

Health and Safety Arrangements and Responsibilities Policy

HS001 Health and Safety Policies

April 2024

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1. Introduction
   1. MHA is committed to ensuring, as far as is reasonably practicable, the health and safety of colleagues and anyone affected by MHA’s activities.
   2. MHA’s arrangements for managing health and safety at MHA will comply with the Health and Safety at Work Act 1974, Management of Health & Safety at Work Regulations 1999, and all other associated and relevant legislation, regulations.
2. Scope and Purpose
   1. This policy aims to support the continuous improvement of MHAs management of all risks within its remit for the benefit of colleagues and all who use or are affected by MHA’s activities. It aims to achieve this by creating and developing appropriate and robust health and safety management arrangements which deliver a structured, proportionate, and consistently applied approach to risk management.
   2. This policy is relevant for all colleagues and volunteers (hereafter referred to as colleagues).
3. H&S Arrangements
   1. The general, corporate arrangements described in this H&S Policy are supplemented by a wide range of hazard specific and / or local policies, procedures, and guidance wherever this is either necessary or potentially beneficial.
   2. All such documents are subject to formal and scheduled review, and revised or updated versions, along with corrections or supplementary information relating to them are formally issued on a monthly basis by the Standards and Policy Team overseen by the Head of Standards and Policy.
   3. Appropriate records of all elements of health and safety management related activities shall be kept and made available as required in order to inform decision making, management action and day to day activity. These shall be made, maintained, accessed, shared, retained ‘after use’ and disposed of in line with GDPR requirements and local policies and procedures.
   4. MHA considers its main health and safety risks under the following eleven headings. This is not an exhaustive list and there will be numerous other related risks not specifically referred to in this summary which MHA’s health and safety management arrangements will nevertheless still be expected to identify and appropriately manage.
   5. General Work-Related Activities and Risks: all specific activities and service delivery risks not covered more specifically below; and including for instance, Safe Systems of Work for all work-related activities for example:
   * Driving
   * Lone Working
   * Moving and Handling of loads and people
   * Equipment Safety - including Bed Rails
   * Slips, Trips and Falls - Including Falls from Height
   * Hazardous Substances, Infections and Disease
   * Catering, Food Hygiene and Safety
   * Water Related Risks - Including Legionella and Scalding
   * Work Related Violence, Aggression, Personal Safety and Security
   * General Work Environment – including buildings and maintenance, asbestos, gas, contractors, DSE, and vehicle movement.
   * Fire Safety
   * General Welfare – including First Aid, Occupational Health services, Mental Health including Stress.
   * Emergency Plans, Preparedness and Business Continuity
4. Consultation and Communication
   1. Consultation and communication arrangements shall be in place in all homes and schemes and within Central Support (with all these referred to collectively as ’Local arrangements’) which will enable all colleagues to be ‘included’ as necessary, but also encouraged to engage with discussions of health and safety issues and initiatives and the local management of these.
   2. These will facilitate the discussion and effective communication of locally relevant risks and the details of associated controls (and changes to these) and provide colleagues with the opportunity to raise safety related concerns with their managers, confident that these will be both well received and appropriately responded to.
   3. Residents and people using our services will also be informed of, and consulted with, on health and safety matters where this is considered to be either necessary or potentially beneficial.
   4. MHA uses a ‘two tier’ approach to the formal direction, management, coordination, and oversight of its health and safety efforts, with the above ‘Local’ arrangements formally reporting into a Senior Management level Health Safety Committee which itself reports into ELT.
   5. MHA’s local consultation, communication and other associated forums and activities are required to regularly consider the Health and Safety related risks they face and the extent to which the responsibilities of each individual or team are being effectively discharged, and the means of offering support, or otherwise addressing, any shortfalls in this regard.
   6. These arrangements must be organised as appropriate within all care homes, retirement living schemes, MHA Community schemes and support functions (referred to collectively hereafter in this document as “homes, schemes, and support functions” so as to be able to formally report on agreed Health and Safety related actions, plans, risks, and challenges to the Health Safety Committee.
5. Risk Assessment in Health and Social Care Settings
   1. MHA acknowledges the right of colleagues to work in a healthy and safe environment, and also that the predominantly ‘vulnerable’ population using its services is entitled to care and support that is safe and takes their wants, needs, privacy, and dignity into account.
   2. The key building block on which effective risk management interventions should be based, is the risk assessment which is, in summary, a structured and consistently applied means of identifying and quantifying the significance of hazards and considering and agreeing sensible and proportionate measures to manage them. Risk assessments underpin and inform all health and safety management arrangements and must be undertaken by an appropriately ‘Competent Person’ for all tasks, activities, and hazards relevant to the organisation.
   3. Although there are unlikely to be many hazards or risks not already subject to various controls, the risk assessment process helps in deciding for each risk whether more should be done.
   4. When considering the individual risks for particular people using a service, it must be remembered that health and social care is regulated by more than one organisation, some of which may require various and quite specific forms of ‘care related’ risk assessment to be undertaken. In such instances, the health and safety risks identified for an individual will usually be recorded as part of, and incorporated into, such ‘care assessments’ or ‘support plans.’
6. Incident Reporting and Investigation
   1. Incident Reporting must be undertaken by any and all colleagues in line with MHA’s incident reporting and investigation policy, and associated local procedures, using the Radar electronic Incident Reporting system. Managers shall encourage the reporting, and proportionate and appropriate investigation of all incidents, with a view to learning from these and avoiding recurrence.
7. Roles and Responsibilities

| Role | Responsibilities |
| --- | --- |
| **All MHA Colleagues** | MHA requires all colleagues at whatever level within the organisation, and whether working under a permanent or temporary contract, including bank and agency colleague, and also including colleagues to:   * Take care of their own health and safety and that of other colleagues, residents, visitors, and non-colleagues who may be affected by their acts or omissions. * Comply with all H&S related MHA policies, guidance, agreed safe systems of work, and all other local efforts to manage the H&S hazards faced or created, and with any specific actions or requirements arising from relevant risk assessments. * Not to interfere with intentionally or recklessly, remove, misuse, or fail to use where required or necessary, any equipment (including PPE) or article, or disregard any notice provided by MHA in the interest of H&S management. * Fully engage in any training intervention identified as being necessary by their line manager and make every effort to apply any such learning as appropriate on their subsequent return to the workplace. * Report any health and safety issues or concerns that may inhibit their ability to carry out the full range of their duties in a safe manner. * Immediately bring to the attention of their managers any shortcomings they are aware of in respect of H&S policies, procedures, practice, guidelines, safe systems of work, training and supervision, or any concerns relating to the controls associated with these, or any other concerns they may have relating to the health, safety or welfare of themselves or people using our services, or of anyone else potentially affected by the actions or omissions of MHA. * Report any accident, incident or near miss of which they are aware to their manager, and complete any associated incident reports, and participate fully in any subsequent investigation. |
| **Contractors** | All contractors and subcontractors employed by MHA have a responsibility for complying with all existing and relevant H&S legislation, and MHA’s H&S policy, as well as any other H&S related MHA policies, guidance and / or procedures and protocols brought to their attention including those relating to the management and ‘control’ of Contractors. All contractors will be expected to provide a method statement and suitable and sufficient risk assessments in keeping with the Management of Health and Safety at Work Regulations 1999 (Section 3) before commencement of any work. |
| **Home and Scheme Managers** | All care home managers, retirement living scheme managers, MHA Community scheme managers, and department or function managers including those based at Central Support office, shall, either directly, or through formal and effective delegation shall:   * Be responsible for the day-to-day implementation of this H&S Policy and all associated local safety policies and associated procedures. * Be required to ensure compliance with all health and safety related policies and procedures by MHA colleagues, colleagues and visitors, and others. * Ensure that a safe working environment is established and maintained and that all activities, tasks and operations are undertaken in a safe manner. * Undertake, record and act upon risk assessments as required. * Undertake scheduled safety inspections and safety audits in accordance with MHA policy. * Ensure that corrective actions identified in various audits, risk assessments, inspections, and incident investigations are promptly carried out, and that associated recommendations are appropriately considered. * Ensure that colleagues are adequately trained to carry out their duties competently and to ensure the safety of themselves and others. * Ensure that all accidents, injuries, ill-health, and near-misses are reported in line with MHA and any external Regulatory requirements, using the Radar electronic Incident Reporting system, and including complying with any applicable RIDDOR or other external reporting requirements, and that all incidents are also subject to proportionate and timely investigation. * Ensure that colleagues are supplied with and required to wear/use appropriate and adequate personal protective equipment relevant to their role, and that where necessary, they receive any associated information and training related to its use. * Ensure that suitable emergency procedures are established in accordance with MHA policy. * Check the H&S arrangements and any associated or ‘project specific’ documentation of any contractors before awarding contracts or permitting work to commence. * Maintain, update and where necessary introduce new, local arrangements or systems of work to support the implementation of this policy. * Ensure that appropriate action is taken immediately after receiving any formally issued safety notice, alert or similar. |
| **Registered Care Home Managers** | The Registered Manager is legally responsible for the regulated activities carried out at their registered location. In addition to the specific responsibilities associated with being a Registered Manager, these individuals also share all the responsibilities listed below under the heading of home and scheme managers. |
| **Estates Managers** | Estates Managers have a number of health and safety related responsibilities with the work they undertake and in particular with regard to supporting the home and scheme managers in the effective management of estates and property risks as they relate to each home and scheme. They should:   * Ensure health and safety considerations are at the forefront of the planning and management of works (of any scale) to be undertaken in homes and schemes, and that working in conjunction with the relevant managers and other local team members is prioritised so as to ensure all such work is undertaken in as safe a manner as reasonably practicable. * Ensure that appropriate RAMS are reviewed and approved prior to work commencing and that all works are undertaken in strict compliance with such RAMS and any applicable CDM requirements and other relevant standards and guidance. * Work closely with maintenance workers in homes and schemes so as to support these individuals in the discharge of their responsibilities, and to ensure where applicable, the maintenance workers benefit from the Property Surveyors’ greater experience or competence in various technical matters. * Accompany the home/scheme manager and local management team during the Fire Risk Assessment and H&S Audit undertaken by MHA’s externally commissioned fire safety consultants. * Accompany and support the home/scheme manager and local management team where possible, during any visits of formal inspections by external regulatory or enforcement agencies relevant to the services of the Estates Team e.g. Fire and Rescue Services, HSE etc. * Support the home/scheme managers through timely, effective, and accurate communication with regard to all aspects of Estates related work, and associated health and safety related management, so as to provide the assurances these managers require in this regard. * Assume the joint role of Deputy Responsible Person (Water) in conjunction with the relevant home / scheme manager, with regard to the management of water safety matters. |
| **Head of Estates (Operations)** | The Head of Estates has overall responsibility for ensuring that all buildings, premises, plant, and equipment are maintained in a safe condition, good repair and in efficient working order, with consideration being given to all relevant risks including those relating to fire. The Head of Estates will develop, implement and maintain procedures to ensure that reported defects are prioritised according to the level of risk they present and attended to accordingly. More specifically the Head of Estates shall ensure:   * That appropriate policies and other formal procedures and arrangements are in place for all significant risks faced, which clearly, specifically, and logically describe the responsibilities of various members of the Estates Team, and other colleagues, for the safe and effective management of these risks. * That there is an effective interface between all managers within the Estates Team, which leads to a comprehensive and timely flow of assurances across all estates related activities and services, to the Health and Safety Committee, and other relevant health and safety related forums. * That all maintenance work is carried out strictly in accordance with formally agreed and recorded safe systems of work. * That all contractors are aware of the safety procedures which are currently in force, that relevant RAMS are reviewed prior to any/all contract work taking place, and that all such work is undertaken in compliance with MHA’s arrangements for effectively managing contractors. * That suitable and sufficient risk assessments are undertaken for all relevant activities, tasks, and projects, and used to inform the planning and management of such work and associated subsequent decision making. * The estates team will be responsible for issuing ‘permits to work,’ where required, and for the appropriate and safe management of any other property or buildings related tasks or activities that are subject to specific legal requirements e.g. removal of asbestos, working in confined spaces, etc. |
| **H&S Team** | The Management of Health & Safety at Work Regulations 1999 (Regulation 7) require every employer to appoint one or more ‘Competent Persons’ to assist in undertaking and implementing the protective and preventative measures and controls through which risks are managed in that organisation. Within MHA there is a Head of Risk Management, supported by a H&S Advisor, both with a wealth of health and safety management experience, who are able to provide advice, support and guidance to those managers and colleagues responsible for, or involved in, the management of H&S across the whole of the organisation. If MHA’s needs extend beyond general H&S advice and support, formal arrangements have been made to ensure that Competent Person advice is also available, as required, for the following more specific areas of risk - Fire safety; infection prevention and control; moving and handling; occupational health; CDM; catering safety and food hygiene; COSHH; waste management; emergency planning; business continuity management; asbestos and legionella management. |
| **Health and Safety Committee** | This committee is charged with coordinating the efforts of all the homes, schemes and support functions and enabling these to be discussed, evaluated, and directed at this ‘senior management’, level within the organisation, before itself reporting on progress i.e. producing assurances, and also escalating more serious challenges and concerns, to the ELT, which has formally adopted the role of MHA’s strategic level HEALTH AND SAFETY COMMITTEE risk management forum. The main output of the committee must be an ongoing stream of assurances relating to the risks within its remit, making it possible to quantify and compare the scale or significance, and full context of any ‘gaps’ that might be identified. These should be reported upwards as either ‘satisfactory’ assurances, or alternatively as concerns and gaps in assurance, in line with agreed Board and ELT information requirements. |
| **Head of Risk** | MHA employs a Head of Risk Management, accountable to the Company Secretary / General Counsel, to act as its ‘Competent Person’ with regard to H&S, who is responsible for:   * Leading on the implementation of MHA’s H&S Policy (and associated specific policies) and providing specialist H&S management advice to help MHA, its directors, senior managers, and their teams achieve high standards of H&S management throughout the organisation. * Providing advice to the Executive Leadership Team and Board members as necessary, on H&S related matters to ensure that MHA is aware of and meets its statutory responsibilities. * Acting as the key point of contact between MHA and external H&S Competent Persons, regulatory or enforcement bodies and other relevant agencies as appropriate. * Overseeing a programme of external H&S related audits and fire risk assessments on MHA sites and services in line with MHA policy and ensuring actions, concerns and recommendations arising from these are communicated to all who need to be aware of, and/or act on these, or otherwise follow them up as appropriate. * Chairing the H&S Committee and directing and coordinating its work so as to ensure it interfaces effectively with that of other relevant risk and safety forums, and providing formal reports to the Executive Leadership Team, and other risk and safety related forums in relation to HEALTH AND SAFETY COMMITTEE related performance, monitoring criteria and associated key performance indicators. * Ensuring that MHA and its senior managers have appropriate access to sufficient Competent Persons in whatever field(s) of expertise, as might be required to assist it in understanding and complying with all its statutory obligations and requirements. * Providing competent and professional advice and assistance with regard to the formulation of local and/or risk specific H&S policies and associated safe systems of work etc. to support managers in their implementation of this policy. * Ensuring arrangements are in place to enable all reported incidents to be subject to appropriate and proportionate investigation, in order to inform appropriate remedial and/or mitigating action to reduce likelihood of recurrence, and to encourage organisational learning as a result of such investigations. * Having arrangements in place to ensure appropriate and timely reporting of all incidents which are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013, as well as any other relevant external reporting requirements. |
| **Chief Operating Officer (COO)** | In addition to the collective responsibilities of all Directors, the Chief Operating Officer (COO) (who is also part of the Executive Leadership Team) is specifically responsible for ensuring the effective and timely implementation of all elements of the organisation’s health and safety management arrangements as they pertain to the safe delivery of all services across the Operations Directorate. The COO is responsible for all aspects of Estates and Property management and development, ensuring the safe and legally compliant operation and maintenance of all buildings MHA services are delivered in or from. This includes being formally nominated as the Lead Director for Fire Safety, which involves specific responsibility for directing, guiding, supporting, organising, monitoring, reviewing and formally reporting to the Board on the appropriateness and effectiveness of the organisation’s fire safety management arrangements. The COO will ensure that the Chief Executive and the Board are kept fully up to date with new and current legislation, regulations and guidance relating to the above responsibilities, as well as any concerns in this regard expressed by any regulator in its dealings with the organisation, and the possible consequences of non-compliance for both the organisation and for senior individuals within it. |
| **General Counsel / Company Secretary** | MHA has formally nominated the Company Secretary / General Counsel (who is also part of the Executive Leadership Team) as being the Lead Director for H&S, with specific responsibilities for directing, guiding, supporting, organising, monitoring, reviewing and formally reporting to the Board on the appropriateness and effectiveness of the organisation’s H&S management arrangements. In consultation with the Board, the Company Secretary / General Counsel is responsible for the development, implementation, co-ordination and monitoring of H&S related policies and procedures, designed so as to create and maintain a safe and healthy work and care environment, and to support the achievement of MHA’s associated H&S objectives. More specifically, the Company Secretary / General Counsel shall:   * Ensure through formal reporting from the health and safety committee and other relevant sources, that the Board is kept appropriately informed of the existence and status of relevant risks and the effectiveness of the controls in place to manage them. * Ensure that the Chief Executive and the Board are kept fully up to date with new and current legislation, regulations, and guidance and also, as appropriate, of any concerns in this regard expressed by any regulator in its dealings with the organisation, as well as the possible consequences of non-compliance for both the organisation and for senior individuals within it. |
| **Executive Leadership Team (ELT)** | The Executive Leadership Team (ELT) is pivotal in providing and actively demonstrating health and safety leadership, and they need to ensure that all their decisions reflect the health and safety intentions as articulated in MHA’s H&S Policy. They also have the overall responsibility across their directorate or ‘sphere of responsibility’ to ensure that the full range of Health & Safety related responsibilities is discharged effectively. More specifically, they must ensure that:   * They have the required level and range of competence to enable them to effectively discharge these responsibilities, and / or participate in the training required to achieve or maintain this competence. * H&S is managed effectively by senior managers and that all necessary procedures and systems of work are developed, agreed, implemented, and reviewed to ensure the successful implementation of this policy. * Any significant unresolved concerns are escalated appropriately, including being brought to the attention of the Board if necessary. * Systems are in place and resources available to ensure colleagues participate in and contribute to the effective H&S management. * They monitor and review H&S performance across their sphere of responsibility on an ongoing basis, and where this is satisfactory, report and confirm this via a flow of relevant assurances. * Where the necessary assurances cannot be gathered, or are not sufficiently robust, these ‘gaps’ are reported, and if necessary, formally escalated to the appropriate individual(s) or forum, including if appropriate to the Board. * All colleagues within their sphere of responsibility are provided with comprehensive, clear, and relevant information on the hazards they face and the preventative and protective control measures in place intended to effectively manage those identified risks. * All colleagues attend any statutory and mandatory H&S related training programmes within required timescales, as well as any other training identified as being necessary. * An adequate number of suitably Competent Persons are available to enable all services and activities to be appropriately risk assessed, and to undertake all other activities that require specific competence in order to complete them effectively e.g. Incident Reporting and Investigation, H&S audits, etc. * They afford appropriate management time, attention, and priority to all aspects of H&S management within their sphere of responsibility and demonstrate through personal example that H&S management is to be considered alongside other factors such as quality, finance, performance etc. when making decisions on behalf of their services. * Any local risk registers are kept up to date and accurate and that these inform discussions of risk and health & safety management across their sphere of responsibility and that the senior management team meets all information and compliance monitoring requirements in order to report accurately to the H&S Committee. * All colleagues within their sphere of responsibility act at all times, in accordance with MHA’s H&S Policy, and all related local polices and associated guidance. |
| **Chief Executive** | * Has overall responsibility for ensuring appropriate and effective arrangements are in place through which to manage the health, safety of MHA colleagues, people using its services and all others potentially affected by its activities. * Must ensure that an appropriate and Board approved H&S Policy is in place and communicated to all managers, colleagues, and colleagues. * Must ensure that the resources required for implementing this policy are made available, or where this is not possible, that the policy is amended accordingly to take appropriate account of any such shortfalls. * Must ensure appropriate governance arrangements are in place to facilitate the comprehensive monitoring and reviewing of the effectiveness of the implementation of this policy, and for the accurate, full, and timely reporting on this to appropriate individuals and forums including the Board. |
| **Board of Trustees** | MHA’s Trustees, as the statutory directors of MHA, are responsible for determining MHA’s strategy and vision for meeting the needs of older people, and for ensuring that appropriate governance arrangements - including those relating to health and safety management - are in place to support the executive leadership team in delivering this. The Board, and its individual Trustee Members, have a duty to ensure that:   * Their responsibilities are discharged in such a way as to take full account of all relevant health, safety related matters. * They effectively delegate the day-to-day responsibilities for the implementing of this policy to the Chief Executive and Executive Leadership Team. * They engage as fully as they are able to and encourage the active engagement and participation of all directors, managers, and colleagues, in improving the management of all aspects of health and safety. * They are kept informed of, and seek subsequent assurance on, all health and safety concerns either specifically escalated to them or routinely brought to their attention. |

1. Training and Monitoring
   1. MHA’s Board will agree annual objectives for improving the effectiveness of its health and safety management arrangements, which will be subject to ongoing monitoring and review, and with progress and any particular challenges being formally reported to it.
   2. A range of auditing and monitoring processes (both internal and external) will be used to evaluate the effectiveness of existing arrangements, and to assist in identifying areas for review and improvement as appropriate.
   3. Training in health and safety will be provided for all colleagues in line with statutory requirements, as mandated by MHA in response to relevant regulations and guidance, in response to the significant findings of risk assessments, and for any other appropriate reasons. This shall include new colleagues and those changing roles, and ‘refresher’ training, as well as wherever new or exacerbated risks and associated training needs are identified.
   4. Any person identified as having specific responsibilities with regard to this policy and / or any other health & safety related policy and any associated procedures or protocols, must possess sufficient skills, ability, training, education, knowledge, and experience to be able to discharge these responsibilities and perform their designated tasks safely and effectively. In the context of health and safety management this combination of required attributes is defined as `Competence`.
   5. MHA’s need for Access to Competent Persons advice across the organisation is met by a combination of employing appropriately knowledgeable, qualified, experienced, and otherwise ‘competent’ people and, where the advice required is beyond the competence of these colleagues, or where employing the advice is not considered to be either appropriate or possible, additional Competent Person advice will be sourced externally and purchased, as necessary.
   6. Compliance is assessed through direct observation, monitoring, and supervision of our colleagues.
2. Communication and Dissemination
   1. This policy is disseminated and implemented within all MHA services through MHA’s channels of communication.
   2. Each colleague’s line manager must ensure that all teams are aware of their roles, responsibilities.
   3. This policy will be available to the people we support and their representatives in alternate formats, as required.
   4. Any review of this policy will include consultation with our colleagues, review of support planning, incident reports, quality audits and feedback from other agencies.
   5. Queries and issues relating to this policy should be referred to the Standards and Policy Team [policies@mha.org.uk](mailto:policies@mha.org.uk)
3. Equality Impact Assessment (EIA)
   1. Equality, Diversity, and Impact Assessment to be confirmed.
4. Resources
   1. **MHA policy documents, procedures, and guidance:**
   * MHA’s Health and Safety Policies (MHA Connect)
   * Risk management policy [G600]
5. Version Control

| Version | Version Date | Revision Description / Summary of Changes | Author and Review Panel | Next Review Date |
| --- | --- | --- | --- | --- |
| 1 | April 2024 | MHA’s core h&s policies amalgamated into one.  Annual compliance review completed.  MHA’s Board of Trustees ratify this policy every 2 years. The last ratification was 2023, the next ratification is due in 2026. | Author   * Head of Risk * Standards and Policy Manager   Review Panel   * General Counsel / Company Secretary | April 2025 |
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