Health & Safety

POLICY STATEMENT

- We will ensure that duties required under the Health and Safety at Work Act 1974 and the Regulation 3 and 5 of the Management of Health and Safety at Work Regulations 1999 are met by Phoenix Learning and Care Health and Safety Policy Statement.

- Our statement of general policy is to:

    I. provide adequate control of the health and safety risks arising from work activities
    II. consult with our employees on matters effecting health and safety
    III. provide and maintain safe plant and machinery
    IV. ensure safe handling and use of substances
    V. provide information, instruction and supervision for employees to ensure all employees are competent to do their tasks and to give them adequate training
    VI. prevent accident and cases of work-related ill health
    VII. maintain safe and healthy working conditions
    VIII. review and revise this policy at regular intervals

Signed

-------------------------------------- Jon Pain – Chief Executive Officer

On behalf of the Company's Executive Management Team:

EMT (as denoted in the latest organisational chart) comprising:

- Chief Executive Officer

- Group Finance Director

- Group Quality and Service Delivery Director

- Group Commercial Director

- Group Head of People

- Operations Director (Care)

- Operations Director (Education)

Safety Policy

Document Control

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Document History

Date of Issue	Version No.	Person(s) responsible for change	Nature of Change
Aug 2021	1.06		Redraft with new branding
April 2023	1.07	Wanda Green	Review

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1. Organisational Arrangements and Responsibilities

1.1.1   Overall responsibility for health and safety is via the Designated Manager Jon Pain (Health & Safety).

1.1.2   The objectives of this policy are fundamental to our business and the functional Directors are responsible for ensuring that the requirements of this policy are achieved.

1.1.3   The following stakeholders are responsible for ensuring safety arrangements are administered and correctly deployed across the whole organisation.

1.2   All Employees

1.2.1   All employees are expected to:

   I.   Co-operate with line managers on health and safety matters

   II.   Not interfere with anything provided to safeguard their health and safety

   III.   Take reasonable care with their own health and safety

   IV.   Report all health and safety concerns (including near misses) to an appropriate person

   V.   Ensure their own health and safety and that of others who may be affected by actions that they do or not do

   VI.   Observe the health and safety policies and procedures

   VII.   Assist at all times, in maintaining good housekeeping standards within the workplace

   VIII.   Co-operate and assist in the effective completion of risk assessments with their line manager, and carry out any actions that may be required under the risk assessment process

1.2.2   All employees have a statutory duty to take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions. Employees must also co-operate so far as is necessary to enable them to comply with the duties and requirements imposed by law.

1.2.3   All employees are expected to read the relevant sections of the health and safety policies and the employee handbook, familiarising themselves with its provisions and to carry out their defined responsibilities. Employees are expected, and encouraged, to be proactive on health and safety issues as part of the continued development of the health and safety culture of the organisation and participate in the arrangements for employee consultation and feedback (e.g. Supervision and Team meetings).

1.2.4   All employees are reminded that a breach of this duty could constitute a disciplinary offence.

1.3   Managers

1.3.1   Home Managers, Principals or Head Teachers are responsible for implementing the specific arrangements made under this policy throughout the individual service/s they hold registration or are responsible for.

1.3.2   In Support services the Senior Manager is responsible for implementing the specific arrangements made under this policy for their team as follows:

Peoples Services	Group People Services Manager
Finance & IT	Group Finance Director
Maintenance	Estates Manager

1.3.3   Specific arrangements include:

I.   Fire Protection

II.   First Aid

III.   Emergency evacuation procedures

2.   Risk Assessment and Safe Systems of Work

2.1.1   The Management of Health and Safety at Work Regulations 1999 requires employers to assess the risk to employees in the workplace.

2.1.2   The individual setting Manager/Head Teacher/Principal will be responsible for ensuring risk assessments are completed in the work place including any activities, which may be performed by individual employees within their team. These should be updated periodically on a regular (or as risk criteria/profile change basis) but at least annually.

2.1.3   Where a specific **task** has been assessed and removing the hazard cannot realistically reduce the risk to an employee/s, a safe system of work may be required.

2.1.4   Risk Assessments should consider as required by the needs of the service:

      I.   Moving and Handling (as applicable)

     II.   First Aid

   III.   Lone Working

   IV.   Slips and Trips (as applicable)

    V.   Behaviour (i.e. Violence, Aggression or challenging)

   VI.   Specific medical conditions of the individual we support (i.e. sharps, blood borne virus) (as applicable)

  VII.   Fire

 VIII.   Food preparation

   IX.   Environmental

    X.   Impact (i.e. related to people we support and their interactions)

   XI.   Any other specific activities to the location.

2.1.5   The setting Home Manager/Head Teacher/Principal, in consultation with Peoples Services, will also be responsible for completing specific risk assessments on expectant mothers.

2.1.6   See Policy GRP 558 Risk Taking and Risk assessment

2.2   Accident Reporting and Investigation

2.2.1   All accidents, which occur to people we support (i.e. Young People, Students, Learners or Service Users), employees, volunteers and/or visitors to the service (including contractors), must be reported to the Registered Manager, Head Teacher/Principal or in unregistered services the line manager. In all cases, the accident book must be completed no matter how minor the accident including any investigation documentation.

2.2.2   The setting Manager, Head Teacher/Principal shall be responsible for the completion of RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrence Regulations) reports or in unregistered settings the appropriate Line Manager.

2.2.3   Please refer to Group Policy No 535 Accident Reporting and Group Policy No 531 RIDDOR.

2.3   General welfare and safe place to work

2.3.1   Health, safety and welfare arrangements are basic requirements at work, and can be divided into four broad categories: the working environment, welfare facilities, workplace safety and housekeeping.

2.3.2   The provision of adequate welfare arrangements is important both in terms of complying with the law, and keeping employees motivated. Individuals perform better and are happier at their work if they are working in a safe and healthy environment. Employees have the option to opt-out of the Working Time Directive (WTD) if they choose to make themselves available for work in excess of 48 hours per week. Managers are responsible for ensuring any hours worked in excess of the WTD limit are monitored with any prolonged periods of working in excess of this risk assessed and capped as necessary to ensure safe working patterns.

2.3.3   Please refer to the following policies relate to general welfare and safe place to work:

GRP 508 Substance mis-use (employees)

GRP 509 Lone working

GRP 510 Display screen equipment

GRP 513 Stress in the Workplace

GRP 516 Adverse Weather

GRP 518 Risk Assessment Blood Borne Virus

GRP 520 Manual Handling

GRP 527 Colleague Code of Conduct

GRP531 RIDDOR reporting

GRP 533 Company vehicles (including Driving Whilst at Work)

GRP 539 COSHH

GRP 543 Legionella

GRP 549 Smoking

GRP 541 Environmental

GRP 551 Clothing

GRP 558 Risk Taking and Risk Assessment

GRP 559 Transportation of Young People and Service Users

GRP 561 Portable Appliance Testing (PAT)

GRP 564 Fire Safety Management

2.3.4   Setting specific Policies also exist including:

Schools Policy No 7 First Aid & Medical.

Schools Policy No 8 The Management of Outdoor Education, visits and off-site activities.

Schools Policy No 32 Visitors Policy.

Schools Policy No 34 School Security Policy.

Schools Policy No 37 School Emergency Plan (Business Continuity).

2.4   Health & Safety Committee – Monitoring and Communication

2.4.1   The Chief Executive and Group Service Delivery and Quality Director monitor health and safety across the Group and will take necessary action to ensure the safety of all stakeholders. The mechanism is the Health and Safety committee which meets regularly.

2.4.2   The Health and Safety Committee Terms of Reference are listed in Group Policy 519 Governance.

2.4.3   The agenda is as follows:

   I.   Review of key statistics indicators, near misses and trends

   II.   Accident Investigations

   III.   Safety – review of accidents

   IV.   Health

   V.   Environmental

   VI.   Fire

   VII.   Training

   VIII.   Policy, procedure and process

2.4.4   Data is fed from our incident monitoring systems and matters raised through Operational QSOPs meetings, Educational Governance meetings, and Education Working Group meetings, EMT meetings and actions delegated as appropriate.

2.4.5   The Company ensures that suitable and relevant information relating to health, safety and welfare at the workplace is disseminated to employees and non-employees as applicable through:

   I.   Policy enhancements and/or deployment

   II.   Revised or new documentation working practices or advice.

   III.   Revised or new training material

2.4.6   This information is briefed through: face-to-face communication, training and/or team briefings, Health & Safety Bulletins or by any other appropriate means to the subject under discussion.

2.4.7   Statutory notices will be displayed as required in the workplace.

2.4.8   All policies are available on the 'U' drive which all employees can access.

2.5   Training

2.5.1   All new employees are made aware of the key Company Policies and Procedures as part of their induction. Policies and procedures are also signposted as part of the Employee handbook. Employees spend time discussing local Health and Safety arrangements as part of the induction.

2.5.2   Employees are trained in First Aid, Fire awareness and these are refreshed periodically. Courses such as Food Safety, Manual Handling are available for employees to attend. Existing employees can request training covering basic information about Health & Safety from their line manager.

2.5.3   Please refer to Group Policies:

No 552 Induction, Probation and Training

No 554 Supervision and Appraisal

3.   Health and Safety Assistance

3.1.1   Competent people have been appointed to assist in meeting Health and Safety objectives.

3.1.2   These persons have sufficient knowledge and expertise to insure that statutory requirements are met and that the Health and Safety policy is being adhered to as follows:

Post	
Health and Safety Officer	Designated Manager (Health and Safety)
First-Aider	In each Service
Fire Safety	Trained Person for each Registered Service (Fire Safety)

3.1.3   The company recognises that there may be occasions when specialist advice is necessary. In these circumstances, the services of competent external advisors will be obtained.

3.1.4   The company is currently working with Mark Littlejohns, Head of Health and Safety at Capital Law.

4. Other Areas for consideration

4.1   First Aid

4.1.1   Suitable numbers of employees will be trained and available on-duty to deal with minor accidents and emergencies at the workplace. These personnel will have sufficient training and qualifications in accordance with statutory requirements.

Please see Group Policy No 523 First Aid

4.2   Emergency Procedures

4.2.1   Emergency procedures are designed to give warning of imminent danger and to allow all personnel to move to a place of safety.

4.2.2   The Home/Setting Manager or Head Teacher/Principal is responsible for ensuring that all people we support, employees, visitors (including contractors) within the service are informed of, and are fully conversant with, emergency procedures. Each setting should have a Business continuity plan detailing arrangements in the event of an emergency.

4.3   Food Hygiene

4.3.1   Every employee providing practical care and support to individual people we support receives training to certificate level in Food Hygiene.

4.3.2   See Group policy GRP 522 Nutrition, Preparation and Provision of meals (including Food safety)

4.4   Hot Water Safety

4.4.1   Phoenix recognises the duties placed upon the employer by the aforementioned legislation. In ensuring that Phoenix complies with the legislation concerned we will undertake the following:

  I.   A Risk Assessment will be carried out in all premises in order to identify potential risks and the action to be taken.

  II.   A planned programme of upgrading existing hot water and heating systems will be followed including appropriate interim precautions taken in areas identified as representing a risk.

  III. Until the recommended precautions are implemented employees will be made aware of any potential dangers and the necessary steps will be taken to protect residents, team members and visitors. Areas which do not meet these recommendations will be identified and plans to comply as soon as practicable will be devised.

  IV.   All team members will be made familiar with local procedures and will also be encouraged to report circumstances or changes in circumstances which may increase the risk of scalding.

  V.   Every hot water outlet which has been identified as being a risk to the specified user will have a thermostatic mixing valve fitted to reduce this risk: in order to maintain the safe operation of these valves a system of in-service testing will be observed.

VI.   In-service testing will be carried out by trained staff or suitably qualified consultants at a frequency which will identify the need for service work before an unsafe water temperature can result.

VII.   Water temperature monitoring will be carried out by trained employees in line with in service testing schedule and results recorded in a site specific log book.

VIII.   Water temperature monitoring will both aid in the identification of inoperable valves and the need to carry out servicing or replacement as well as having the additional benefit of identifying areas at risk from the onset of Legionellae. (See The Control of Legionella Policy).

5.   Window Restrictors

5.1.1   Accident data continue to highlight the serious issue of service users falling from windows or balconies in health and social care premises. These often result in fatal or serious injury and there have been several successful prosecutions by HSE following accidents to vulnerable people.

5.1.2   The nature of the problem There are three broad categories of falls:

- accidental falls;

- falls arising out of a confused mental state;

- deliberate self-harm.

5.1.3   Accidental falls can occur where a person is sitting on a window sill, or where the sill or banister height is low and acts as a pivot, allowing them to fall. These are rare but can affect employees as well as service users.

5.2   What the law says

5.2.1   The following legislation applies to employers' duties to service users:

- Health and Safety at Work etc Act 1974, section 3

- Management of Health and Safety at Work Regulations 1999, regulation 3 Complying with the following legislation, dealing with employers' duties to employees, will also help reduce the risk to service users:

- Workplace (Health, Safety and Welfare) Regulations 1992

5.2.2   Where vulnerable people have access to windows large enough to allow them to fall out and be harmed, those windows should be restrained sufficiently to prevent such falls. Window restrictors should:

- restrict the window opening to 100 mm or less;

- be suitably robust to withstand foreseeable forces applied by an individual determined to open the window further;

- be sufficiently robust to withstand damage (either deliberate or from general wear);

- be robustly secured using tamper-proof fittings so they cannot be removed or disengaged using readily accessible implements (such as cutlery) and require a special tool or key (see Department of Health Building Note 00-10 Part D Windows and associated hardware3). Please note that 'safety restricted hinges' that limit the initial opening of a window can be overridden without the use of any tools and are not suitable in health and social care premises where individuals are identified as being vulnerable to the risk of falls from windows.

6.   Employee Support and Assistance

6.1   Employee Assistance Programme

6.1.1   Employee Assistance Programmes (EAP) are employee benefit programmes offered by many employers. EAPs are intended to help employees deal with personal problems that might adversely impact their work performance, health and well-being. EAP generally include assessment, short-term counselling and referral services for employees and their immediate family. The company provides an Employee Assistance programme with employees able to access a 24 hour confidential helpline to assist them with various enquiries. Details of the scheme are contained in the employee handbook and on first joining the Company in induction.

6.2   Occupational Health Services

6.2.1   The company uses Occupational Health practitioners as and when required for individual cases that may arise from time to time.

6.3   Employee Handbook

6.3.1   This handbook signposts the organisations 'Health and Safety General Policy' which is signed by the Chief Executive. The handbook also contains the company's 'Health and Safety Statement of Intent' and outline of responsibilities of each individual employee with respect to health and safety.

6.3.2   The Handbook is available on SharePoint.

7. Employee Involvement in Policy Making

7.1.1 The Health and Safety Commission has stated in the Statement on Worker Involvement and Consultation that "an organisation's greatest asset is its workforce: employees are often best able to spot issues and bring about real improvements. We need to expand the base of employee involvement in health and safety management to cover the whole workforce".

7.1.2 Where a policy has the approval of the workforce, it is more likely to be adhered to.

7.1.3 The Health and Safety (Consultation with Employees) Regulations 1996 (HSCER) require employers to consult their employees on matters that affect their health and safety, where all employees are not already covered by the provisions of the Safety Representatives and Safety Committees Regulations 1977 (SRSCR). Employees will be consulted directly.

8. Data Storage

8.1.1   Ensure that all files or written information of a confidential nature are stored in a secure manner in a locked filing cabinet and are only accessed by Colleagues who have a need and a right to access them.

8.1.2   Ensure that all files or written information of a confidential nature are not left out where they can be read by unauthorised employees or other persons.

8.1.3   Data stored electronically should be filed on Company supplied specific recording databases which have suitably secure data back-up and archiving (ie ADP/BWC).

8.1.4   Microsoft Office data (e.g. Word, PowerPoint, Excel) should be stored on service specific drive locations (e.g. H drive) that is only accessible to appropriate employees. Under no circumstances should sensitive data be stored on local computer machine hard-drives, memory sticks or drives accessible to wider members of staff (i.e. u drive)

8.1.5   Periodic audits of drives take place to ensure files are correctly located.

8.2   **Archive/destruction of Data**

8.2.1   Please refer to Group Policy 504 Documents and Records Archiving