements are in place regardless of the type of work carried out by the individual.

All expectant mothers should inform their line manager, Human Resources and Corporate Health & Safety as soon as they are aware they are pregnant to ensure protective measures, if necessary can be taken to ensure the safety, health and welfare of the individual and their unborn child.

### **3.5.9 Young Persons**

Regulation 19 of Management of Health and Safety at Work Regulations 1999 requires the protection of young persons.

The Council will not employ any person paid or not in work situations unless a risk assessment has been carried out. Further advice can be obtained by contacting a member of Human Resources or the Corporate Health and Safety.

Regulation 16 of Management of Health and Safety at Work Regulations

### **3.6 Personal Protective Equipment**

Some tasks will require the wearing or use of RPE/PPE including hand, foot or eye protection, protective clothing or respiratory equipment. All tasks will be thoroughly assessed and RPE/PPE will be used as a 'last resort' when controlling or reducing risks.

Employees who are required to wear PPE will receive this free of charge. RPE/PPE will be replaced immediately, if it has become damaged, lost or no longer provides the protection intended. Appropriate training, information and instruction in its limitation, use and care will be provided with health monitoring as necessary. Further information can be obtained by contacting the Corporate Health and Safety.

### **3.7 Incident Reporting**

The incident reporting system covers all employees employed by the City of Lincoln Council, Council Members, and members of the public, visitors, and contractors whilst they are within the property of the Council or grounds owned by the Council, or those which are under the Council's managerial responsibility.

An Incident Form must be completed through the online incident reporting system in respect of all incidents (accidents, near misses, unacceptable behaviour, damage and occupational diseases). Managers are responsible for investigation, analysis and corrective action. Managers should also ensure staff are given appropriate feedback.

Incident report forms can be found on the front page of City People (under report an incident) employees who do not have access to the intranet must report an incident to their team leader or service manager.

Corporate Health and Safety will assess all internally reported incidents and will be the 'responsible person' for notifying all reportable events as defined by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 to the Health & Safety Executive's Incident Contact Centre.

Incidents, relative to each Directorate, will be discussed at Directorate Management Team (DMT) meetings.

### **3.8 Property Management**

The Council recognises the importance in maintaining property standards and safety and has processes in place to ensure that repair and maintenance is assessed and carried out and that fire, electrical, gas and legionella safety is managed.

The responsibility for ensuring that property standards and safety are maintained within operational properties and land (excluding Council Housing) are set out within the Tree of Responsibility in Appendix 1 and within the Responsible Officer Guidance Notes, a copy of which can be found on Authority Wide – Corporate Buildings R & M and within the site specific matrix detailed on the Council's dedicated property management software P2 system. Further information can also be obtained by contacting Corporate Property Services.

### **3.9 First Aid**

The Council will ensure that there are sufficient number of trained first aiders, appointed persons, suitable equipment and facilities to enable adequate first aid to be carried out across the Council's workplaces.

### **3.10 Employees Health**

The Council takes its responsibility for the health and wellbeing of its workforce seriously and will deal with health issues under the Management of Sickness Policy, Capability policy and Redeployment policy.

The Council reserves the right to refer employees to an Occupational Health provider, where there is a belief that the employee may not be fit to undertake their duties. If having been referred, a medical report confirms that a medical condition may pose a potential risk to the employee or others in the workplace, the Council reserves the right to suspend an employee on full pay, in line with the Management of Sickness policy, in order to identify a collaborative way forward.

The Council will refer employees with a disability to an occupational health provider to ensure that we are meeting our obligations under the Equality Act 2010 to provide reasonable adjustments in the workplace.

## **4.0 Monitoring and Review of the General Policy Statement**

### **4.1 Monitoring of the Policy**

The monitoring of this Policy will be carried out by Corporate Health & Safety, actively through health and safety auditing and reactively by the investigation of incidents and collation of accident, near miss, violent incident and ill health statistics produced and reported on a regular basis. It is anticipated that appointed Trade Union Health & Safety Representatives will also assist by the carrying out of inspections of the workplace.

### **4.2 Review**

This safety policy will be reviewed every **four** years, and when agreed, added to or modified as necessary within that period.