



## Health and Safety Responsibilities Policy

Inmind Reference:	OPS05
Category:	Operational Policies
Version Number:	1.2
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Lead Officer:	Operations Director
Equality Impact Assessment completed:	Yes

<b>Applicable Legislation/Regulations:</b>
Health and Safety at Work Act 1974 The Management of Health and Safety at Work Regulations 1999 Workplace (Health, Safety and Welfare) Regulations 1992 The Care Act 2014 The Equality Act 2010
<b>Codes of Practice:</b>
Management of Health and Safety at Work Regulations 1999, ACOP & Guidance
<b>Purpose:</b>
The Company's H&S Responsibilities describe the duties by which Inmind Healthcare Group management and employees ensures compliance with H&S legislation.  Each one reflects a duty that the company has to comply with under the current H&S legislation.

Version Control Table		
Date Ratified	Version Number	Status
Feb 2018	1.3	Live

Date	Key Revision
Feb 2018	Reformatted policy and reviewed each section – minimal changes required

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## 1.0 The Policy

The Inmind Healthcare Group recognises and accepts its duties as an employer to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees and those who use the premises but are not employees, under the Health and Safety at Work Act 1974.

This document covers the H&S Roles and responsibilities allocated for the effective management of H&S within in Mind Healthcare Group. Responsibilities are communicated to the individuals with specific H&S responsibilities and to all employees.

Allocation of responsibilities is laid down in this document and it is the duty of personnel with specific responsibilities to ensure that such responsibilities are upheld and maintained.

The duties required by the Act are communicated within a framework of management responsibility, but employees, service users, patients and 'other persons' also have clear responsibilities to promote a safe working environment.

Safety is a personal responsibility for everyone at the service and as part of its service to the community. The service puts a high priority on fostering safety awareness and life-time safety habits.

The sections below set out the responsibilities of:

1. The Proprietor(s)
2. The board of Directors
3. Directors
4. Registered Manager/Registered Manager
5. Staff
6. All employees
7. Service users and patients
8. Contractors
9. H&S Competent Person
10. Other persons

## 2.0 The Health and Safety Responsibilities

2.1 The **proprietor(s)** will as far as is reasonably practicable take action to:

- Ensure the active prosecution of the company's H&S policy
- Define the areas of responsibility for safety where appropriate
- Collate a set of codes of practice, instruction manuals, lists of procedures, Standards, advice, etc. where they apply to the health and safety at work policy undertaken within the service.
- Endeavour to provide the necessary resources for the effective pursuance of H&S Policy
- Where practicable, ensure that any person other than employees who may be within the service is also covered with the protection of H&S policy
- Ensure that all employees, whose participation in the effective prosecution of H&S policy is vital, are constantly aware of the contents of H&S policy.

## 2.2 The Board of Directors

The Board of Directors recognise that they have a responsibility to ensure that all reasonable precautions are taken to provide and maintain working conditions which are safe, healthy and comply with all statutory requirements and codes of practices.

The Board of Directors appoint a named manager/director at each property to ensure, as far as is reasonably practicable, that the premises and any plant and substances provided for work use are safe and without risk to health.

This includes the duty to:

- Establish safe systems of work within the areas for which they are responsible
- Assess and record risks to health and safety and identify what control measures are necessary
- Establish procedures for the planning, organisation, control, monitoring and reviewing of health and safety control measures. These arrangements must be recorded
- Make contingency plans for emergencies
- Provide easily understood information about risk and precautions for employees and service users

- Co-ordinate health and safety measures where necessary and co-operate with others to comply with legal requirements
- Report to the Board of Directors as required on health and safety matters
- Take into account the capabilities of staff and clients when entrusting them with tasks
- Keep under constant review the safety training, needs of staff and clients within their jurisdiction and keep themselves up-dated
- Promote a culture of safety within the workplace and make continuous efforts to improve safety practice
- Acquire the appropriate knowledge of health and safety regulations, Codes of practice as they affect their business in order that they may advise and instruct their employees thereon
- Ensure that a copy of the H&S policy, together with all supplements, is either given to or shown to every member of staff, and that it is fully explained and completely understood by them.

### 2.3 All Directors

- Adopt and maintain safe systems and procedures of work and comply with statutory regulations and approved codes of practice
- Ensure that equipment and tools which may be used by employees are safe and designed to minimise hazards.
- Ensure that any safety devices, where necessary, are always fitted, properly adjusted, well maintained and used.
- Identify actual or possible hazards and ensure that proper safety measures are met.
- Provide all or any necessary warning signs
- Provide safety training where necessary to include the use of fire-fighting equipment and systems, emergency procedures to be followed, training in the care of our service user group and the needs for reporting any accidents or potential or actual hazards
- Ensure that a regular survey of safety measures is undertaken and that any irregularities are put right immediately.
- Ensure that any comment or complaint concerning safety is promptly investigated and that appropriate action is taken immediately.

- Ensure that when and where necessary, protective clothing is issued and used.
- In the case of any accident involving injury to any person on the premises, make a full investigation and also comply with any statutory requirements relating to the reporting of such accidents
- Familiarise any new employees with all aspects of health and safety at work policy both by explanation and personal example
- Preserve the health and safety of the clients and public in so far as they are affected by the work carried out in the service.
- Ensure that everyone works in a manner that is safe to themselves and to others
- Ensure that all employees are aware of potential hazards and that they recognise them for what they are in order that action can be taken to avoid accidents
- The service will provide a safe system of work through safety training, both general and specific, effective supervision and reporting systems, and the selection of competent employees.

#### 2.4 **Registered Managers**

- Ensures compliance with relevant H&S legislation.
- In discharging its duties, the company will aim for the highest possible standards in health, safety and welfare and provide adequate instruction, training and supervision. The company also accepts responsibility for the health and safety of our service users and staff who may be affected by our activities.
- Whilst the overall policy responsibility rests with the highest level of management, individuals at every other level are required to accept varying degrees of responsibilities for carrying out this policy and co-operate fully, taking appropriate action and reporting such incidents to the management.
- The allocation of duties for health and safety is recorded on the health and safety law poster in the ground floor reception office and staff room.
- Every member of staff will be given a health and safety handbook during the first week of employment which is signed for and recorded in their personnel file.
- The policies relating to health and safety will be reviewed on a three-yearly basis, or as required by new legislation.

- The Registered Manager is responsible and accountable for ensuring that staff are properly and appropriately consulted on health and safety matters.
- Ensuring that all accidents, incidents and near-misses are adequately recorded, investigated and measures implemented to avoid recurrence.

## 2.5 **Responsibilities of Staff**

- Staff have a general and statutory duty to co-operate with the service in order to ensure their own health and safety and that of working colleagues and clients. Failure to do so may result in fair dismissal through the disciplinary procedure.
- Staff are under a duty to carry out their job with reasonable skill and not to be negligent. They must not intentionally or recklessly interfere with or misuse anything provided for the purpose of health and safety and must use personal protective equipment where this is appropriate.
- It is the duty of every member of staff to report any unsafe conditions to the Registered Manager, the nurse in charge and the maintenance man and to record the matter in the maintenance request book. The Health and Safety Committee and safety representatives are available for advice to staff and can take forward issues which need attention, if necessary.
- Staff should promote a culture of safety in the workplace and make continuous efforts to improve safety practice. They must read the Health and Safety Policy and any other relevant material to keep them informed of safe working practice.
- Staff should have regard to the capability of colleagues and service users and not ask them to carry out work which may lead to hazards.
- Staff should report any accident, personal injury or incident promptly to their immediate manager. These include ill health and welfare incidents.
- Staff should obtain first aid for any injuries, no matter how slight, and inform Registered Manager on the day of the accident.

## 2.6 **Responsibilities of Every Employee**

- Every employee has a responsibility for ensuring that they undertake the work they are required to do with due regard to the safety of themselves, their colleagues, those in the care of the service and the general public. Therefore, each employee will be responsible for:
- Making himself or herself familiar with and conforming to the relevant safety Instructions at all times

- Co-operating with the management and observing the instructions and advice on Safety and health matters.
- Where and when necessary, using protective clothing and equipment.
- Not interfering with or misusing anything, which is provided in the interests of Safety and health.
- Reporting any accident, personal injury or incident promptly (ON THE SAME DAY OF THE ACCIDENT/INCIDENT) to their immediate manager. These include ill health and welfare incidents.
- Employees should obtain first aid for any injuries, no matter how slight, and inform their Manager on the day of the accident.
- Giving all assistance as required in the investigation of accidents.
- Failure by an employee to comply with the aforementioned requirements may be treated as an act of indiscipline and may remove liability from the proprietor(s) in the event of an accident. Persistent breaching of the health and safety arrangements by an employee will, after appropriate warnings, invite disciplinary action.

## 2.7 **Responsibility of Service Users / Patients**

- To cooperate with Inmind staff in any H&S requirement that they have been informed off in their residency agreement or in Notice Boards or verbally.
- To report any accident or incident as soon as possible to a member of staff to ensure that any injury is treated and that it is recorded and investigated.
- To not interfere or damage any equipment that has been provided for their comfort and safety.
- To report any hazards that could cause them or others harm as soon as spotted.

## 2.8 **Responsibility of Contractors**

- To provide Competent personnel and where necessary to supply evidence of competence and copy of certificates.
- To ensure that they have sufficient insurance cover, i.e. Employers Liability and Third Party Public Liability.
- To ensure the health, safety and welfare of their employees whilst on Inmind premises.

- To comply with the health, safety and welfare requirements of Inmind at all times whilst on Inmind premises.
- To ensure that any work activities are safe and that risks to the health, safety and welfare of any person is as low as reasonably practicable.
- To ensure that their employees are aware of the fire precautions and emergency procedures on site and have received appropriate H&S training and supervision.
- To be alert to health and safety hazards and to take suitable and sufficient steps to correct or control problems that may arise.
- To immediately report any accident, incident, dangerous occurrences, and cases of ill health or near-misses to their Inmind contact.
- To provide evidence that all plant, equipment, articles, substances required to be used whilst on Inmind premises, are safe and without risk to health. If necessary provide copies of certificates of testing, inspection and examination and copies of risk assessments.
- To liaise and co-operate with Inmind personnel at all times.
- Ensure that their work activities do not present a risk to the health, safety and welfare of Inmind employees or anyone else on site.
- Follow any previously agreed working method and practices.
- Ensure that working areas are left in a clean and tidy condition at break times and at the end of the working day.
- Unless otherwise agreed, not use any Inmind facilities including welfare facilities, canteen and equipment.
- Ensure all waste is disposed of correctly and, unless otherwise agreed with Inmind, do not use Inmind waste disposal facilities.

## 2.9 **Health and Safety Competent Person**

The Health & Safety Competent Person reports directly to the Proprietors and Chief Executive Officer. He assists them and Inmind Hospital Management on H&S matters. His H&S related responsibilities include:

- Undertakes audits of Inmind H&S Management System and of its premises.
- Advises on and updates the company's Health & Safety Management System enabling proactive management of our Health and Safety Issues.
- Undertakes H&S Training.

- Updates the company on relevant H&S legislation.
- Provides Health and Safety advice by phone or email.
- Liaison with the enforcement authorities in the event of a serious accident or Improvement Notice.
- Provides Inmind's management team assistance, as required, on other H&S issues including carrying out Risk Assessments, fire Risk assessments and carrying out accident/incident investigations.

#### 2.10 **Responsibilities of other employees**

All contractors and visitors must report to reception and sign the visitor's book and meet with the nurse in charge or the Registered Manager before starting work. They

have a responsibility for the safety of themselves and others under the Health and Safety at Work etc. Act 1974.

**Appendix 1**

**Equality Impact Assessment for this policy**

<b>Protected Characteristic (domain)</b>	<b>Area of conflict</b>	<b>Resolution</b>
Age	Nil	N/A
Disability	Nil	N/A
Gender Reassignment	Nil	N/A
Pregnancy & Maternity	Nil	N/A
Race	Nil	N/A
Religion or Belief	Nil	N/A
Sex	Nil	N/A
Sexual Orientation	Nil	N/A
Marriage and Civil Partnership	Nil	N/A

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you feel you are disadvantaged by this policy, please contact the Registered Manager and the service will actively respond to the enquiry.