

Health and Safety Policy
(Replaces Policy No. TPRHS/157 V.2)

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POLICY SPONSOR	Chief Nurse
POLICY AUTHOR	Head of Incident Management & Safety

EXECUTIVE SUMMARY:

All staff are expected to comply with the requirements as laid down in this health and safety policy and all Trust wide health and safety requirements.

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policies@sussexpartnership.nhs.uk

CONTENTS

	PAGE
1.0 Introduction	4
1.1 Purpose of policy	4
1.2 Definitions	5
1.3 Scope of policy	5
1.4 Principles	5
2.0 Policy Statement	5
3.0 Duties	5
3.1 Duties within the Organisation	5
3.2 Duties of Stakeholders	11
4.0 Procedure	13
4.1 Local Arrangement for Health and Safety	13
4.2 Occupational Health Department	13
4.3 Identification and Reduction of Workplace Hazards	14
4.4 Reporting of Accidents and Incidents	14
4.5 Health and Safety Training	14
4.6 Health and Safety Budget	14
5.0 Development, consultation and ratification	15
6.0 Equality and Human Rights Impact Assessment (EHRIA)	15
7.0 Monitoring Compliance	15
8.0 Dissemination and Implementation of policy	15
8.1 Dissemination	15
8.2 Training	15
9.0 Document Control including Archive Arrangements	16
10.0 Reference documents	16
11.0 Bibliography	16
12.0 Glossary	16
13.0 Cross reference	16

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HEALTH & SAFETY POLICY STATEMENT

It is the policy of Sussex Partnership NHS foundation Trust to ensure so far as is reasonably practicable, the health, safety and welfare of its employees whilst they are at work and of others who may be affected by their undertakings, and to comply with the Health & Safety at Work etc. Act 1974 and all other relevant legislation as appropriate.

The requirements of the Health & Safety at Work etc. Act 1974 and other related legislation and guidance such as Approved Codes of Practice (ACOP'S) will form part of the minimum standards to be achieved by the Sussex Partnership NHS foundation Trust. These standards aim to ensure the health, safety and welfare of employees, patients, service users, members of the public and others who use Sussex Partnership NHS Foundation Trust's facilities.

This will include the provision of:

- A safe working environment
- Safe entry and exit to all workplaces
- Safe system of work
- Adequate training, information, instruction and supervision for employees whilst at work

Signed:



Dated: 21st November 2019

Samantha Allen
Chief Executive

1.0 Introduction

Sussex Partnership NHS Foundation Trust (the Trust) recognises its statutory responsibility to protect the health, safety and welfare of its staff, clients and visitors using its services and facilities.

It is the responsibility of all managers to:

- Assess and record in writing any significant risk caused by work or training activities.
- Provide and maintain safe plant and systems of work.
- Make arrangements for the regular assessment, control and transport of articles and substances, which are classified as hazardous to health and providing hazard data with all such items.
- Provide safe places of work with safe access and egress.
- Provide and maintain a working environment which is safe and without risk to health.
- Ensure effective systems are in place to manage stress within the Trust's workforce, and where appropriate, ensure that adequate resources are available to support those systems.

At the same time, the Trust draws to the attention of its employees their own responsibility:

- To take reasonable care for the health and safety of themselves and other persons who may be affected by their acts or omissions at work.
- To co-operate with the Trust and its managers to achieve proper health and safety standards at work.
- Not to intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare at work.
- Report any accident/incidents or near misses in accordance with the Trust's Incident Reporting Procedure.

Everyone has responsibility for Health and Safety.

OBJECTIVES

In order to achieve this, the Trust will:-

- Provide each employee with such information, instruction and training as is necessary to enable the safe performance of his or her work activities.
- Ensure that processes and systems of work are designed to take account of health and safety.
- Ensure that adequate facilities and arrangements are maintained to enable employees and their representatives to raise issues of health and safety.
- Appoint competent people to assist the Trust in meeting its statutory responsibilities for health and safety.
- Monitor the implementation of the policy to ensure the objectives are achieved and to enable it to be reviewed whenever necessary.

1.1 Purpose of policy

The Trust will, in as far as is reasonably practicable, comply with the requirements laid down in the Health and Safety at Work Act etc 1974.

1.2 Definitions

Accident – ‘any untoward or unexpected event which results in injury to or adverse effect on the physical or mental health of an individual’.

Incident – ‘any event whether planned or unplanned that has given or may give rise to actual or possible injury or to property loss or damage.’

Near Miss – An incident that occurred but did not result in injury.

1.3 Scope of policy

The Health and Safety policy is for all persons employed by the Trust or undertaking any activity on behalf of the Trust. It defines the organisation and arrangements of health and safety requirements.

1.4 Principles

The aim of this policy is to provide a clear and simple framework for Trustwide health and safety requirements by defining organisational arrangements

2.0 Policy Statement

It is the policy of the Trust to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees whilst they are at work and of others who may be affected by their undertakings, and to comply with the Health and Safety at Work etc Act 1974 and all other relevant legislation as appropriate.

The requirements of the Health and Safety at Work etc Act 1974 and other legislation and guidance will form part of the minimum standards to be achieved by the Trust. These standards aim to ensure the health, safety and welfare of employees, patients, service users, member of the public and others who use Trust's facilities.

This will include the provision of:

- A safe working environment
- Safe entry and exit to all workplaces
- Safe systems of work (including annual risk assessment review)
- Adequate training, information, instruction and supervision for employees whilst at work.

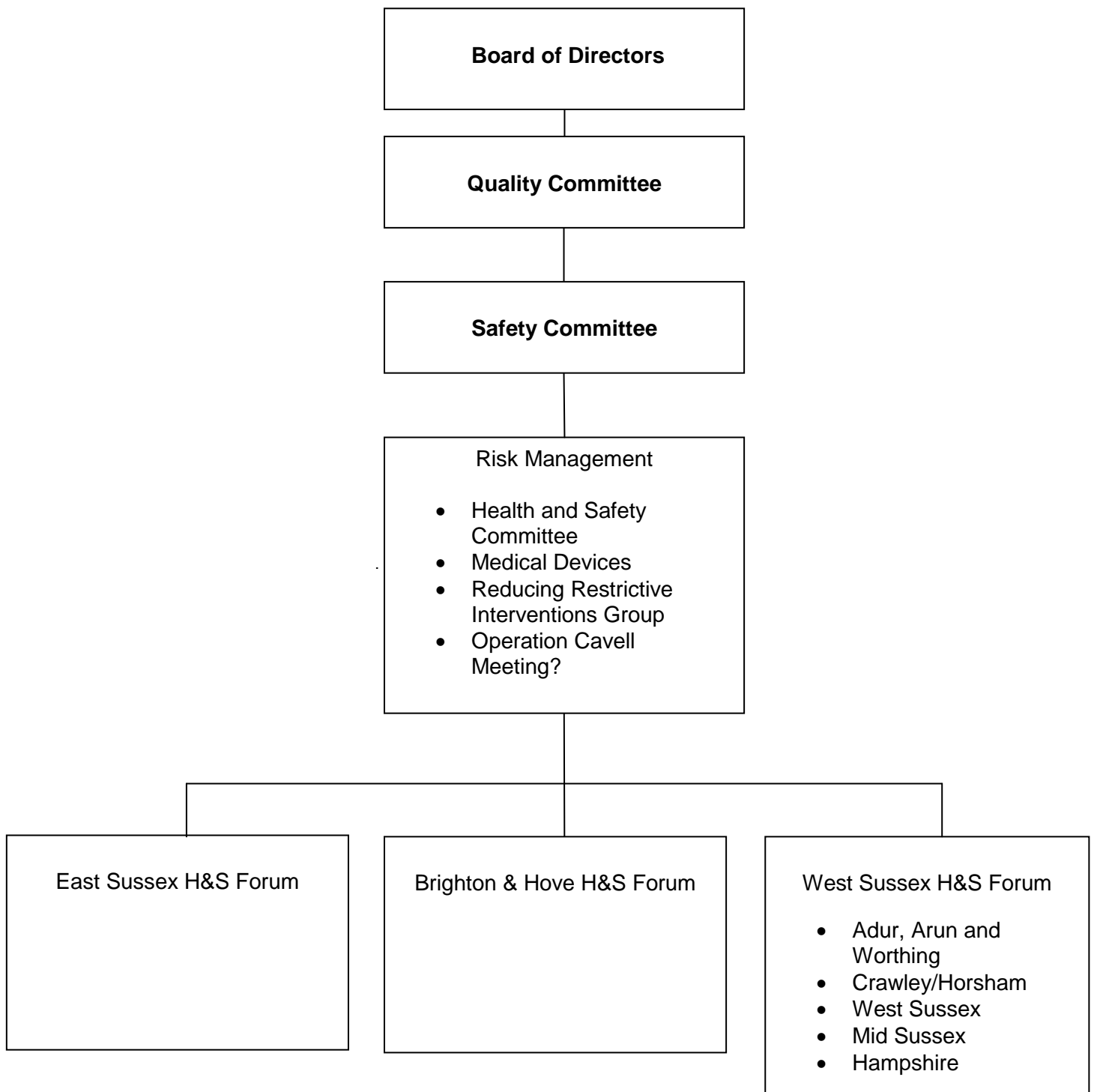
3.0 Duties

3.1 Duties within the Organisation

ORGANISATION

This section of the policy describes the organisation and arrangements within the Trust for ensuring health and safety at work.

Organisational Structure



RESPONSIBILITIES

The Board of Directors is responsible for:

Monitoring the Trust's performance with respect to health and safety in order to satisfy itself that the Trust is meeting its statutory responsibilities. The Board of Directors will receive an annual report on Risk and Safety.

Chief Executive is responsible for:

- The management of health and safety in the Trust and will implement and monitor health and safety management principally through the Chief Nurse.
- Ensuring the Health and Safety Policy approved by the Trust Health and Safety Committee is implemented.

Chief Nurse is responsible for:

- Developing strategic and operational plans to enable the Trust to achieve the objectives of this policy.
- Enabling the management of health and safety to make a coherent contribution to the overall management of risk across the Trust.
- Reporting on matters relating to the management of health and safety to the Chief Executive, briefing the Leadership Team, Board of Directors and Quality Committee as appropriate.
- The development, review and distribution of the health and safety policy.
- Chairing the Health and Safety Committee, ensuring that issues arising are acted upon and that the minutes of the committee are made available to the Quality Committee.

All Managers

Managers are responsible for:-

- Implementing the Health and Safety Policy within their directorate and natural community.
- Making appropriate contributions to the management of health and safety at strategic level, both individually and through deploying resources and information available within their directorates and natural community.
- Ensuring resources are available for the management of health and safety in line with priorities established locally and corporately by risk assessment.
- Ensuring that effective systems and structures for managing health and safety are in place throughout their departments.
- Monitoring the effectiveness of health and safety management within their Directorates and natural community, and reporting on priorities and progress to the Health and Safety Committee as required.

- For establishing and supporting co-operative arrangements with colleagues which ensure that local health and safety staff representation and management arrangements are thorough and effective.

Head of Incident Management & Safety

The Head of Incident Management & Safety is accountable to the Chief Nurse for the implementation of health and safety legislation and policies and who will report to the Health and Safety Committee on all health and safety related issues. This will include a regular review of all accident & incident reports. They are responsible for the co-ordination and maintenance of the Health and Safety function, the results of which will also be reported to the Health and Safety Committee.

It is the responsibility of the Head of Incident Management and Safety to:-

- Ensure that the Chief Executive, members of the LT, Managers, staff side representatives and staff have access to accurate and practical advice on approaches to implementing this policy and to the management of health and safety in general across the Trust
- Ensure that staff and committees at all levels across the Trust have sufficient knowledge and information to ensure that statutory provisions are met and that the safety policy is adhered to
- Provide training and/or advice to staff and/or other training providers
- Report all incidents to the Health & Safety Executive (HSE) when Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) Regulations. For further details on RIDDOR reporting see the Incident and Serious Incident Reporting Policy
- Maintain records of reported accidents/incidents and provide information on them appropriate to supporting the subsequent identification of health and safety risks to employees
- Lead the Risk and Safety Department and delegate operational functions to team members according to specialist area.

Service Directors

Service Directors and Managers are responsible for ensuring that the Health and Safety Policy is implemented in the workplaces for which they are responsible. This will include:-

- To communicate health and safety policies.
- Ensuring that employees, contractors and visitors are aware of safety procedures.
- To conduct appropriate risk assessments throughout the work area, annually and as when required.
- Establishing that all equipment and substances used in the workplace are risk assessed as suitable for the task and are kept in good working order.

- Ensuring that all other health and safety risks within their areas of responsibility are risk assessed and that the outcomes of these assessments are appropriately reported, recorded and acted upon.
- Ensuring that staff (and others where appropriate) receive the training necessary for safe working.
- Ensuring that accidents/incidents are properly reported and recorded and appropriate investigations and reviews are undertaken and acted upon.
- Establishing effective arrangements for staff consultation about and involvement in the management of health and safety in their local workplaces, and corporately where appropriate.
- Working with Senior Managers to identify resources available to support the management of health and safety in the workplaces for which they are responsible.
- Maintaining positive working relationships with local union safety representatives in accordance with the local Trusts Facilities for Union Representatives Agreement.

Health and Safety Representatives

Health and safety representatives will be appointed/elected by their respective unions taking responsibility for their local workplace. Safety representatives may visit any part of the workplace where members work, or have access to. Those representatives doing this should inform management of the purpose of their visit and activities.

The main role of the Health and Safety Representative is:-

- To report any incidents or complaints and if appropriate make recommendations to line management.
- To undertake a thorough inspection of all work areas within their workplace at intervals of not less than 13 weeks.
- Where a change in working practice, equipment, team composition or work organisation is proposed such as skills mix reduction which has implications for health and/or safety, the Safety representative in whose workplace the change may occur shall be consulted and be entitled to discuss the change fully with their line manager.
- Depending on the circumstances of the workplace, it is recognised that more frequent inspections may be necessary. Requests for more frequent inspections shall be made in writing to the appropriate line manager. The inspection will cover all aspects of work and work areas, all processes and all safety equipment. Managers will provide all the necessary facilities for an effective inspection.
- If requested, the Trust Risk & Safety Team will give assistance where required. If the safety representative requires the assistance or attendance of an independent adviser or trade union official then they shall be allowed to accompany the health and safety representative. Such attendance shall be notified in advance to the Manager. Any fees for independent advice shall be met by the appropriate trade union.

- In the case of an accident, a dangerous occurrence or a hazard arising from an unsafe work practice, the safety representative in whose workplace it occurs will be entitled to leave work after notifying his/her manager, in order to inspect the situation. Until this inspection has taken place, nothing shall be altered unless it constitutes a further hazard. The safety representative may, if they consider it necessary, and after taking reasonable steps to inform the manager and the Trust's Health & Safety Manager, call in an enforcement officer of the Health and Safety Executive and nothing will be moved or changed until the enforcement officer so instructs.
- Where a member of a recognised Trade Union requires the assistance of a safety representative, the representative for that workplace shall inform their manager before leaving work to respond to the problem.
- Safety representatives are assured of no loss of their potential earnings for any time spent on their functions and duties including their education and training. They shall be paid their average earnings including shift and unsocial payments calculated on the basis of normal earnings.
- The safety representatives shall have the discretion to advise an employee to stop work until the Manager has been notified in circumstances where the safety representative considers there has been a breach of health and safety regulations, or there is an imminent risk of personal injury. The manager shall be notified at the earliest opportunity if such action is taken and shall decide in consultation with the safety representative the arrangements necessary for work to be resumed. Any employees affected by the stoppage shall incur no loss of pay.

Safety Representatives are entitled to:

- Arrange for samples, of any substance, which employees are exposed to during the course of their work to be taken for analysis, independent of any Trust analysis. The Trust shall be notified prior to any such action being taken.
- Reasonable access to the Trust Health & Safety Manager.
- Be immediately notified when an inspector of the Health and Safety Executive is within the workplace or will be visiting shortly. Each representative shall be entitled to communicate privately with the inspecting officer by mutual agreement.
- Assist with risk assessments and audits.
- Bring a health and safety matter to the attention of their line manager by a variety of measures such as an inspection report, untoward incident/accident report or letter. There may also be times when an urgent meeting is necessary.
- Hold meetings for health and safety purposes with employees within their workplace and other safety representatives within the Trust in working hours, which will not be unreasonably withheld, with the prior permission of their manager.

All safety representatives covered by this agreement have the right to meet collectively, independently of their managers in working time at agreed intervals of not less than 13 weeks. This will normally constitute the staff-side meeting of the Trust Health and Safety Committee. Requests for additional emergency meetings will be made in writing to the Trust.

All Staff

All staff are required to:-

- Attend any necessary training according to the Mandatory training and Induction Policy
- Co-operate in implementing the requirements of all health and safety at work legislation, related codes of practice and safety instructions.
- Refrain from any practice which may bring harm to themselves or others.
- Immediately bring to the attention of their line manager/supervisor any situations or observed practices which may lead to injuries or ill health.
- Ensure that any equipment issued to them, or for which they are responsible, is correctly used, maintained and stored appropriately.
- Be responsible for safe practice in the area in which they are working.
- Work in accordance with information, instruction and training given and not undertake any tasks for which authorisation and/or training has not been given (e.g. manual handling).
- Report any accident/incidents or near misses in accordance with the Trust Incident Reporting Procedure.

Contractors and Agency/Bank Staff

All contractors and agency staff employed on the Trust's sites have a responsibility for complying with all health and safety regulations and any local policies in force at that time. Any officer responsible for employing contractor/agency staff has the responsibility for ensuring the contractor/agency complies with all appropriate and local policies for the task being undertaken.

COMMUNICATION

The Chief Nurse has the delegated responsibility for health and safety and is therefore responsible to ensure that the policy is disseminated to all staff and available to the general public if requested.

3.2 Duties of Stakeholders

HEALTH AND SAFETY CONSULTATION WITH EMPLOYEES

Minutes of Health and Safety Committee meetings will be circulated to the attendees/distribution list who will be responsible for ensuring that all relevant information is passed onto their ward/departmental employees and to those staff who are on annual or sick leave when they return to work. Separate notices will also be issued as required on matters, which may arise outside the meeting of the Health and Safety Committee.

HEALTH AND SAFETY COMMITTEE

Purpose

The Trust Health and Safety Committee is the forum for the co-ordination and monitoring of all health and safety matters within the Trust. The committee reports to the Quality Committee. The committee has responsibility for:

- Ensuring that health and safety matters are communicated to and form all areas of the Trust and that where necessary appropriate action is taken.
- Advising the Quality Committee on all matters concerning health and safety within the Trust

Membership

The current membership and their roles are listed on the Terms of Reference for the trust wide Health and Safety Committee meeting. These are available from the nursing directorate office.

Members of the committee shall appoint deputies to represent them at meetings when they are not able to attend personally.

With the approval of the Chair, other persons may be asked to attend meetings from time to time for a specific purpose. Secretarial and administrative support will be provided through the Nursing Directorate.

Committee Chair

The committee will be alternately chaired by the Chief Nurse and a staff side representative. In their absence a deputy shall be elected from among the members present.

Frequency of Meetings

The committee will meet no less than 4 times a year, and it has a quorum of 8, 4 of which must represent management plus the Chair and 4 staff side.

Review of Constitution

The constitution of the Committee will be reviewed at intervals of no longer than three years.

Procedure for Staff Wishing to Raise Matters of Health and Safety

It is the policy of the Trust to promote an atmosphere of safety awareness amongst the staff. Members of staff who wish to raise such matters should do so with their supervisor/head of department or their local safety representative. If the member of staff or their representative is not satisfied with the action taken they should contact the Trust Health and Safety Manager or trade union representative who will raise the matter with the locality Health and Safety Forum and then the Health and Safety Committee if necessary. Appeals against decisions of the Health and Safety Committee may be made by written representation through the Chief Executive to the Chairman of the Trust.

Establishing Priorities

The committee will have regard to the following when setting its agenda:

- Health and safety legislation and regulations.
- Health and Safety Executive guidelines
- Trust-wide management priorities.
- Health and Safety Executive inspections and audits.
- Incident reporting statistics and investigations.
- Resource management and value for money.

(This list is not exhaustive and is continually evolving)

Responsibilities of the Committee

In fulfilling its purpose, the responsibilities of the committee will include:

- Identifying all areas of health and safety which have policy issues, including health and safety legislation, regulations and guidelines.
- Identifying the implications of these issues to the Trust and prioritising them with regard to importance and urgency.
- Setting targets and objectives where appropriate.
- Maintaining an overview of the Risk Assessment process within the Trust
- Advising the leadership team and the Board of Directors on all matters concerning health and safety within the Trust.
- Ensuring that health and safety matters are communicated to and from all areas of the Trust.

4.0 Procedure

4.1 Local Arrangements for Health and Safety

The local arrangements for health and safety are detailed below, for details on fire, first aid, display screen equipment, infection control, manual handling and risk assessment please refer to the appropriate policy and procedure, listed below in the cross reference section, which can be downloaded from the intranet.

The Trust will ensure that all staff, through their manager, including bank, agency and volunteer staff are given the necessary information and training to enable them to work safely. These responsibilities extend to anyone affected by the Trusts operations including sub contractors, members of the public, visitors etc. Managers will identify with all staff (including bank, agency and volunteers) and any potential issues that may impede staff members participating in good risk management practice. Where issues are identified appropriate action should be taken to support the member of staff.

4.2 Occupational Health Department

The Trust will have access to an Occupational Health Physician.

A full Occupational Health service will be available for Trust staff led by Senior Occupational Health Nurse Advisors.

4.3 Identification and Reduction of Workplace Hazards

The Trust's Governance Performance Audit (GPA) tool must be completed preferably annually by the Team Leader or Department Manager. This tool is used to provide data for the Trusts Annual Safety Audit. Completion of the checklist and recording of risk assessments raised from it forms the database for departmental safety logs and baseline risk assessments.

Staff within the department must be informed of the outcome of risk assessments to ensure that they are aware of any remedial action that has been put in place to reduce the risk of injury or harm to themselves and others.

If an individual becomes aware that they are in a situation involving an immediate hazard, they should take all the necessary steps to ensure the safety of all persons involved. The hazard should then be reported to the departmental manager or the most senior person on duty, who is responsible for ensuring that the risk is eliminated or reduced as far as reasonably practicable.

4.4 Reporting of Accidents and Incidents

It is the responsibility of managers to ensure that each ward/department report incidents contemporaneously. All accident, incident or near miss of a "health and safety and clinical" nature that occurs to an employee, inpatient, outpatient, visitor or contractor within the areas and at locations covered by the Trust must be reported on the web based incident report form.

if the web based system is not available notes should be made of the incident and these should be entered on the web based report form as soon as possible upon system availability,

Further details and instructions for the use of incident report forms are contained in the Incident Reporting Policy and Procedure.

4.5 Health & Safety Training

All new staff will attend induction training within three months of joining the Trust.

The Trust has a Mandatory Training and Induction policy that staff should make themselves aware of. Compliance with this policy will ensure that all staff will receive the appropriate level of training required for them to undertake their job. The Trust is committed to ensuring that adequate provision is made for training and for all staff to be released to attend.

4.6 Health & Safety Budget

All Service Directors/Managers are responsible for ensuring that costs relating to health and safety within their area of responsibility are included in their annual budget. These costs may include the provision of personal protective equipment, furniture, equipment, specific health and safety training, etc.

5.0 Development, Consultation and Ratification

Approval and implementation of this policy, including arrangements for setting up the health and safety committee, will be the responsibility of the Chief Nurse.

When approved this general statement policy will be distributed widely throughout the Trust. The Health and Safety Manager will arrange for it to be posted on the intranet.

6.0 Equality and Human Rights Impact Assessment (EHRIA)

This policy and protocol has been equality impact assessed in accordance with the Trust Procedural Documents Policy.

7.0 Monitoring Compliance

Locality and Trustwide health and safety committee meetings will determine if the policy is still applicable based around the reporting of specific health and safety procedures. The GPA (Governance Performance Audit) will be completed annually by all managers responsible for work areas Health & Safety requirements will be assessed as part of the inspection process.

The Human Resources team will also monitor incidents of harassment that have a causation linked to the protected characteristics for disparity.

8.0 Dissemination and Implementation of policy

8.1 Dissemination

This policy will be loaded onto the Trust website by the Corporate Governance Team and advertised on the staff intranet.

8.2 Training

All staff and volunteers should undertake awareness training as part of their induction, within two months of commencing employment with the Trust. Thereafter all staff are expected to undertake an update on a three yearly basis.

The Trust will ensure that all staff (through their manager) including bank, agency and volunteer staff complete the Health & Safety e-learning training to enable them to work safely. This should be monitored through supervision on a shift-by-shift or as required basis. This should be the responsibility of the senior person on duty. Any agency or bank member should also be responsible for asking about things they are not sure of.

These responsibilities extend to anyone affected by the Trust's operations including sub contractors, members of the public, visitors etc. Managers will identify with all staff (including bank, agency and volunteers) any potential issues that may impede staff members in participating in good risk management practice. Where issues are identified appropriate action should be taken to support the member of staff.

9.0 Document Control including Archive Arrangements

This policy and protocol will be stored and archived in accordance with the Trust Procedural Document Policy.

10.0 Reference documents

Health and Safety at Work Act 1974

11.0 Bibliography

EL(96)44 "Health and Safety Management in the NHS"
<https://www.gov.uk/browse/employing-people/health-safety>
HSG(94)51 "Occupational Health Services for NHS Staff"
HSG(97)6 "NHS Health and Safety Issues"

12.0 Glossary

Risk Management: The design and implementation of relevant and appropriate strategies, policies and procedures to limit the likelihood of a risk occurring and/or to limit its impact should it occur. Identifying, assessing, analysing, understanding and acting on risk issues in order to reach an optimal balance of risk, benefit and cost.

Risk Assessment: an informed view of the likelihood of occurrence of each particular risk and of its potential impact and consequences on all relevant parties

Control Measure: A way of preventing or minimising an organisation's, group's or person's exposure to a hazard. Can be equipment, processes or actions used to reduce the likelihood of the hazard occurring.

Others: Contractors, sub-contractors, visitors, relatives, carers, friends, family or anyone else who may access the Trust's sites.

13.0 Cross reference

Incidents and Serious Incidents Policy and Procedure
Serious Untoward Incident Policy and Procedure
Medical Devices Management Policy
Fire Safety Policy
Latex Policy
Risk Management Policy and Strategy
Policy and Procedure for Workplace Safety Inspections by Safety Representatives
Personal Safety and Working Alone Policy and Procedure
Restrictive Physical Observations Policy
Procedural Documents Policy
Display Screen Equipment
Control of Substances Hazardous to Health
First Aid Policy
Manual Handling Policy
Stress Management
Mandatory Training and Induction Policy
Infection Control Policy