

Health & Safety Policy (England Community)

Regulatory Links

Health and Safety Legislation

- **Health and Safety at Work etc. Act 1974** – The primary legislation governing workplace health and safety. Places duties on employers to ensure, so far as is reasonably practicable, the health, safety and welfare of employees and others affected by their activities.
- **Management of Health and Safety at Work Regulations 1999** – Requires employers to carry out risk assessments, appoint competent persons, and establish appropriate arrangements for the effective planning, organisation, control, monitoring and review of protective and preventive measures.
- **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)** – Requires employers to report certain workplace injuries, occupational diseases, and dangerous occurrences to the Health and Safety Executive.
- **Personal Protective Equipment at Work Regulations 1992 (as amended 2022)** – Requires employers to provide suitable PPE where risks cannot be adequately controlled by other means.
- **Regulatory Reform (Fire Safety) Order 2005** – Places duties on the responsible person to carry out fire risk assessments and maintain fire safety measures.
- **Control of Substances Hazardous to Health Regulations 2002 (COSHH)** – Requires employers to control exposure to hazardous substances.

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

- **Regulation 12: Safe care and treatment** – Care and treatment must be provided in a safe way, including the assessment of risks to health and safety and doing all that is reasonably practicable to mitigate them.
- **Regulation 15: Premises and equipment** – Premises and equipment must be clean, suitable, properly used, maintained, and appropriately located for the purpose for which they are being used.
- **Regulation 17: Good governance** – Systems must be in place to assess, monitor, and improve the quality and safety of services, including health and safety management.
- **Regulation 18: Staffing** – Sufficient numbers of suitably qualified, competent, skilled and experienced staff must be deployed, and they must receive appropriate support, training and supervision.

CQC Quality Statements

- **Learning culture:** *"We have a proactive and positive culture of safety based on openness and honesty, in which concerns about safety are listened to, safety events are investigated and reported thoroughly, and lessons are learned to continually identify and embed good practices."*
- **Safe systems, pathways and transitions:** *"We work with people and our partners to establish and maintain safe systems of care, in which safety is managed, monitored and assured. We ensure continuity of care, including when people move between different services."*
- **Safeguarding:** *"We work with people to understand what being safe means to them as well as with our partners on the best way to achieve this. We concentrate on improving people's lives while protecting their right to live in safety, free from bullying, harassment, abuse, discrimination, avoidable harm and neglect. We make sure we share concerns quickly and appropriately."*
- **Involving people to manage risks:** *"We work with people to understand and manage risks by thinking holistically so that care meets their needs in a way that is safe and supportive and enables them to do the things that matter to*

them."

- **Safe environments:** *"We detect and control potential risks in the care environment. We make sure that the equipment, facilities and technology support the delivery of safe care."*
- **Safe and effective staffing:** *"We make sure there are enough qualified, skilled and experienced people, who receive effective support, supervision and development. They work together effectively to provide safe care that meets people's individual needs."*
- **Infection prevention and control:** *"We assess and manage the risk of infection. We detect and control the risk of it spreading and share any concerns with appropriate agencies promptly."*
- **Governance, management and sustainability:** *"We have clear responsibilities, roles, systems of accountability and good governance."*
- **Learning, improvement and innovation:** *"We focus on continuous learning, innovation and improvement across our organisation and the local system. We encourage creative ways of delivering equality of experience, outcome and quality of life for people. We actively contribute to safe, effective practice and research."*

Scope

This policy applies to all staff, volunteers, agency workers, contractors, and visitors. It covers all aspects of health and safety across both residential settings (care homes, supported living) and community-based services (domiciliary care). Where practice differs between settings, this is clearly identified.

Every person has a legal obligation to take reasonable care for their own health and safety and for the safety of others who may be affected by their acts or omissions. The successful implementation of this policy requires commitment and cooperation from all levels of management and all employees.

This policy should be read alongside our Fire Safety Policy, Infection Prevention and Control Policy, Moving and Handling Policy, COSHH Policy, Lone Working Policy, Accidents and Incidents Policy, Premises Policy, and all other related policies listed in Section 7.

Equality Statement

Our organisation is committed to equal rights and the promotion of choice, person centred care and independence. This policy demonstrates our commitment to creating a positive culture of respect for all individuals. The intention is, as required by the Equality Act 2010, to identify, remove or minimise discriminatory practice in the nine named protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is also intended to reflect the Human Rights Act 1998 to promote positive practice and value the diversity of all individuals.

Policy Statement

This organisation is committed to ensuring the health, safety and welfare of its employees and the people we support, so far as is reasonably practicable. We fully accept our responsibility for other persons whose health and safety may be affected by our activities, including visitors, contractors, and members of the public. We will take all reasonable steps to ensure our statutory duties are met.

This policy provides the framework for the organisation to achieve the following objectives:

- Provide leadership in identifying, controlling and eliminating risk where possible.
- Provide suitable and sufficient risk assessments as required under Regulation 3 of the Management of Health and Safety at Work Regulations 1999.
- Actively seek the cooperation and suggestions for improvements from all employees in relation to health and safety practice.

- Provide appropriate information, instruction and training to ensure, so far as is reasonably practicable, the health and safety at work of employees, taking into account anyone for whom English is not their first language.
- Provide and maintain a safe and healthy working environment, with statutory obligations as a minimum requirement.
- Maintain the workplace in a safe and risk-free condition and provide a safe means of access to and egress from the workplace.
- Have arrangements for ensuring the safe use, handling, storage and transport of articles and substances.
- Provide and maintain plant, equipment and systems of work that are safe and without risks to health.
- Provide suitable and sufficient welfare facilities for all employees.
- Promote continual improvement through a process of regular audit and review.

is responsible for health, safety and welfare at work and for ensuring adequate resources are provided to meet the organisation's obligations outlined above.

A signed hard copy of this policy statement is maintained on file by the Registered Manager, endorsed by . This meets the requirement under Section 2(3) of the Health and Safety at Work etc. Act 1974 for a written statement of general health and safety policy.

Policy Detail

CQC and HSE: Who Is Responsible for What

In December 2017, a Memorandum of Understanding was developed between CQC, HSE and the Local Government Association (LGA) to outline the respective responsibilities of CQC, HSE and local authorities in England when dealing with health and safety incidents in the health and adult social care sectors.

- CQC is the lead inspection and enforcement body for safety and quality of treatment and care matters involving people in receipt of a registered health or adult social care service.
- HSE and local authorities are the lead inspection and enforcement bodies for health and safety matters involving workers, visitors, and contractors, irrespective of registration. They are also the lead bodies for people receiving care from providers not registered with CQC.

Where a serious incident relates to a person we support, CQC will normally be the investigating agency. Where staff, visitors, or contractors are involved, HSE will normally be the investigating agency. HSE and CQC will agree between them which agency leads.

See [Memorandum of Understanding – CQC and HSE](#).

Responsibilities

The most senior person in the organisation is responsible for health and safety. They will:

- Ensure that the policy statement, organisational policies and individual responsibilities are understood and implemented by all managers.
- Ensure plans are prepared and implemented to achieve set objectives for the reduction of risks to health and safety.
- Ensure that arrangements and resources for providing health and safety are adequate.
- Be responsible for ensuring that adequate training is given to employees.
- Ensure effective means of involvement, communication and consultation with employees.
- Review health and safety performance and ensure work environments are safe, with risks documented and strategies in place to manage them.

Access to Competent Health and Safety Advice

Under Regulation 7 of the Management of Health and Safety at Work Regulations 1999, the organisation must appoint one or more competent persons to assist in meeting its statutory health and safety duties. This may be an internal appointment where a suitably qualified person is employed, or an external health and safety consultancy. The appointed competent person must have sufficient training, experience, and knowledge to carry out their role effectively.

Responsibilities

The person responsible for health and safety Akosua Konadu will manage health and safety on a day-to-day basis, including:

- Coordinating risk assessments and ensuring they are reviewed and updated.
- Ensuring the HSE approved poster is displayed prominently in each workplace, or providing each worker with a copy of the approved leaflet.
- Monitoring compliance with health and safety policies and procedures.
- Ensuring incidents are reported and investigated in accordance with RIDDOR and organisational policy.

All employees will:

- Conform to rules, procedures and training regarding safe working.
- Use the correct methods of work and not improvise by using methods, tools or equipment which entail unnecessary risks.
- When there is a legal requirement to do so, or where the nature of the work requires it, wear the protective clothing and use the equipment specified.
- Report unsafe tools, equipment, practices, or methods of work.
- Report any potential health and safety hazard, including infectious or other diseases, accidents, injuries, or concerns associated with the workplace.
- Assist in the maintenance of good housekeeping standards.
- Take reasonable care for their own health and safety and that of others who may be affected by their actions or omissions at work.
- Report any health and safety concerns to the Registered Manager.

Important

If workers believe their employer is exposing them to risks or is not carrying out their legal duties regarding health and safety, and this has been raised but no satisfactory response received, workers can make a complaint to HSE. See HSE – Reporting a health and safety issue: <https://www.hse.gov.uk/contact/tell-us-about-a-health-and-safety-issue.htm>

Risk Assessments

The organisation recognises that suitable and sufficient risk assessments are a legal requirement under Regulation 3 of the Management of Health and Safety at Work Regulations 1999. Risk assessments will identify hazards and resulting risks to employees and other persons who may be affected by work activities.

A hazard is the potential for harm. Risk is the likelihood of that harm actually occurring and the severity of the harm (for example, slight injury, major injury, death). Risk assessments will be undertaken relevant to all aspects of the organisation's activities. Significant risks will be documented.

Common risk situations include, but are not limited to:

- Falls, including those involving walking aids.
- Leaving the home or premises unaccompanied.
- Risk of scalding from hot liquids.
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- Misuse of medication within a self-medication situation.
- Injury where dementia or cognitive impairment prevents the person from identifying hazards.
- Risk of infection.
- Bed rails.
- Moving and handling.
- Challenging behaviour.

Community settings

The Health and Safety at Work Act 1974 does not always apply to activities carried out in private households. Personal care provided within someone's home may occasionally be considered domestic service, and the dis-application of HSWA will need to be considered on a case-by-case basis.

As an indicative guide: if carers work for the NHS, local authorities or agencies, HSWA is likely to apply. If the care involves complex healthcare activities or requires specialist training, HSWA is likely to apply. On most occasions, the general duty in Section 2 will be applicable.

See HSE guidance: [Does HSWA apply to care in people's homes?](#)

Personal Protective Equipment

The use of PPE is essential for health and safety. When considering infection prevention and control, a risk assessment may be required to decide which PPE is most appropriate for the task or situation, particularly where there is exposure to blood or other body fluids. PPE offers protection both to individuals and to those caring for them. Further risk assessments may be required where staff have sensitivities or allergies to certain materials (for example, latex gloves). Further information on the use of PPE is detailed within the Infection Prevention and Control Policy.

Specific Risk Assessments Required

In addition to general workplace risk assessments, the following specific assessments are required. Each must be documented, communicated to affected employees, and reviewed at least annually or following a significant change.

Night working

Where staff work at night, the organisation must complete an assessment of the hazards and risks associated with night work, including disruption of the circadian rhythm, shift lengths, adequate supervision levels, first aid availability, communication arrangements, welfare facilities, lighting, and workplace temperature. Night workers must receive a health assessment before commencing night work and at regular intervals thereafter, in line with the Working Time Regulations 1998.

Display screen equipment (DSE)

Risk assessments must be undertaken for all employees who use display screen equipment as a significant part of their normal work. DSE self-assessment questionnaires should be completed by all affected employees and reviewed at least annually or whenever significant changes to the workstation are made. See the Health and Safety (Display Screen Equipment) Regulations 1992 (as amended).

Home working

All staff who work from home, whether regularly or occasionally, must have a home working risk assessment and DSE assessment completed. The assessment should cover the suitability of the working environment, equipment, lighting, heating, and any specific risks. Completed assessments should be reviewed at least annually or whenever there are significant changes to the home worker's working environment.

New and expectant mothers

The organisation must maintain a general risk assessment for the employment of women of childbearing age. When an employee notifies the organisation that they are pregnant, have given birth within the last six months, or are breastfeeding, a specific risk assessment must be conducted to consider any additional risks from working conditions, physical or chemical agents, or postural issues. Any identified risks must be managed to reduce or remove them. See Regulation 16 of the Management of Health and Safety at Work Regulations 1999.

Contractor suitability

Before any contractor carries out work on behalf of the organisation or on its premises, the organisation must assess their suitability with regard to health and safety. Records must be requested and retained, including evidence of the contractor's health and safety policy, relevant risk assessments and method statements, insurance certificates, and training records appropriate to the work being undertaken.

Workplace stress

The organisation will assess the risk of work-related stress using the HSE Management Standards approach, covering demands, control, support, relationships, role, and change. Where risks are identified, control measures will be put in place and monitored. The organisation will maintain arrangements, in the form of a policy or risk assessment, to identify and support staff experiencing work-related stress. See also the Staff Wellbeing Policy.

Portable electrical equipment

All items of portable electrical equipment used by the organisation must be itemised in an inventory. Those requiring formal inspection must be identified through the risk assessment process. Maintenance and testing must be arranged and carried out by a competent person, with records retained. Visual inspection of portable electrical appliances should be carried out periodically between formal inspections, with records kept.

Occupational driving

Where staff drive as part of their role, whether using company vehicles, hire vehicles, or their own vehicles, the organisation must conduct an occupational driving risk assessment covering licence verification, business insurance, vehicle suitability, mobile phone use, journey planning, and fatigue management. See the Driving at Work Policy.

Hazard Reporting

The organisation will maintain a system for employees to report hazards in the workplace. All staff must report hazards to Akosua Konadu as soon as they are identified. Remedial actions must be recorded, carried out promptly, and communicated to affected employees. Where hazards are reported verbally, Akosua Konadu will record the report on behalf of the employee. The hazard reporting system will be reviewed as part of the annual health and safety review.

Staff Health and Wellbeing

The organisation recognises the importance of mental health and wellbeing in the workplace, particularly in the care sector where staff may be exposed to emotionally demanding situations. The organisation will maintain a written plan to manage mental health in the workplace, share it with all employees, and review it periodically. All managers and employees will receive appropriate mental health awareness training, which may be delivered through toolbox talks, webinars, e-learning, or information sessions. Records of training will be retained.

Legionnaires' Disease

As an employer, the organisation is responsible for taking the right precautions to reduce the risks of exposure to legionella bacteria. The organisation will use a competent individual to risk assess all premises, covering management responsibilities, competence and training, identified risk sources, control measures, monitoring and inspection procedures, and records of monitoring results.

For each location, a competent person will be appointed to take responsibility for controlling any identified risk from exposure to legionella bacteria or other water-based risks. Where an unpreventable risk is identified, a written control scheme will be developed.

Records will be maintained in line with HSE guidance. See [HSE – Legionnaires' Disease](#). See also the Water Management Policy.

Restraint

It is the aim of this service not to physically restrain any person. Should a member of staff feel that a person may pose a serious safety risk to either themselves or to others, they must remove themselves to a place of safety and contact their line manager immediately. A member of management will always attend any such situation, assess it, and where necessary contact the appropriate authorities. See the Restraint Policy.

First Aid and Basic Life Support

First aid is the initial and appropriate management of illness or injury which aims to preserve life or minimise the consequences of injury and illness until professional medical help can be obtained, or the treatment of minor injuries that do not require the attention of a medical practitioner or nurse.

The organisation is committed to the provision of training and equipment based on the completion of a first aid needs assessment, reviewed annually or more frequently if required. See the First Aid Policy and Basic Life Support Policy.

RIDDOR 2013

RIDDOR requires employers and other people in charge of work premises to report and keep records of work-related accidents causing death, serious injuries, lost time incidents over the threshold, diagnosed cases of certain occupational diseases, and certain defined dangerous occurrences.

It is the responsibility of the employer to ensure incidents are reported to the HSE where applicable. See [HSE – RIDDOR in health and social care](#).

Fire Safety

Every new employee will receive fire safety guidance on joining the organisation, with refresher training as necessary. Competent people will be appointed to assist in meeting statutory fire safety duties. See the Fire Safety Policy.

COSHH

COSHH requires employers to control exposure to hazardous substances. The organisation will ensure all hazardous substances are identified, risk assessed, and controlled. See the COSHH Policy.

Premises and Physical Environment

Staff have the right to work in a healthy and safe workplace, and the people we support are entitled to care in a safe environment. The Registered Manager will assess the safety of the premises, identify hazards, and take action to reduce risks.

Residential settings

Where assessment identifies that people are at risk from falling from windows or balconies at a height likely to cause harm (above ground floor level), suitable precautions will be taken. Windows large enough to allow a person to fall out will be restrained with an opening restricted to 100 mm or less. Window restrictors will only be disengageable using a special tool or key. Access may need to be restricted to balconies not designed to prevent climbing over.

The organisation will undertake a range of risk assessment and risk management activities within the premises to ensure a safe, effective, caring, responsive and well-led service.

Pandemic and Epidemic Preparedness

The organisation will take reasonable steps to protect staff, the people we support, and others during epidemics and pandemics. The Registered Manager will review and implement guidance from local and national government, the NHS, HSE, CQC, and other relevant sources. This will include identifying activities or situations that might cause transmission, assessing who is at risk and the likelihood of exposure, removing or controlling the risk, supporting testing and vaccination as available, conducting infection control audits, and learning from incidents to improve infection prevention and control systems.

Review

This policy will be reviewed by Akosua Konadu at least annually, or in light of legislative or organisational changes. The review will be reported to .

Procedures

Reporting a Health and Safety Concern

Who: Any member of staff. **When:** Immediately upon identifying a concern.

- If the concern presents an immediate danger, remove yourself and others to a place of safety. Call 999 if anyone is seriously injured or there is an immediate threat to life.
- Report the concern to the Registered Manager or senior person on duty immediately. If they are unavailable, report to the next most senior person available. Use the organisation's hazard reporting system to formally log the concern.
- Record the concern in writing, including what you observed, when and where it occurred, and who was affected or at risk.
- The Registered Manager will investigate the concern, carry out or update the relevant risk assessment, and take action to remove or control the risk.
- Where the concern relates to a RIDDOR-reportable event, the Registered Manager will report to the HSE in accordance with the timescales required by RIDDOR 2013.
- The Registered Manager will record the investigation findings, actions taken, and any lessons learned in the governance file.

Conducting a Health and Safety Risk Assessment

Who: Akosua Konadu or a delegated competent person. **When:** When a new hazard is identified, following a change in activity or environment, following an incident, or as part of the scheduled annual review.

- Identify the hazards – anything with the potential to cause harm.
- Decide who might be harmed and how – staff, people we support, visitors, contractors.
- Evaluate the risks and decide on precautions – assess the likelihood and severity. Remove the hazard where possible; if not, control the risk to an acceptable level.
- Record your findings – document the hazard, who is at risk, existing controls, any further action needed, and the person responsible.

- Review the assessment regularly – at least annually, or whenever there is a significant change in working practices, legislation, or following an incident.

Annual Health and Safety Review

Who: Akosua Konadu, reporting to . **When:** At least annually, or following a significant change.

- Review all current risk assessments and identify any that are overdue for review or no longer valid.
- Review incident reports, near misses, and RIDDOR reports from the previous 12 months. Identify trends and recurring issues.
- Review training records to confirm all staff have received current health and safety training.
- Review the condition of premises, equipment, and PPE stocks.
- Compile findings into a health and safety annual review report and present to .
- Update this policy and the signed policy statement where the review identifies changes are needed.

References and Further Reading

Legislation

- Health and Safety at Work etc. Act 1974 – <https://www.legislation.gov.uk/ukpga/1974/37/contents>
- Management of Health and Safety at Work Regulations 1999 – <https://www.legislation.gov.uk/uksi/1999/3242/contents>
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 – <https://www.legislation.gov.uk/uksi/2013/1471/contents>
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 – <https://www.legislation.gov.uk/ukdsi/2014/9780111117613/contents>
- Regulatory Reform (Fire Safety) Order 2005 – <https://www.legislation.gov.uk/uksi/2005/1541/contents>
- Control of Substances Hazardous to Health Regulations 2002 – <https://www.legislation.gov.uk/uksi/2002/2677/contents>
- Equality Act 2010 – <https://www.legislation.gov.uk/ukpga/2010/15/contents>

HSE Guidance

- HSE: Health and safety in care homes – <https://www.hse.gov.uk/healthservices/care-homes.htm>
- HSE: Domiciliary care – Does HSWA apply to care in people's homes? – <https://www.hse.gov.uk/healthservices/domiciliary-care.htm>
- HSE: RIDDOR in health and social care – <https://www.hse.gov.uk/healthservices/riddor.htm>
- HSE: Legionnaires' Disease – <https://www.hse.gov.uk/legionnaires/what-you-must-do.htm>
- HSE: Managing risks and risk assessment at work – <https://www.hse.gov.uk/simple-health-safety/risk/>
- HSE: Stress at work – <https://www.hse.gov.uk/stress/>
- HSE: Display screen equipment – <https://www.hse.gov.uk/msd/dse/>
- HSE: New and expectant mothers – <https://www.hse.gov.uk/mothers/>
- HSE: Working at night and shift work – <https://www.hse.gov.uk/humanfactors/topics/nightshift.htm>
- HSE: Electrical safety and portable appliance testing – <https://www.hse.gov.uk/electricity/maintenance/portable-equipment.htm>
- HSE: Using contractors – <https://www.hse.gov.uk/simple-health-safety/contractors.htm>
- HSE: Reporting a health and safety issue – <https://www.hse.gov.uk/contact/tell-us-about-a-health-and-safety-issue.htm>

CQC Guidance

- CQC and HSE: Memorandum of Understanding – <https://www.cqc.org.uk/about-us/our-partnerships/joint-working-agreements/memorandum-understanding-health-and-safety-executive-hse>
- CQC: Quality statements and assessment framework – <https://www.cqc.org.uk/assessment/quality-statements>

Related Organisational Policies

- Fire Safety Policy
- Infection Prevention and Control Policy
- Moving and Handling Policy
- COSHH Policy
- Lone Working Policy
- Accidents and Incidents Policy
- Restraint Policy
- Behaviour that Challenges Policy
- First Aid Policy
- Basic Life Support Policy
- Person-Centred Care Policy
- Service User Risk Management Policy
- Organisational Risk Management Policy
- Premises Policy
- Bed Rails Policy
- Falls Management Policy
- Food Safety Policy
- Consent Policy
- Hot Water and Surfaces Policy
- Medication Policies
- Safeguarding Adults and Children in an Adult Setting Policies
- Water Management Policy
- Management of Sharps and Needlestick Injuries Policy
- Aggression Towards Staff Policy
- Business Continuity Policy
- Wheelchairs: Safe Use and Maintenance Policy
- Mental Capacity and DoLS Policy
- Staff Wellbeing Policy
- Driving at Work Policy