

 <p>Northwards Housing North Manchester's Council Homes</p>		Report to: Northwards Housing Board 11 th November 2014		Item No: <h1>8c</h1>	
Title:		Health and Safety Responsibilities			
Date:		30 th October 2014			
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Confidential:		No			
For: (Please tick action required)		NOTING ✓		DISCUSSION	
		APPROVAL			
PURPOSE OF REPORT					
To advise the Board of their obligations as company directors in respect of health and safety.					
RECOMMENDATION					
The Board is asked to note the different levels of responsibility for health and safety within the business and more specifically the role and duties of Northwards company directors.					
IMPLICATIONS					
Risk Management		Health and safety is identified on the corporate risk register as a key risk (RR-03) and includes the failure to maintain and protect the business from legal action; failure to keep abreast of changes to legislation and ensure policies are updated and the failure to ensure statutory training for employees. The organisation has a health and safety management system in place to control the risk.			
Regulatory & legal compliance		The organisation has to comply with a number of legal and regulatory requirements around health and safety. There are significant penalties for breaching these. Company directors have overall responsibility for health & safety within the business.			

Consultation/Consideration:

	Yes, No or N/A:	Name:	Date:
Sub-Committee:	N/A		
Area Panel:	No		
Task Groups:	No		
Ward Councillors:	No		

1. This report is intended to clarify and make explicit the role and responsibilities for health and safety within Northwards Housing, in particular the role of company directors.
2. It is not uncommon for companies to outsource their health and safety support function or to appoint various lead managers for health and safety within the business. Whatever approach is adopted, company directors are responsible for health and safety and this responsibility cannot be delegated.
3. The extract below is taken from the updated health and safety policy and safety management system which was considered and approved by the Audit Sub Committee on 23rd October 2014.

General Duties of Non-Executive Directors (Board Members)

The company directors have ultimate responsibility for health, safety and welfare at Northwards Housing. In addition to the Chair of the Board, a lead board member will take a closer and more active role in monitoring and supporting the organisation in the implementation of a health and safety policy and safety management system.

The main responsibility for ensuring health and safety of employees and for reducing risks to others affected by work activities (including members of the public) rests with employers (Sec 2 and 3 of the Health and Safety at Work etc. Act 1974).

Whilst many health and safety functions can be delegated, legal responsibility rests with the employer.

Specifically a board member's role is:

- To acknowledge their collective and individual role in providing health and safety leadership in the organisation;
- To ensure their personal actions and decisions reinforce the health and safety policy statement and do not undermine it;
- To ensure the health and safety policy statement reflects the priorities of the board;
- To recognise their personal responsibilities and liabilities under health and safety law;
- To ensure the organisation has a written health and safety policy (reviewed annually) and that arrangements are put in place to implement it and that employees are informed;
- To ensure the organisation has an active, effective approach to managing health and safety risks;
- To set out their expectations of senior managers with health and safety responsibilities and the arrangements for keeping the board informed and advised of all relevant matters concerning performance;
- To ensure that health and safety is addressed in all board reports, as appropriate, to

control risk and to fully understand the legal and health and safety implications of their decisions;

- To ensure that procurement decisions, work undertaken with partners or work that is outsourced is consistent with the organisations obligations for health and safety;
- To seek assurance on the active participation of employees in improving health and safety;
- Ensure management systems provide for effective monitoring and reporting of health and safety;
- Expect to be kept informed about any significant health and safety failures and the outcome of the investigations into their causes.

General duties of the Chief Executive and Executive Directors

The Chief Executive has overall responsibility for health and safety for the business as stated in the policy statement, supporting procedures and management systems. They must ensure that directors and senior managers responsible for health and safety have the necessary competence, resources and support to carry out their role.

The Chief Executive is also responsible for bringing the policy to the attention of management, employees and suppliers / contractors and ensuring compliance through monitoring arrangements. Whilst in practice this can be delegated to relevant directors and their management responsibility remains with the Chief Executive.

Throughout the organisation, the visible and active leadership of executive directors, through to first-line managers is necessary to develop and maintain a culture supportive of health and safety management, such as promoting an interest in, and enthusiasm for, occupational health and safety matters.

Specific duties of EMT include:

- Responsibility to advise the Chief Executive of any matters that compromise the effectiveness of the organisational structure, procedures, or systems.
- Monitoring the safety performance of their area of the business and take such steps as may be necessary to improve the performance.
- Ensuring managers within their service areas and sphere of influence are aware of their responsibilities as laid down by Northwards Housing's health and safety policy and safety management system.
- Ensuring that all managers under their control receive adequate and appropriate training in health and safety matters and are provided with all necessary information to enable them to carry out their duties safely.
- The allocation of sufficient resources to enable Northwards Housing health & safety policy and procedures to function effectively, with particular emphasis being given to

health and safety training.

- Familiarity with the board requirements.
- Liaising closely with the other directors and Spectra Safety Ltd, as required, to ensure the organisation complies with Northwards Housing's health & safety policy and SMS.
- Providing employees with the opportunity to air any concerns they may have on any health, safety, or welfare issues.
- Ensuring all contracts are administered in accordance with the organisation's health and safety procedures
- Setting objectives and targets for the organisation, as appropriate, to achieve a reduction in accidents and occupational ill health.
- Carrying out periodic visits to Northwards sites to monitor the standards of health and safety practice
- Taking responsibility for their own safety management awareness to make sure they that they receive appropriate training.
- Monitoring through periodic reviews, accident and incident data to ensure that all activities receive a safety audit and review on an annual basis.
- Ensuring that there is a consistent and co-ordinated approach to health and safety throughout the organisation.

General duties of Managers

Managers have operational responsibility for health and safety and for ensuring that:

- They identify and implement risk control measures in accordance with the 'general principles of prevention' e.g. (avoidance of risk, evaluating risk that can't be avoided, giving collective protective measures priority over individual protective measures)
- Health and safety standards are maintained with the aim of continual improvement
- Health and safety issues are given priority
- Health and safety performance within their area of responsibility is monitored and corrective action is taken if standards fall below organisation expectation
- Appropriate resources are allocated to the planning of all activities and they are effectively managed and supervised
- Managers and supervisors are aware of their responsibilities concerning safety management and that they receive appropriate training
- The safety training and development needs of all employees under their control are appropriately met so they are competent to discharge their duties
- The reporting of accidents, occupational ill health and near miss incidents is in accordance with Northwards procedures, ensuring that investigations are carried out where needed
- The relevant safety management system is applied to all activities under their control

- They monitor the health and safety performance of employees and suppliers / contractors through site visits and inspections as per the requirements of the safety management system and consistent with the job role
- They keep up to date with changes in legislation, codes of practice, and organisation procedures
- They set an example in safe behaviour, good management and promote a positive health and safety culture
- The requirements for occupational health and sickness absence management are followed

General Duties of Employees

All employees have both a statutory and organisational duty to look after their own safety and to give due consideration to the safety of others. Employees also have specific responsibility to do as follows:

- Take reasonable care of themselves and others who may be affected by their acts or omissions.
- Co-operate with their employer so far as is necessary to enable Northwards to comply with their statutory duties, and discharge any specific duties as set out in the health and safety policy and safety management system.
- Not to intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety or welfare.
- Report all accidents, incidents, defects, near misses or incidences of ill health, in line with Northwards Housing's safety management system, and related procedures.
- Familiarise themselves and comply with the published health and safety policy and procedures of Northwards Housing as detailed in the safety management system.
- Work in accordance with safety instructions following any required safe system of work as detailed in any method statements and risk assessment etc., and notify their line manager if they do not feel competent to undertake any tasks they have been set.
- Correctly use and store any equipment including personal protective equipment (PPE) provided for use as specified by any risk assessment or safety procedure, and in accordance with training.
- Report any faults/defects in plant/equipment/machinery or hazardous situation to their supervisor/manager immediately.
- Raise any concerns they have on the subject of health, safety and welfare at team meetings or individually to their supervisor/manager or to Spectra Safety Ltd.

General Duties of Health & Safety Consultant (Spectra Safety Ltd)

Spectra Safety Ltd are contracted to act as the competent health and safety person for Northwards Housing covering all general health and safety matters. They have the expertise, experience, knowledge (including qualifications) to identify hazards and they have the delegated authority to recommend actions to mitigate them.

Specifically their duties are:

- To provide expert advice to the Board (more regularly via the Audit Sub Committee) and to all levels of management
 - Review and update the health and safety policy and safety management system annually, ensuring it remains in line with the organisation's objectives
 - Alert the executive management team of any health and safety issues that compromise the effectiveness of the organisational structure, procedures or systems
 - Provide access to a consultant outside of normal office hours in urgent or emergency situations
 - Support the employee health and safety committee.
 - Carry out an annual inspection and audit of all communal areas in retirement schemes; multi storey blocks and public offices, ensuring recommendations are actioned in a timely manner
 - Advise and support managers' in the completion of health and safety risk assessments and ensure risk assessments are reviewed and updated.
 - Provide temporary CDM cover for the organisation on an ad-hoc basis, as required
 - Provide training for employees as required
 - Carry out annual audits of fire safety, CDM, gas servicing polices/systems and the organisation's health and safety training programme to ensure they remain fit for purpose
 - Carry out any accident/incident investigations and deal with any enquiries e.g. from the HSE
 - To ensure the organisation remains legally compliant with all current health and safety legislation and advise the board of any changes in regulatory requirements.
 - To produce quarterly reports on health and safety performance and advise the organisation of any emerging changes and best practice in health and safety.
4. The Board is asked to note the different levels of responsibility for health and safety within the business and more specifically the role and duties of Northwards company directors.