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1.0 INTRODUCTION

Implementation: It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions.

Compliance: This policy complies with all relevant regulations and other legislation as detailed in the *Compliance with Regulations & Legislation Statement*.

Scope: This policy applies to Lancaster City Council and all sites under its demise.

2.0 GENERAL STATEMENT

Lancaster City Council recognises that it has a legal and moral obligation to carry out work safely in areas which the public are present and around our residents' properties.

The Organisation will ensure that work areas are safe, risk assessments are carried out, which shall detail the range of foreseeable health and safety hazards associated with the operation of the business, together with relevant remedial actions and ensure the works being carried out are clearly communicated to members of the public.

Employees are responsible for ensuring that they work in line with this policy and subsequent guidance documents. They must also ensure dynamic risk assessments are completed where hazards discovered whilst carrying out work activities are reported to line managers so that the necessary remedial action can be taken.

3.0 LEGISLATION

The Organisation has a responsibility under sections 2 and 3 of the Health and Safety at Work etc. Act 1974 for the safety of employees and others who may be affected.

Protection of members of the public, members of staff and contractors is a legal requirement under a range of health and safety legislation, notably the following:-

- Construction (Design and Management) Regulations 2015
- The Management of Health and Safety Regulations 1999
- Manual Handling Operations Regulations 1992
- Control of Substances Hazardous to Health Regulations 2002 (as amended)

The Management of Health and Safety Regulations state that every employer shall make a suitable and sufficient assessment of the risks to the health and safety of persons not in his employment arising out of or in connection with the Organisation's work activities.

4.0 ORGANISATION AND MANAGEMENT

Chief Executive Officer

The Chief Executive Officer has overall responsibility for ensuring that the Organisation meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

Senior Leadership Team (Chief Officers)

The Senior Leadership Team have executive responsibility to manage Health and Safety including compliance with Health and Safety at Work Act, etc. 1974 and other relevant legislation, best practice guidance and Company policies to meet legal and organisational requirements within their respective services including the provision of adequate resources to meet the requirements of this policy

Chief Officers are responsible for the ensuring the provision of arrangements in ensuring that the organisation's policy is implemented for their respective services, for providing support and advice to their respective managers and monitoring implementation of this policy within their respective areas.

The Health and Safety Team

The Health and Safety Team is responsible for facilitating the risk assessment process and identification of suitable control measures for protecting members of the public when carrying out our work by offering advice, support and guidance and ensuring that information and training is available to all levels of management and other staff involved in the process.

Line Managers

Line Managers, have direct responsibility for health and safety matters relating to work being carried out under their control and for persons reporting directly to them and are therefore responsible for the implementation of the provisions of this policy for the staff and / or premises under their jurisdiction by:

- Ensuring that risk assessments are recorded on My Compliance and they consider who could be harmed and clearly identify those groups or individuals in the assessment.
- Ensuring dynamic risk assessments are completed for work areas within the public realm.
- Risk assessments are communicated to all the relevant personnel (employees and others) so they are fully aware of the hazards and risks as well as the control measures required to prevent injury loss or damage. The staff who the risk assessment relates to must sign onto the risk assessment as read and understood.
- Staff receive training appropriate to the safe performance of their work activities.
- Suitable resources are made available to protect members of the public within a work environment e.g. barriers, signage, road plates, etc.
- Ensure an initial inspection of the works area to sign off as appropriate is completed and subsequent inspections are carried out to ensure compliance with this policy and the risk assessments.

Employees

All employees are responsible for ensuring that they are fully aware of risk assessments in their area and the action they need to take as individuals to ensure compliance with control measures identified as being necessary, namely by: -

- Familiarising themselves with the risk assessments for their work activities.

- Where necessary, undertaking dynamic risk assessments of their working environment, recording any significant findings and bringing these to the attention of managers and their colleagues.
- Reporting all incidents to their manager in accordance with the Accident / Incident Reporting Policy.
- Not placing themselves or others at risk. This may, on occasion, include a refusal to enter into or complete a task because the risk is deemed too great.
- Notifying Line Managers, Supervisors / Team Leader of a significant change or a new hazard, near miss, accident etc. which has arisen when completing the work activities.

Health and Safety Trade Union Representatives

Health and Safety / Trade Union Representatives have certain responsibilities and duties and are able to audit and complete inspections where required.

A health and safety representative is a fellow worker who represents other union members to look after the health and safety at work of people they work with.

Health and Safety Representatives have the right to:

- take an active part in workplace risk assessments.
- investigate potential hazards and 'dangerous occurrences' and examine the accident data.
- investigate members' complaints.
- carry out inspections of the workplace in work time, at least every three months.
- be consulted on new working practices and new technology.
- receive safety information from their employer (such as inspectors' reports, hygiene surveys and risk assessments).
- attend union-approved training courses without loss of pay; and have access to a phone and office equipment, and paid time off work, both to carry out inspections and to meet staff and other safety reps.

5.0 Planning the work activities

All Managers and Supervisors / Team Leaders shall ensure that risk assessments are carried out within the My Compliance system, which shall detail the range of foreseeable health and safety hazards associated with the operation of their service.

Services can plan ahead to protect the public by:

- Identifying the hazards associated with the works.
- Assessing the risk.
- Factors to consider will include:
 - The nature and type of work.
 - How heavily "populated" the work area is.
 - Vulnerability of people groups.
 - Who may need to visit the site during the work.
 - Whether the work may attract children.
 - Characteristics of the work site e.g. near school, across a public walkway/ footpath etc.
- Defining the work area to be protected.
- Identifying the physical safeguards necessary to separate the public from the work e.g. fencing (type and height), simple barriers, cones, signage etc.

All Managers and Supervisors / Team Leaders shall ensure that any assessment relating to the use of a hazardous substance (Control of Substances Hazardous to Health - COSHH) is carried out before the commencement of any work involving the use of that substance.

A manual handling assessment also needs to be carried out where it is not reasonably practicable to avoid the need for staff to undertake any moving or handling task, which involves potential risk of injury. This shall be carried out in accordance with the requirements of the Manual Handling Policy.

Signage requirements must be defined within a works plan, noting the location of barriers, entry and exit points and detailing which plant and equipment is being used at the work front. If the works are to be completed over a number of days, suitable close-up procedures must be followed in order to ensure the area is left safe.

Providing the perimeter

Provide the perimeter by:

- Erecting the physical safeguards as necessary. Where appropriate make use of any existing work site features e.g. walls, buildings etc.;
- Erecting appropriate warning and information signs.

Maintaining the perimeter

Maintain the perimeter by:

- Implementing procedures for regular inspection and maintenance of the fencing, barriers, signage etc.;
- Reviewing procedures in the light of experience with modification accordingly.

6.0 DEFINITIONS

Risk assessment – is the review of all work activity to identify what might cause harm to people and decide whether reasonable steps are being taken to prevent that harm.

Dynamic Risk Assessment – continuous assessment of risk in the rapidly changing circumstances of carrying out a work procedure, in order to implement the control measures necessary to ensure an acceptable level of safety (on the spot risk assessments)

Hazard – is anything with the potential to cause harm, such as chemicals, electricity, working from ladders, an open drawer etc

Risk – is the chance/likelihood, high or low, that somebody could be harmed by these and other hazards, together with an indication of how serious the harm could be

Control measures – are actions, procedures, protocols etc. designed to eliminate, reduce/control risk presented by exposure to the hazard.

7.0 SPECIFIC HAZARDS

Further guidance is available on how to protect the public from the following specific hazards:

- Scaffolding and other access equipment
- Openings and excavations
- Slips, trips and falls within pedestrian areas
- Plant, machinery and equipment
- Hazardous substances
- Storing and stacking of materials
- Electricity and other sources
- Dust, noise, vibration and sparks
- Falling objects
- Delivery and other site vehicles
- Road users.

Selected groups and premises which need special attention

Further guidance is available on protecting the following vulnerable groups and type of premises:

- Persons with disabilities
- Children
- Occupied premises
- Refurbishment of residential properties
- Refurbishment of industrial/commercial properties.

Occupied premises

Where construction work is carried out in, on or near occupied premises, e.g. houses, shops etc., it may be necessary to evacuate part or all of the premises, either for the full duration of the work, or for a limited period. A number of factors need to be considered before a decision is made, including:

- The nature of the premises
- Who will be exposed
- The extent and nature of the work
- The associated risks to occupants
- The time needed to complete the work
- The significance of any risks associated with an evacuation; and
- The costs of an evacuation, including alternative accommodation.

These factors need to be weighed up at the planning stage and a decision made so that the contractor can identify the necessary precautions and develop the work programme accordingly.

If the premises remain occupied, even partially, the risk to the occupants and the adequacy of the precautions should be reviewed as work progresses

8.0 REFURBISHMENT OF RESIDENTIAL PROPERTIES

Sometimes it will be necessary to evacuate people during relatively short duration work, e.g., timber treatment or damp course work involving certain hazardous chemicals.

The risk assessment should identify whether aspects of the work, e.g., the amount of the chemical to be injected or the nature of the party wall, make it necessary to evacuate the neighbours as well. If the neighbours are to remain in residence, they should be informed of the nature of the work.

However, it is likely that residents will remain in occupation during most minor works such as re-glazing or painting. This might also include times when residents choose not to move out even when it would be preferable if they did.

In these circumstances, the precautions will need to be reconsidered to make sure the risks to the occupants (and the workers) are properly controlled.

This can best be achieved by completing a Point of Work / Dynamic Risk Assessment prior to commencement of the works.

Separating the residents from the work, storage of materials and preventing unauthorised use of scaffolding and other access equipment – particularly by children – can present the main health and safety problems. Residents may also be concerned about the security of their property.

Good communication between clients, contractors and residents is an important means of controlling the risks and minimising discomfort. It can also be essential when arranging alternative escape routes during work. Advice should be sought from the local fire authority where it is necessary to block or alter the permanent escape routes.

The client should pass information to residents at a very early stage. Lancaster City Council or the appointed principal contractor should also appoint someone to act as a focal point for dealings with the residents and their representatives. The identity of these people and how they can be contacted should be publicised.

The principal contractor can take a number of steps to help reduce the risk.

These include:

- Sending information to each household outlining the nature of the work before it starts. An additional questionnaire can request any relevant information specific to that household such as special access requirements for disabled residents;
- Providing all site workers with an identification card (preferably one with a photograph);
- Making sure that access to balconies, scaffolds etc. is prevented or properly controlled;
- Providing and marking alternative routes, e.g. by using orange plastic netting during working hours where necessary; and
- Providing fans and covered walkways if there is a risk that residents will be struck by falling materials.

9.0 REFURBISHMENT OF COMMERCIAL PROPERTIES

Where work takes place within occupied offices, shops and other premises the client and the principal contractor will need to manage the risks created by their own work, and will also need to co-operate closely to manage those created by sharing the workplace. The client needs to pass relevant information on to the Principal Designer and design team. This should be included in the pre-tender stage health and safety plan.

Joint agreements between the occupiers and contractors are needed to make sure health and safety risks and precautions are properly managed and co-ordinated. It will be useful to nominate someone to co-ordinate activities at relevant interfaces.

Agreements should cover areas such as:

Respective responsibilities;

- Mechanisms of co-operation and co-ordination;
- Providing information about risks;
- Controlling access to the areas where construction works are being carried out; and
- Emergency procedures.

In some cases, the occupiers of premises may either prohibit or restrict the types of activity which can be carried out on certain parts of the construction area.

Sometimes work is carried out in areas which need to remain occupied. The risk assessment should indicate the nature of the perimeters and how they will be maintained.

It might be possible for the work to take place outside normal hours. Alternatively, a physical barrier may be necessary to separate the construction work.

The highest standards should be adopted where work is carried out above an occupied area.

This will mean taking steps to prevent materials falling in the first place and then excluding people from the area below the work. It can be useful to post suitable warning signs around the area.

10.0 MONITORING, AUDIT & REVIEW

The Health and Safety Representative and the Health and Safety Team will regularly monitor any accident/incident information and risk assessment data and provide advice and support to managers as need dictates.

This policy will be reviewed as part of the regular reviews, unless changing circumstances require an earlier review.