

# DURHAM CONSTABULARY



*Altogether Better Policing*

## Risk Assessments Policy

<b>Application</b>	Police Officers, Police Staff, Special Constables, Visitors and Contractors
<b>Policy Owner</b>	Human Resources
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## **1.0 PURPOSE AND SCOPE**

- 1.1 The purpose of this policy is to ensure that risk assessments are carried out by Line Managers and Supervisors to determine what measures should be taken to comply with the "relevant statutory provisions".
- 1.2 Throughout the operation of this policy Durham Constabulary will seek to take the least intrusive action which fits within the working policy criteria and will act fairly and proportionally to achieve the proposed purpose.

## **2.0 THE LEGAL BASIS AND LEGITIMATE AIMS**

- 2.1 Durham Constabulary is required to comply with the requirements of the
  - Health and Safety at Work etc Act 1974,
  - Management of Health & Safety at Work Regulations 2006
  - Police (Health & Safety) Regulations 1999.
  - Equality Act 2010
  - Working Together to Safeguard Children – Department for Education 2018.
  - Apprenticeship, Skills, Children and Learning Act 2009.
- 2.2 Durham Constabulary will operate within the policing principles as defined by the College of Policing Code of Ethics and in support of this our policies will seek to promote Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect and Selflessness.

## **3.0 POLICY STATEMENT**

- 3.1 Risk assessments will identify any hazards present (whether arising from work activities or from other factors), assess the risks, to take into account existing controls and take action to remove or reduce any residual risk.
- 3.2 The Constabulary also recognises its statutory obligations for new, expectant and breast feeding mothers and will ensure that appropriate risk assessments are undertaken to ensure that members of staff are not exposed to risks that could damage their or their child's health or safety.
- 3.3 The Force recognises the contribution of its entire staff and is committed to creating a fully inclusive working environment. This will be achieved by making reasonable adjustments where appropriate, valuing the differences that a diverse workforce can bring and challenging unlawful and unfair discrimination, bullying, harassment, victimisation and other unfair treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation.

- 3.4 Examples of other potential areas where the completion of a risk assessment could be considered include:- individuals returning from long term sickness absence; a staff member who is transitioning from one sex to another; officers who are observing the requirements of Ramadan (i.e. fasting); disabled member of staff or pregnant female who are required to work overtime.

#### **4.0 INTRODUCTION**

- 4.1 The Constabulary has statutory obligations under the Management of Health and Safety at Work Regulations to ensure that any significant risks arising from its undertaking are assessed and either removed or reduced as far as is reasonably practicable.

#### **5.0 RESPONSIBILITIES**

- 5.1 Line/Project Managers have the responsibility for carrying out risk assessments for all activities and police operations undertaken by their commands. They should ensure their staff are aware of this guidance document and know where to access any risk assessment information.
- 5.2 Staff, visitors and contractors have a legal responsibility to take reasonable care of themselves and others whilst at work and to follow any information or instruction provided by their Supervisor/Line Manager for their safety. This includes being aware of any risks they may be exposed to at work and what actions are being taken to prevent or control the risks.
- 5.3 The Health and Safety Advisor will provide (when requested) professional advice and guidance to assist Managers and Supervisors in the completion of their workplace risk assessments. The Health and Safety Advisor will audit the risk management programme on a periodic basis.

#### **6.0 RISK MANAGEMENT**

- 6.1 A risk assessment is a systematic examination of activities in police environments that could cause harm. It will identify the hazards, risks and existing controls or any further controls that may be necessary.
- 6.2 A hazard is anything with the potential to cause harm (can include substances or machines, methods of work and other aspects of the work organisation).
- 6.3 A risk expresses the likelihood that harm from a hazard is realised.
- 6.4 A Risk therefore reflects the likelihood that harm will occur and its severity, i.e.  
$$\text{RISK} = \text{HAZARD SEVERITY} \times \text{LIKELIHOOD OF OCCURRENCE}$$
- 6.5 The Hierarchy of Risk Controls are identified as:
- a) Elimination of the hazard at source
  - b) Reduction or dilution the hazard at source

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- c) Removal of the person from the hazard
- d) Contain the hazard by enclosure
- e) Reduce employee exposure
- f) Introduce "Safe Systems of Work"
- g) PPE (personal protective equipment)

- 6.6 Once the risk assessment has been undertaken the risks, hazards and controls must be documented on risk assessment form (H & S 2) and forwarded to the Line Manager for appropriate action and retention.
- 6.7 The HSE recommends the following "Five Steps" to successfully manage risk assessment, i.e.
- 1) Look for the hazard
  - 2) Decide who might be come to harm
  - 3) Assess existing controls and evaluate the risks
  - 4) Decide what further actions are necessary to control risk (if any) and record your findings
  - 5) Review assessments regularly or when significant changes have taken place.
- 6.8 Should the risks, hazards and controls change then the risk assessment must be updated to reflect the new circumstances. Also line management should review their risk assessments at least annually to ensure they remain valid.
- 6.9 A safe system of work is a formal written procedure that takes account of the potential hazards to staff and others in vulnerable situations and ensures that all of the steps necessary for safe working have been anticipated and implemented.
- 6.10 Dynamic risk assessments are a subjective judgement of the dangers or hazards that may be encountered in police work. This is particularly applicable to police officers and staff attending operational incidents.
- 6.11 A dynamic risk assessment is likely to rely on the judgement of individuals. It is important however that the individual records the hazards and the measures taken as soon as practicable post incident and forwards the assessment to their Supervisor/Line Manager.
- 6.12 Office Safety Audits should be undertaken by Line Managers on a six monthly basis using the Office Safety Audit form (H & S 6).
- 6.13 The risk matrix (appendix 1) should be used by assessors as a means of prioritising the risks and hazards identified on the risk assessment.

**7.0 RISK ASSESSMENTS FOR YOUNG PERSONS UNDER AGE OF 18**

- 7.1 Members of staff, who are responsible for supervising young people, are required to carry out an individual risk assessment (H&S 2) for all young persons in the workplace including young people who may join us (prior to employment) for relevant training schemes, (e.g. young people from Schools, Colleges and

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other Training Providers). Completed risk assessments must be forwarded to Support Managers for action and retention.

- 7.2 Any potential risks identified in the young person's risk assessment, together with any protective/preventative measures to be taken must be communicated either verbally or in writing to the person who has parental responsibility/rights for the young person. This responsibility will be undertaken by a representative from the HR Department as part of the process of arranging the young person's placement.

**8.0 RISK ASSESSMENT FOR HOUSING OF POLICE DOGS**

- 8.1 In order to provide a safe environment, free from hazards, Durham Constabulary will ensure that risk assessments are carried out to promote the safe and hygienic kennelling of police dogs, whilst non-operational and housed at the handler's place of residence.
- 8.2 The risk assessment should be carried out by the supervisory officer of the Dog Section on an annual basis by completing an H&S 10 form. On completion, this form should be forwarded to the Senior Officer responsible for dog operations for action and retention.

**9.0 RISK ASSESSMENT FOR EXPECTANT MOTHERS AND FEMALES WHO HAVE RECENTLY GIVEN BIRTH**

**9.1 Responsibilities**

- 9.1.1 Line Managers/Supervisors are responsible for carrying out Pregnant Workers and New Mothers risk assessments for all activities and operations undertaken by their Commands. Any request for the risk assessment to be undertaken by a female manager/supervisor should be accommodated.
- 9.1.2 Line Managers should ensure their staff are aware of this guidance document and know where to access risk assessment information. Line managers are responsible for ensuring risk assessments are completed (to include any risks identified to their pregnant staff) and any necessary protective measures implemented. This process will involve the completion of the risk assessment form (H&S 11) with the pregnant member of staff and the communication of the findings to line management as appropriate.
- 9.1.3 All staff have a legal responsibility to take reasonable care of themselves and others whilst at work and to follow any information or instruction provided by their line manager for their health and safety.
- 9.1.4 The Occupational Health Advisor or Health & Safety Advisor will provide (when requested and as appropriate) professional advice.

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## **9.2 Written Confirmation of Pregnancy**

- 9.2.1 The regulations indicate that the assessment process needs to be addressed when line management have been advised in writing that an individual member of staff is pregnant. A certificate from a medical practitioner, or a registered midwife, confirming the pregnancy is also required.
- 9.2.2 Staff are strongly advised to disclose as soon as practicable the fact that they are pregnant to their supervisor to enable the risk assessment process to commence.
- 9.2.3 Staff are also required to inform HR of their pregnancy at the earliest opportunity via the Origin self-service function, to enable the completion of risk assessment and appropriate duties planning. Line Managers must ensure this is completed.

## **9.3 Risk Assessment Guidance**

- 9.3.1 Regulations specifically require that particular account must be taken for all workplace activities when assessing risks to new and expectant mothers. If risks cannot be avoided by other means, changes will need to be made to the working conditions/hours following consultation with Health Management Unit. If this is not practicable, then suitable alternative work should be offered on a temporary basis.
- 9.3.2 The Health & Safety Advisor/Occupational Health Advisor will be able to provide advice on any substances, processes and working conditions which could pose a risk to the pregnant worker and/or their child.
- 9.3.3 The risk assessment findings should be fully discussed with the member of staff so that relevant preventative measures can be implemented in order to remove or reduce any hazards identified.

## **9.4 Diary Car Duties**

- 9.4.1 When considering whether or not a pregnant worker may undertake diary car duties the line manager/supervisor in consultation with the individual member of staff must take note of the following and include any findings on the risk assessment form (H&S 11):
  - a. Plain clothes must be worn at all times.
  - b. Unmarked police vehicles should be used.
  - c. It is the individuals responsibility to contact the diary car appointment prior to attendance so that they can assess the hazards/conditions of the pre-agreed location, as well as attendance and any risks associated with each appointment, for example, exposure to illness, smoking and animal or human faeces,

- d. Any risks or concerns associated with the diary car duties including the non wearing of PPE's should be addressed and documented.

9.4.2 If a diary car appointment is deemed to present any dangers or unsuitable conditions to the pregnant officer from the pre-contact risk assessment or on the officers arrival at the pre-agreed location then that officer can elect not to proceed and either re-arrange the attendance of the complainant to a local police office and/or return the appointment to their manager/supervisor for re-allocation.

## **9.5 Review of Risk Assessment**

9.5.1 Where risks have been identified following the assessment, affected staff should be informed of the nature of the risk and the preventative measures to be adopted. It is important that the risk assessment is reviewed and revised on a regular basis as the pregnancy progresses. The assessment should also be reviewed at the first and second trimester of pregnancy and on return to work following child birth.

## **9.6 Provision of Rest Facilities**

9.6.1 The Workplace (Health, Safety and Welfare) Regulations require that suitable facilities for rest be provided for any person at work who is pregnant. New and expectant mothers who do not receive sufficient rest are in danger of putting both their unborn child and themselves at risk. Rest facilities provided should be conveniently situated in relation to sanitary facilities and where necessary include the facility to lie down. This may be either a medical room, staff/rest room or another suitable room.

## **9.7 Breast Feeding Mothers – Care in the Workplace**

9.7.1 The Constabulary recognises the right of every new mother to breast feed and reasonable adjustments will be made to facilitate the nursing mother's needs.

9.7.2 Due to the risks involved, it is not conducive to bring a baby onto any police premises for the purpose of breast-feeding. However, private, clean and comfortable facilities at each 24 hour station, or Headquarters building, should be provided to allow a new mother to rest and/or express milk and store it. It should be accepted that due to problems with the design of some buildings, the facilities may have to be temporary.

9.7.3 The breast-feeding mother should be afforded the time to travel to a destination during refreshment breaks in order to express/feed as required. The organisation will allow the break to be extended by one hour per shift (which will be inclusive of travelling time), if this is required. Any additional time required should be taken by utilisation of time off/flexi. For the purpose of recording on the flexi-sheets, the one hour afforded by the organisation, will not be deducted, as long as it has been authorised. Supervision should be

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provided with advance notification of absences. No other facility will be provided to the breast-feeding mother in respect of this journey e.g. provision of a vehicle, travelling expenses.

9.7.4 In accordance with Department of Health guidance, the Constabulary will provide this facility for travel to a destination for as long as it is required, or until the baby is six months old whichever is the sooner. If the breast-feeding mother wishes to continue after this time, supervision should be informed, and it should be done utilising her own time.

9.7.5 Any exceptional circumstances should be referred to Health Management Unit.

### **9.8 Night Work**

9.8.1 Where a new or expectant mother works at night and she has been issued with a certificate from a registered doctor or midwife, stating that night work would affect her health and safety, her manager must provide suitable alternative day time work on a temporary basis.

### **9.9 Guidance for Pregnant Lone Workers**

9.9.1 If lone working is assessed as reasonable for a pregnant worker, then her manager must ensure that suitable precautions are put in place and a safe system of work is agreed and implemented, which could include:

- i) Individual log of all communications with the lone worker which should include date, time of communication, location of lone worker, confirmation of status at the time of contact, agreed time for the next communication, action taken if communication has not been made.
- ii) Team working
- iii) Giving information on known risks
- iv) Reporting in procedures
- v) Personal Alarms
- vi) Restrict time working alone to one hour
- vii) Informing key person ("buddy") on return to base
- viii) Details of vehicle being used
- ix) Notification of any changes to the daily out of base work plan, (i.e. ad-hoc or "spur of the moment" visits)
- x) Providing information on risks and protective measures

## **10.0 MONITORING AND REVIEW**

10.1 Accident and incident data is held on the Origin system and is made available to the Health Services Manager, and details are discussed at the bi-monthly Health Management Group (HMG) Meetings. The analysis of this data by Managers, Supervisors and the Health Management Unit, will be used to identify the effectiveness of any existing control measures.

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## **11.0 TRAINING**

- 11.1 Risk assessments should be completed by trained competent staff, i.e. anyone with the ability, skill and knowledge to perform a given task. They should have an understanding of the area to be assessed as well as an understanding of the risk assessment process. The risk assessment process is explained to attendees during a half day training course provided by the Health and Safety Advisor.

## **12.0 APPEALS PROCEDURE**

If an individual wishes to appeal against any decision made in connection with this policy, they should write to or email, the Deputy Chief Constable at the below address within 14 days of receiving a decision. The appeal will be considered and consultation will take place with appropriate individuals to establish all facts before a decision with regard to the appeal is made. A response to the appeal will be provided in writing within 10 working days of receipt of the appeal. Should this period not be achievable the individual will be notified in writing when a decision will be communicated.

The Deputy Chief Constable  
c/o Human Resources  
Police Headquarters  
Aykley Heads  
Durham  
DH1 5TT  
Email [human.resources@durham.pnn.police.uk](mailto:human.resources@durham.pnn.police.uk)

## Appendix 1

**RISK MATRIX**

		<b><u>Severity</u></b>			
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b><u>Likelihood</u></b>		Minor	Moderate	Major	Extreme
<b>4</b>	Almost Certain	Medium	Medium	High	High
<b>3</b>	Likely	Medium	Medium	High	High
<b>2</b>	Possible	Low	Medium	Medium	High
<b>1</b>	Unlikely	Low	Low	Medium	High

**Risk Scoring and Grading**

- Define the risks in terms of the potential adverse consequences
- Use the likelihood descriptor on the matrix relevant to the risk
- Use the severity descriptor that is relevant to the potential outcome
- Calculate the risk level (**High, Medium, Low**) by multiplying the likelihood and severity

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SEVERITY

Descriptors	1	2	3	4
	Minor	Moderate	Major	Extreme
Severity of impacts on the safety of police officers, police staff or the general public	Minor injury or illness requiring minor intervention	Moderate injury requiring professional intervention	Major injury leading to long-term incapacity or disability	Incident leading to death, multiple injuries or long term effect on health

Likelihood

Descriptors	1	2	3	4
	Unlikely	Possible	Likely	Almost Certain
Likelihood of occurrence	Do not expect to happen, possible it may do so	May happen or re-occur occasionally	Will probably happen or re-occur, not a persisting issue	Will undoubtedly happen or re-occur, possibly on a frequent basis

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