

Document level: Trustwide (TW)
Code: GR2
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Health and safety arrangements and responsibilities

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Authors details	Senior Health and Safety Advisor, Estates Department

Type of document	Policy
Target audience	All CWP staff
Document purpose	The policy outlines the Health and Safety arrangements within the Trust and describes the responsibilities of CWP and its employees

Approving meeting	Health and Safety Sub Committee	Date 15-Feb-19
Implementation date	March 2019	

CWP documents to be read in conjunction with	
HR6	Essentials Mandatory Employee Learning (MEL) policy
GR1	Incident reporting and management policy
GR3	Risk management policy
GR33	Lone working policy

Document change history	
What is different?	Review of section 2.8 and Appendix 1 added
Appendices / electronic forms	Appendix 1 has been added, this document has been in use since 2006 but has not been included in the policy
What is the impact of change?	No

Training requirements	No - Training requirements for this policy are in accordance with the CWP Training Needs Analysis (TNA) with Education CWP.
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Document consultation	
Clinical Services	Members of the Health and Safety Subcommittee
Corporate services	Members of the Health and Safety Subcommittee
External agencies	N/A

Financial resource implications	None
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External references	
<ol style="list-style-type: none"> 1. Health and Safety at Work etc Act 1974 (HASAW) 2. Medicines and Healthcare Products Regulatory Agency Central Alerting System (CAS) 3. Department of Health Firecode Policy & Principles 4. Safety Representatives and Safety Committees Regulations 1977 5. Health and Safety (Consultation with Employees) Regulations 1996) 6. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) 	

Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Comments
Does this document affect one group less or more favourably than another on the basis of:		
- Race	No	
- Ethnic origins (including gypsies and travellers)	No	
- Nationality	No	
- Gender	No	
- Culture	No	
- Religion or belief	No	
- Sexual orientation including lesbian, gay and bisexual people	No	
- Age	No	
- Disability - learning disabilities, physical disability, sensory impairment and mental health problems	No	
Is there any evidence that some groups are affected differently?	No	
If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable? Select		
Is the impact of the document likely to be negative?	No	
- If so can the impact be avoided?	N/A	
- What alternatives are there to achieving the document without the impact?	N/A	
- Can we reduce the impact by taking different action?	N/A	
Where an adverse or negative impact on equality group(s) has been identified during the initial screening process a full EIA assessment should be conducted.		
If you have identified a potential discriminatory impact of this procedural document, please refer it to the human resource department together with any suggestions as to the action required to avoid / reduce this impact. For advice in respect of answering the above questions, please contact the human resource department.		
Was a full impact assessment required?	No	
What is the level of impact?	Low	

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1. Introduction

Cheshire and Wirral Partnership NHS Foundation Trust (CWP) is fully committed to developing, maintaining and promoting the highest standards of health and safety practice. CWP also acknowledges its obligations to comply with the statutory responsibilities laid down in the Health and Safety at Work etc Act 1974 (HASAW) and other subsequent legislation relevant to the activities of our Trust and its employees.

It is the duty of the Trust to ensure so far as is reasonably practicable, the health, safety and welfare at work of all employees and the safety of service users, contractors and members of the public.

2. Duties and responsibilities

2.1 Chief Executive

The Chief Executive has overall responsibility for ensuring the effective management of health and safety. The arrangements outlined within this policy enable the chief executive to ensure effective implementation, via delegated duties, within the CWP governance and management structures. The Chief Executive has responsibility to sign the Health and Safety Statement of Intent- [Appendix 1](#)

The arrangements that enable her to delegate these responsibilities are set out in this document.

2.2 Director of Nursing, Therapies and Patient Partnership

The Director of Nursing, Therapies and Patient Partnership has Board level responsibility for health and safety and acts on behalf of the Chief Executive and has the following delegated responsibilities:

- The development and monitoring of relevant policies and systems;
- Setting health and safety objectives based on legislation and current standards;
- Ensuring that appropriate competent advice is available on health and safety matters;
- Promoting the importance of health, safety and wellbeing;
- Management and organisation of the Health and Safety Sub Committee (HSSC), via chairs responsibilities.

2.3 Line Managers

Line Managers have responsibility for the following:

- Contributing towards the development of, implementing and monitoring, health and safety policies and procedures for their own departments;
- Maintaining a safe environment for employees, contractors, service users and visitors including members of the public;
- Ensuring that staff receive effective training in health and safety matters including:
 - Corporate and local induction training;
 - Fire safety training;
 - Training specific to their job including training in use of equipment;
 - All Mandatory Employee Learning (MEL).
- Undertaking risk assessments using [risk management policy](#);
- Consideration for assessment for lone workers as per the [lone working policy](#);
- Ensuring all appropriate risk assessments are carried out and outcomes are communicated to staff, ensuring that preventative and or protective measures are put in place to mitigate and control the risks;
- Ensure risks are reported through the appropriate management and governance structures to initiate timely, remedial action;
- Investigating accidents, incidents and hazards where necessary with the Safety Representative and Health and Safety Advisor. Taking appropriate action as detailed in the [incident reporting and management policy](#);
- Monitoring the performance of staff against health and safety requirements, taking action as necessary to maintain high standards;
- Co-operating with safety representatives enabling them to carry out appropriate assessments;

- Liaising with the appropriate managers from the outset to completion on all alterations / refurbishments and new building projects;
- Establishing priorities according to risk and include these within the business plans, assurance frameworks and risk registers;
- Taking appropriate action on findings from health and safety assessments.

2.4 Employees

Employees are responsible for taking appropriate care of their own safety and the safety of others. This includes:

- Using any safety equipment and Personal Protective Equipment (PPE) provided;
- Refraining from interfering with, misusing or removing any item provided for health and safety compliance;
- Awareness and understanding of the CWP health and safety policies (governance and risk management), rules, guidance and codes of practice, and departmental safe systems of work including lone working situations as per the [lone working policy](#);
- Reporting health and safety problems, hazards, incidents and accidents via [incident reporting and management policy](#);
- Co-operating with managers and safety representatives on health and safety issues.
- Undertaking training as required.

2.5 The Associate Director of Operations and the Estates Department

The Estates Department has the following specific responsibility:

- Management of the health and safety function within CWP.

The estates department has responsibility for the following:

- Providing advice on the building and engineering aspects of health and safety issues;
- Suggesting building / engineering solutions to specific health and safety problems;
- Providing cost estimates for the implementation of building / engineering work related to health and safety matters;
- Ensuring that works contractors have appropriate health and safety procedures in place and has an identified person to deal with external contractors;
- Permits to work monitoring and maintenance of records for inspection;
- Liaising with the senior health and safety advisor and appropriate managers from outset to completion on all alterations and new build projects.

2.6 Senior Health and Safety Advisor

The Senior Health and Safety Advisor has the following specific responsibilities:

- Advising all levels of trust management in order to ensure the trust is fulfilling its responsibilities and duties in health and safety matters;
- To provide support and liaise with managers to enable risk assessments and the management of risk to be carried out in accordance with the statutory requirements and trust policy;
- Advising on the implementation of safe systems of work and protective equipment;
- Identifying and investigating potential hazards and assisting with completion of risk assessments;
- Investigating incidents as required;
- Liaising with and reporting to outside bodies including Health and Safety Executive (HSE) and Local Authorities, Department of Health (DH) and the Medicines and Healthcare Products Regulatory Agency (MHRA);
- Liaising with safety representatives for the reporting of health and safety incidents;
- To advise the Education department of training requirements for all staff groups.
- In conjunction with the appropriate line manager liaising with estates department and safety representatives from the outset to completion on all alterations, refurbishments, new building projects and development of new services;

- Reviewing, dissemination and monitoring of actions of all alerts distributed by the Central Alerting System (CAS), record Trust response and be responsible for updating Medicines and Healthcare Products Regulatory Agency CAS secure website and producing update reports for HSSC and The Clinical Practice and Standards Subcommittee (CPSSC) and a monthly report for the Commissioners for monitoring purposes;
- Be responsible for the management of medical devices ensuring compliance with relevant standards. To chair the medical devices group and report progress via the Trusts governance and management structures;
- To ensure that Health and Safety risks are appropriately recorded on the trusts risk register;
- Production of a Health Safety and Fire annual report for approval by the HSSC and for submission to the Board of Directors.

2.7 Fire safety advisor

The executive directors shall appoint a Fire Safety Advisor to oversee the fire precaution work and provide training for all employees. The Trusts Fire Manager is the Head of Estates.

The Fire Safety Adviser will advise the Trust's Fire Manager on technical fire matters and be responsible for monitoring the state of fire precautions within the Trust premises, owned or leased. This will include:

- Advising and assisting in the interpretation and application of Firecode, fire safety legislation and other official guidance relevant to healthcare premises;
- Ensure a fire risk assessment pro-forma has been completed for all departments / premises;
- Assist the Trust Fire Manager in preparing an annual report on the current state of fire safety within the Trust, to be presented to the Trust Board and in the completion of the 'Certificate of Firecode Compliance';
- Liaise with staff in the estates department, local authority building control and the Fire Service. Liaise with the Trust Fire Manager in preparing and participating in annual training programmes;
- Assisting managers / competent person (Fire) in the development of local fire procedures;
- Monitoring the adequate provision, sitting and effective maintenance of all firefighting equipment, alarm systems, fire safety signs, notices etc;
- Keeping accurate records of all fire incidents, investigating fires occurring in suspicious circumstances in conjunction with local fire and police.

2.8 Safety representatives

Safety representatives are appointed by recognised trade unions. The trade union reports the nomination of any safety representative to the Head of Human Resources, together with details of the areas to be covered by the representative. Safety representatives will be given reasonable time off to allow them to fulfil their functions, which include:

- Keeping themselves aware of legal requirements, health and safety policies and procedures, particularly as these apply to the areas they cover. This may include attendance at training courses organised by their Trade Union;
- Attending the HSSC meetings where they are invited and ensuring their contact details are updated with the Administration lead for the meetings, sending apologies if they are unable to attend;
- Requesting items to be included on the agendas;
- Ensuring their line manager is informed of dates and times of meetings;
- Encouraging co-operation between the Trust and its employees;
- Identifying and investigating potential hazards;
- Investigating complaints or incidents related to health and safety issues;
- Raising health and safety issues with managers if requested by employees;
- Undertaking safety assessments in line with agreed guidelines.

2.9 Workforce Wellbeing Department

The Workforce Wellbeing Department has responsibility for the following:

- Monitoring the health of employees and undertaking health screening for prospective employees;
- Developing health promotion initiatives and wellbeing for employees;
- Ensuring that health surveillance is carried out as determined locally in accordance with relevant legislation;
- Liaising with and supporting managers in relation to staff health at work.

2.10 Safe Services Department

The Safe Services Department has responsibility for the following:

- Reviewing, encouraging and developing incident reporting with all staff through training and development of systems to support this;
- Reviewing incident information, including trends, statistical information, provide reports via the governance and management structures. The Learning from Experience (LFE) report is undertaken every trimester and reported to the Quality Committee (QC);
- Providing mandatory training for all grades of staff to raise awareness of risk management and incident reporting;
- Develop and deliver Root Cause Analysis (RCA) training to support investigations throughout the Trust;
- Advising and consulting management as and when required on corporate and locality risk issues, this is overseen by the Head of Corporate Affairs (corporate risk) and the Head of Quality Assurance and Improvement (locality risk).

2.11 Education Department

The Education department in conjunction with the health and safety advisor has responsibility for the following:

- To enable the provision of health and safety training commissioned by the health and safety adviser or otherwise arising from training needs analysis processes;
- To ensure that the reasonable health and safety needs of people attending training programmes organised by Education staff are met (any reasonable adjustments should be considered);
- To ensure that information on health and safety is provided as part of CWP's induction programmes for all new employees.

2.12 Health and Safety Subcommittee (HSSC)

The HSSC membership is made up of managers and trade union representatives and aims to cover all geographical areas of the trust and all staff groups. The senior health and safety advisor, fire safety advisors, manual handling advisor and head of workforce wellbeing act in an advisory capacity.

The HSSC has the following functions:

- Providing a forum for discussion designed to improve the Trust's overall approach to health and safety management;
- Providing advice on development of safety policies, procedures and guidelines and approving such documents for subsequent implementation;
- Providing advice on proposals to improve general health and wellbeing in the workplace;
- Monitoring the implementation of safety assessment work, ensuring corrective action as necessary;
- Receiving and monitoring information in relation to accident / incident rates, including fire and to consider trends and advise on any remedial actions and receive RIDDOR information annually;
- Receiving and considering reports from inspectors, safety representatives and others and determining any necessary action;
- Acting in an advisory capacity with consideration of specific health and safety issues which cannot be addressed through line management;
- Receive CAS reports to monitor outstanding alerts;

- Receive notes / minutes / action plans of local health & safety groups including medical devices group;
- Receive notes / minutes / action plans from any time limited working groups established by HSSC;
- A business cycle detailing strategic objectives and associated performance indicators will be produced which will inform the production an annual report.

Appendix 1

Health and Safety – General Statement of Intent

It is the policy of the Cheshire and Wirral Partnership NHS Foundation Trust to establish, provide and maintain working conditions that are so far as is reasonably practicable, safe, healthy and conform to the appropriate Health and Safety Legislation and associated Regulations. The Trust will provide the necessary information, instruction, training, supervision and resources for employees so their work does not put themselves, their colleagues, service users, clients, contractors, visitors or members of the public, at undue risk.

Employees must comply with the Trusts Health and Safety Policies and Procedures and must not misuse equipment and other resources provided for health and safety purposes. The Trust will consult with appropriate employee representatives when reviewing the policy for Health and Safety Arrangements and Responsibilities (GR2) and associated organisation and arrangements for carrying out its aims successfully. Employees must attend for information, instruction and training as required. All employees have duties under Health and Safety Law to take reasonable care for the health and safety of themselves and others. The contribution from all employees and representatives is viewed as essential in maintaining a safe and healthy work environment.

To fulfil these responsibilities the Trust, so far as reasonably practicable, will ensure that arrangements are in place for the following:

- The identification and effective management of significant risks associated with Trust activities.
- The identification and implementation of safe working practices and safe systems of work.
- The provision of safe plant, equipment and machinery.
- The safe use, handling, storage and transportation of articles and substances.
- The provision of information, training and supervision to enable all employees to perform their duties safely with regard to their own health and safety as well as the safety of others who could be affected by the various activities of the Trust.
- A safe workplace and a safe working environment with adequate welfare facilities.
- The effective monitoring of performance and commitment towards continuous improvement.

The Trust is committed to these health, safety and welfare arrangements which will be brought to the attention of all interested parties and kept under review to ensure the safe operation of the Trust.

Signed:

Position: Chief Executive

Date:

Review Date: