

Medway NHS Foundation Trust Corporate Policy: Health and Safety

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Revision No	Reason for change
2	Review
3	Review and include reference to part time, flexi bank and volunteer staff as required by the Health Care Commission.
4	Review, minor amendments only.
4.1	Occupational Health Service roles and responsibilities added.
4.2	Review of objectives. Amendments to organisational chart. Revision of Equality Impact Assessment.
4.3	Review subject to HSE inspection March 2012. Addition of risk assessment policy link, H&S Committee T.O.R and change in Executive Leadership.
5	Review and update
6	Review and update into new format
7	Corporate policy drafted for Board approval.
8	Annual Review 2017
9	Review to consider changes to organisational structure

Consultation

Health & Safety Strategic Committee

The Executive Group

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To be read in conjunction with any policies listed in Trust Associated Documents.

Introduction / Statement of Intent

- 1.1 It is the policy of Medway NHS Foundation Trust to comply with the Health and Safety at Work Act 1974 and other relevant legislation as appropriate in order to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees (while they are at work), patients and any other person who may be affected by its undertaking.
- 1.2 The responsibilities set out in this Policy and associated documents are intended to ensure that work will be carried out safely, consistent with good practice and in accordance with all relevant statutory provisions. It is the Trust policy to ensure that adequate resources will be made available to ensure that this objective is met.
- 1.3 The Health and Safety at Work Act 1974 (HASAWA 1974) requires all employers and employees to comply with the regulations as set out in the legislation. Furthermore, the HASAWA 1974 imposes a legal duty on each and every employee to take reasonable care for their own safety and that of others through their own acts and omissions. All employees shall co-operate with their employer and in doing so maintain safe systems of work and safe people.

Purpose / Aim and Objective

- 2.1 To set out the organisational framework to outline how the Trust achieves compliance with the HASAWA 1974 and associated regulations as required by law.
- 2.2 To ensure all Trust employees are aware of their individual role and responsibilities for health and safety within the organisation.
- 2.3 To ensure robust systems are in place to report and investigate health and safety incidents in order to identify lessons learnt to be embedded in policy to support continuous improvement.

Definitions

HASAWA – Health & Safety at Work Act 1974, provides a comprehensive and integrated system for dealing with workplace health and safety; to include the protection of employees, the public, patients and relevant persons, within the workplace. This is achieved by placing duties on employers and employees.

Trust employee's - Includes all permanent, part time, flexi bank, volunteer staff and apprentices.

The Health and Safety Executive – HSE, is the government agency with responsibility for enforcing the law. Failure to comply with the requirements of the HASAWA 1974 and

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associated legislation can result in prosecution, fines and even imprisonment for certain offences.

(Duties) Roles & Responsibilities

3.1 **The Trust**, as the employing authority, is responsible for ensuring so far as is reasonably practicable, the health, safety and welfare of its staff, and for conducting the business of the Trust so as not to endanger the health and safety of others.

3.2 **Trust Board**, is responsible for:
Approving the Trust's Corporate Policy for Health and Safety.

Understanding the statutory framework and assuring itself on the adequacy of the Trust arrangements for meeting requirements.

Leading and upholding a positive health and safety culture within the Trust by:

- Allocating appropriate resources to improve health and safety within the organisation, e.g. appropriate financial resources, health and safety advice, occupational health provision, fire safety and moving and handling advice.
- Adopting best practice in health and safety management in line with standards set by external bodies such as NHS Litigation Authority, Care Quality Commission and the HSE.
- Regularly reviewing the Trust's performance against health and safety standards.
- Ensuring that learning from health and safety incidents is disseminated and systematically embedded across the Trust.
- Reviewing risks and making corporate decisions on those risks which the Board are prepared to accept based on the principles of absolute requirements, practicable to achieve and reasonably practicable.

3.3 **Chief Executive** is the officer ultimately responsible within the Trust for health and safety. This includes the responsibility of ensuring that there is a health and safety framework which achieves the following:

- Provision and maintenance of plant, premises and systems of work so that they are safe and without unmanaged risk to health;
- Ensuring that whatever articles and substances are being used, handled, or stored there is minimum risk to safety and health to the individual;
- Maintaining all places of work in a safe condition and ensuring safe means of access and egress at all times;
- Provision and maintenance of a safe working environment with suitable and sufficient facilities and arrangements for the welfare of the Trust's employees;

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- Ensuring that a written policy on health and safety is prepared and implemented within the Trust and to ensure that this information is available to all employees;
- Acknowledging the function and role of, and to co-operate with, safety representatives, and to provide the means for the establishment of a Health and Safety Group.
- The provision of suitable and sufficient information, instruction, supervision and training to enable all employees to carry out their duties as required in respect of health and safety.

3.4 **All Executive Directors, Directors of Clinical Operations, Clinical Directors** have responsibility for:

- Ensuring all staff members are aware of the Trust Board's expectations for carrying out their health and safety responsibilities.
- Oversight of the management of the risk assessment process within their areas of responsibility to ensure that a systematic approach is made to identify and control risks to an acceptable level.
- Ensuring appropriate monitoring systems are in place to determine the effectiveness of risk reduction actions.

3.5 **Executive Director of Estates & Facilities** is the Director with the lead responsibility for health and safety within the Trust. They will regularly report to the Board on relevant matters and will:

- Define resource requirements to enable the implementation of agreed safety plans and objectives
- Ensure integration of health and safety plans into strategic business planning processes
- Inform the Chief Executive of significant risks in relation to health and safety
- Is the designated Chairperson of the Health and Safety Strategic Committee with responsibility for monitoring the effectiveness of the Committee, ensuring that it meets its agreed terms of reference.
- Has responsibility for ensuring that the Trust has an appropriate health and safety infrastructure and framework in place.
- Has responsibility for ensuring the appropriate provision of health and safety training.
- Advises the Trust Board on health and safety matters.

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- 3.6 **A Non-Executive Director** is nominated by the Trust Chair to champion matters relating to Fire, Health and Safety at Board Level and to provide both support and challenge to the Executive Director in discharging his/her responsibilities specific to Health and Safety.
- 3.7 **The Health and Safety Strategic Committee** - is established on the authority of the Executive Group to assist the Trust Board in fulfilling its responsibilities in relation to the Health and Safety at Work. It will fulfil its purpose by having responsibility for:
- Oversight of the systems and controls governing fire, health and safety, reviewing key performance indicators to assess their adequacy and identifying where improvements need to be made.
- 3.8 **The Health & Safety Operational Group** - is established on the authority of the Health and Safety Strategic Committee, and is required to:
- To establish and maintain standards of health and safety and welfare in keeping with legal requirement and in accordance with Trust policy.
 - To provide the Trust with an overarching view of health and safety and to provide assurance that non-clinical risks are effectively managed on behalf of the Trust.
- 3.9 **The Head of Health, Safety and Compliance**, is accountable to the Executive Director of Estates & Facilities, and is:
- The designated and appointed source of competent advice and assistance in the management of health and safety throughout the Trust with responsibility for advising the Trust, on compliance with health and safety legislation, assisting in the formulation, development and planning of targets, standards and priorities for health and safety.
 - Responsible for investigating incidents and recommending suitable remedial actions to prevent recurrences.
 - Responsible for monitoring procedures for the reporting, investigating, recording and analysing of health and safety information and to provide feedback on managers' submissions to aid continuous improvement and learning.
 - Responsible for undertaking compliance audits to identify where improvements need to be made.
 - Identifies risk trends from incident reporting and disseminates the learning across the Trust.
 - Acts as point of contact for liaising with outside bodies, where appropriate, inclusive of statutory notification of Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR).

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- Responsible for the provision of health and safety training, for inductions, refresher training, keyworker training and management training.
- Responsible for the formulation and development of policies and procedures relating to Health & Safety.

3.10 **Director of Human Resources (HR)**, is responsible for the provision of Occupational Health Services including health assessment, personal and environmental monitoring and health surveillance where required. He/she shall also ensure individuals' health and safety responsibilities, both statutory and job specific are contained in their written job description which is reviewed and amended as required.

3.11 **Occupational Health (OH) Service** is intended to address the impact of work on health, and health on work, with responsibility for promoting the highest degree of physical and psychological health of all employees through:

Prevention measures:

- The prevention of ill health caused or exacerbated by work, thereby reducing absenteeism in the workplace.
- Preventing staff from posing an infection risk to others including vulnerable patients by appropriate screening and immunisation programmes.
- Preventing work-related ill health among groups of employees who may be exposed to certain health risk by assessment and health surveillance programmes.

Timely Intervention measures

- Easy and early treatment of the main causes of sickness absence including access to counselling services and physiotherapy services as appropriate.

Rehabilitation intervention

- Early intervention by Occupational health to help staff stay at work or return to work after illness or injury.

Health assessments for work

- Supporting managers with issues such as attendance at work, retirement on the grounds of ill health and other related matters by offering reliable evidence based advice.

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Promotion of health and wellbeing

- Improving health and wellbeing of staff by offering staff practical help and advice on improving lifestyle and overall health and wellbeing.

Teaching and training

- Promoting the health and wellbeing approach amongst staff and managers.
- Educating staff on the reduction of inoculation incidents.
- Educating staff and managers on issues such as work related stress.

3.12 **Programme Managers** are responsible for the overall management of health and safety within their departments and services. They shall also:

- Ensure individuals' health and safety responsibilities, both statutory and job specific, are contained in written job descriptions which are reviewed and amended as required
- Are responsible for adherence to policy in line with the Trust's health and safety objectives to ensure compliance in all workplaces under their control.
- Are responsible for monitoring and assessing the accountability of line management in their health and safety roles.
- Are responsible for ensuring that all staff receives health and safety training appropriate to their responsibilities.
- Are responsible for ensuring that risk assessments are carried out routinely including prior to the introduction of new, or changes in established, procedures, practices, equipment, machinery or substances.
- Are responsible for ensuring that recommendations for remedial action are actioned as soon as is practicable.
- Are responsible for implementing any health and safety recommendations.

3.13 **Site Practitioners**

- Site Practitioners are responsible for managing health and safety incidents which occur outside of office hours and reporting them back directly to the responsible General Manager for investigation and corrective action.

3.14 **Department/Ward Managers** are responsible for the implementation of health and safety as an integral part of the service they manage. In addition they:

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- Are responsible for ensuring employees can demonstrate their understanding of all safety information provided, taking into account any employees where English is not their first language, employees with visual or hearing impairments or employees with learning difficulties.
- Are responsible for the day to day implementation of Trust policy and are empowered to take all reasonable measures to ensure that all workplaces and work practices within their areas of responsibility are safe and healthy and meet legal requirements. This also extends to the undertaking of formal, written risk assessments and their ongoing maintenance.
- Ensure risk assessments are reviewed regularly and follow the process laid out within the Risk Assessment Procedure - SOP0186.
- Implement any necessary controls and arrangements from the risk assessment to ensure the risks are eliminated or reduced to acceptable levels.
- Are responsible for maintaining a departmental Health and Safety Folder COSHH Folder and Moving and Handling Folder, which are reviewed quarterly.
- Are responsible for production and maintenance of safe systems of work and procedures for all activities within their department
- Are responsible for ensuring that all staff receives adequate information, instruction, training and supervision in relation to health and safety and the maintenance of an up to date record of all training within each department. Such information must be accessible and readily available for inspection.
- Are responsible for ensuring that staff are released from their normal duties to attend all mandatory health and safety training courses.
- Are responsible for ensuring that the Manufacturers Safety Data Sheet (MSDS) are obtained, and suitable and sufficient assessments are carried out of all hazardous substances within the department in accordance with the Control of Substances Hazardous to Health Regulations 2002.
- Are responsible for ensuring that all incidents and accidents are reported in a timely manner using Datix, and investigated.
- Are responsible for identifying Health and Safety Keyworkers to help them fulfil their responsibilities and for allocating them time within working hours for them to be able to meet their responsibilities.
- Are responsible for identifying an appointed First Aider.

3.15 **Health and Safety Keyworkers** are appointed by ward/departmental managers to assist them in undertaking mandatory risk assessments. In addition, they:

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- Will be trained by the Safety department to undertake their departmental Health and safety risk assessments on behalf of their Line Manager. The Line manager will manage any findings and control measures of these assessments as a requirement under legislation.
- Will assist their manager to close actions on workplace H&S audits.
- Will assist their manager in the completion of the quarterly workplace inspection.
- Will be able to give “Low risk” health and safety advice to managers and staff.
- Maintain the health and safety folder.

3.16 Trust Employees

- All Trust employees, including part time, flexi bank and volunteer staff shall comply with any information, instruction, procedure or policy provided by the Trust (either directly or via the management structure) in pursuance of its statutory responsibilities including participation in relevant training programmes.
- Must take reasonable care for their own health and safety and that of other employees, patients, visitors and non-employees who may be affected by their acts or omissions.
- Must co-operate fully with their managers, supervisors and other staff to ensure that Trust policies and guidelines are implemented and adhered to;
- Must comply with safe systems of work and recognised procedures where these are in place;
- Must not interfere with, misuse or intentionally disregard any equipment, article, or notice provided by the Trust in the interest of health and safety.
- Must bring to the attention of their managers any shortcomings they are aware of in respect of health and safety policies, procedures, guidelines, training and supervision.
- Must bring to the attention of their managers any shortcomings they are aware of in respect of the health and safety of the workplace and work practices.
- Must participate fully in training programmes ensuring that mandatory training requirements are fulfilled.

3.17 Contactors and Other Specialist Advisers inclusive of Principal Designers

- Contractors or Agency Staff working at premises under the control of the Trust shall comply with the same health and safety responsibilities as an employee of the Trust. Contractors shall provide any health and safety information to the Trust pertinent to the works being carried out.

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- Other specialist advisers are responsible for providing advice, assistance and support to facilitate the effective assessment and control of risk.
- The Principal Designer is responsible for ensuring that Sub-contractors provide suitable pre contract risk assessments and method statements pertaining to the works to be carried out.

Monitoring and Review

4.1 This policy will be monitored and reviewed by the Head of Health & Safety & Compliance to take into account new legislation and working practices. Any changes will be taken through the Health & Safety Strategic Committee for review before dissemination to staff.

What will be monitored	How/Method/Frequency	Lead	Reporting to	Deficiencies/ gaps Recommendations and actions
Policy review	First review in one year and then every three years	Author	Health & Safety Strategic Committee	Where gaps are recognised action plans will be put into place
Application of policy	Annual Audit	Health & Safety Team	Health & Safety Operational Group	Corrective action with Managers/individuals
Training Records	Monthly Via ESR	Managers	Health & Safety Team	Where training has been identified by Trust managers, actions plans will be put into place with timescale for completion.
Risk Registers	Reviewed in the Directorate Governance Meetings monthly	Directorate Governance teams	Health & Safety Team	Where risks are recognised actions plans will be put into place.
Risk Assessments	Two yearly review, unless there is a change in	Ward/Departmental Manager	Health and Safety Team	Any gaps/deficiencies will be reviewed and necessary action taken to resolve

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What will be monitored	How/Method/Frequency	Lead	Reporting to	Deficiencies/ gaps Recommendations and actions
	working practice and/or working procedures or as a result of an incident			these

Training and Implementation

- 5.1 Trust mandatory training requirements are regularly updated and disseminated to staff.
- 5.2 Provide adequate training for those undertaking risk assessments, developing action plans from assessments or otherwise involved in the risk assessment process.
- 5.3 Risk assessment training will be made available to both Managers and Health and Safety Keyworkers throughout the year. Training can be booked via ESR. A record of such training will be maintained.

References

TRUST DOCUMENTS
Display Screen Equipment Policy
First Aid Policy
Lone Worker Policy
Window Management Policy
Risk Assessment Procedure
Reporting of Injuries Diseases and Dangerous Occurrences - RIDDOR
Slips Trips and Falls Procedure (Staff)
Lone Worker - Risk Assessment Procedure
Control of Substances Hazardous to Health -COSHH- Policy
Control of Substances Hazardous to Health -COSHH- Procedure
Health and Safety Strategy
Display Screen Equipment -DSE - Risk Assessment Form
Workplace Inspection Checklist
COSHH Assessment Flowchart
ACTS OF PARLIAMENT
The Health and Safety at Work etc. Act 1974
The Regulatory Reform (Fire Safety) Order 2005
The Corporate Manslaughter Act 2008
REGULATIONS

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The Management of Health and Safety at Work Regulations 1999
The Control of Substances Hazardous to Health Regulations 2002 (C.O.S.H.H.)
The Health and Safety (Display Screen Equipment) Regulations 1992 (D.S.E.)
The Manual Handling Operations Regulations 1992 as amended 2002
The Workplace (Health, Safety and Welfare) Regulations 1992
The Personal Protective Equipment at Work Regulations 1992 (P.P.E.)
The Provision and Use of Work Equipment Regulations 1998 (P.U.W.E.R.)
The Lifting Operations and Lifting Equipment Regulations 1998 (L.O.L.E.R.)
The Health and Safety (First Aid) Regulations 1981
The Confined Spaces Regulations 1997
The Construction (Design and Management) Regulations 2015 (C.D.M.)
The Classification, Labelling and Packaging Regulation 2008 (CLP)
The Control of Asbestos at Work Regulations 2012
The Health and Safety (Safety Signs and Signals) Regulations 1996
The Ionising Radiations Regulations 1999
The Control of Noise at Work Regulations 2005
The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
The Working at Height Regulations 2005

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