

# Health and Safety Policy



Title:			
Health & Safety Policy			
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## Executive Summary

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The Health and Safety at Work etc Act 1974 is the primary piece of legislation covering occupational health and safety. It sets out the general duties which employers have towards employees and members of the public and which employees have to themselves and to each other. Employers have the duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees. The Management of Health and Safety Regulations 1999 provide a legal framework to establish how to manage health and safety. Employers must make arrangements to cover the effective planning, organisation, control, monitoring and review of the preventive and protective measures and these details must be recorded in writing as part of the Health and Safety Policy.

The policy establishes a clear direction for NHS Lothian to follow and aims to reflect the organisation values and beliefs. It provides the framework in which the statutory requirement to manage for health and safety is integrated into everyday business and becomes core to the service NHS Lothian provides. The arrangements to achieve this include the following:

- NHS Lothian has in place a health and safety management system.
- NHS Lothian has identified 12 key health and safety hazards to staff and patients.
- Health and Safety related policies are in place.
- An Annual Health and Safety Plan is in place and it is monitored on a quarterly basis.
- Members of staff are provided with information, education, instruction and training.
- NHS Lothian has in place a framework of Health and Safety Committees that promotes consultation and governance. The Committee also assists with supporting the risk management system to help ensure the health, safety and welfare at work of staff.

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## 1.0 Purpose

The purpose of the Policy is to set out the NHS Lothian approach to health and safety in order to establish the responsibilities and the arrangements to manage the health and safety within the organisation.

The specific objectives of the Policy are:

- To define the health and safety responsibilities and organisational arrangements.
- To develop a health and safety culture which secures the full participation of all staff within NHS Lothian.
- To ensure an effective closed loop health and safety management system operates based on the plan, do, check and act principle which provides continuous improvement in risk control.
- To implement measures which will systematically identify hazards and control risks that arise from the work activities and the work environment.
- To commit management and staff at all levels to promote healthy and safe ways of working and set personal examples in safe behaviour.
- To ensure all persons working within NHS Lothian are responsible for making working safely a key objective in order to protect themselves, their colleagues, patients, visitors and the interests of NHS Lothian.
- To provide and maintain safe systems of work and healthy working conditions in compliance with all relevant statutory requirements.
- To provide where appropriate personal protective equipment (PPE) in accordance with legislation.
- To have in place systems of communication to ensure the effective dissemination of both external and internal information on health and safety matters.
- To ensure the highest levels of consultation on health and safety matters in accordance with the principles of Partnership working.
- To provide resources, by way of facilities, information, education, training, instruction and supervision.
- To co-operate and co-ordinate with other employers/ agencies such as the Health and Social Care Partnership(s) where they share premises or workplaces, tasks and care provision.
- To commit NHS Lothian to implement and abide by relevant health and safety legislation. This may include working with the Enforcing Authorities to ensure compliance such as the Health & Safety Executive (HSE), Environmental Health Officers, Scottish Fire and Rescue Service, Scottish Environmental Protection Agency.
- To ensure a formal link to NHS Lothian Quality and Clinical Governance structures and arrangements and NHS Quality Improvement Scotland.

- To ensure compliance with the Staff Governance Standard ‘to provide an improved and safe working environment.’
- To have in place effective specific structures, policies and procedures, to ensure that NHS Lothian meets its legal obligations with regard to other key risk areas.

## 2.0 Policy statement

NHS Lothian exists to provide healthcare services of high quality to the people of Lothian. We recognise that we cannot provide these services unless we ensure, as far as is reasonably practicable, that we will reduce the risks to the health, safety and welfare of staff, and others affected by our work activities.

The minimum acceptable standards for health and safety are those contained in legislation. It is our obligation to meet these standards as a minimum and strive for continual improvement. NHS Lothian will ensure that the statutory requirement to manage for health and safety is therefore integrated into everyday business and that is not seen as a bolt on and becomes core to the service NHS Lothian provides.

We recognise that the prime responsibility for health and safety rests with our managers. This principle extends from the Chief Executive to first line supervisors.

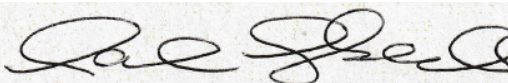
Managers and supervisors are directly accountable for the prevention of incidents, accidents and occupational illness, as well as damage or loss to NHS Lothian property and the environment within their area of responsibility. All persons within NHS Lothian are responsible for making working safely everyone’s business in order to protect themselves, their colleagues, patients, visitors and the interests of NHS Lothian.

Health and Safety and other specialist Advisors are appointed as competent persons under the current Management of Health and Safety at Work Regulations. They are responsible for advising managers and staff about their legal obligations and to provide advice and support to enable managers to manage health and safety in their area of responsibility.

NHS Lothian is required to co-operate and co-ordinate health and safety arrangements where more than one organisation or group share or visit premises. NHS Lothian will therefore work in conjunction with the Health and Social Care Partnerships and others on all aspects of managing for health and safety.

The Chief Executive has overall responsibility for health and safety in NHS Lothian. The Chief Executive has delegated to the Executive Medical Director the responsibility to lead on health and safety matters. The implementation of this policy will be reviewed as part of the requirements of the Health and Safety Management System.

This policy statement is supplemented by additional policies giving detailed arrangements for health, safety, welfare and related issues. Managers are responsible for bringing these policies to the attention of their staff.



Chief Executive

## 3.0 Scope

This policy applies to all staff working for or on behalf of NHS Lothian. Temporary and agency staff, volunteers, contractors, students and work experience personnel will also be expected to follow the requirements contained within this Policy.

The Health and Safety Policy covers three areas to set out the approach to health and safety:

- Statement of intent
- Responsibilities for health and safety
- Arrangements for health and safety

## 4.0 Definitions

### 4.1 Health and Safety Management System

It is the section of the Organisation's management system that covers the Health and Safety Policy, responsibilities, arrangements and the practices, procedures and resources for developing and implementing, reviewing and maintaining the health and safety within the organisation. The health and safety management system currently used in NHS Lothian is the "Plan, Do, Check, Act" approach recommended by the Health and Safety Executive (HSE) as treats health and safety management as an integral part of good management rather than as a stand-alone system.

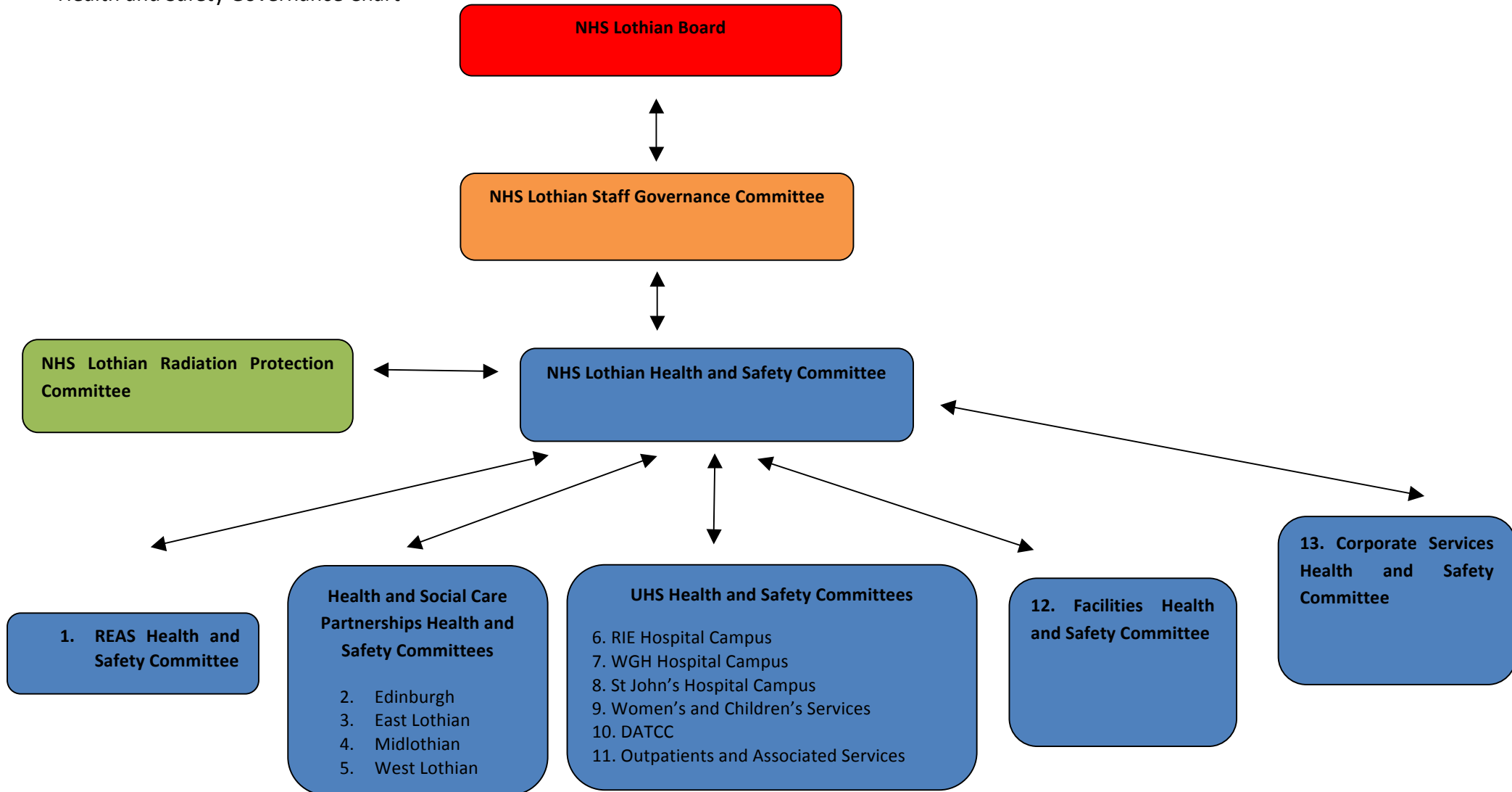
### 4.2 Assurance Levels

Documented information to evidence how the Health and Safety Management System is implemented within the organisation. Assurance Levels for NHS Lothian are currently:

- Significant: Fully compliant. The Board can take reasonable assurance that the system of control achieves or will achieve the purpose that is designed to deliver. There may be an insignificant amount of residual risk or none at all.
- Moderate: Mostly compliant. The Board can take reasonable assurance that controls upon which the organisation relies to manage the risk(s) are in the main suitably designed and effectively applied. There remains a moderate amount of residual risk.
- Limited: Some compliant. The Board can take some assurance from the systems of control in place to manage risk(s), but there remains a significant amount of residual risk which requires action to be taken.
- None: Limited compliant. The Board cannot take any assurance from the information that has been provided and urgent action must be taken.

## 5.0 Implementation roles, responsibilities and arrangements

Health and Safety Governance Chart



## 5.1. Implementation roles and responsibilities

### 5.1.1. Chief Executive

- This policy is authorised by the Chief Executive as the officer responsible for the duties of the employer under legislation relating to the health and safety of employees, patients and others who may be affected by the activities of NHS Lothian Health Board.
- The Chief Executive has overall responsibility for ensuring that an organisational structure and effective arrangements exist to ensure the health, safety and welfare of staff employed within NHS Lothian and all persons (e.g. patients, visitors, contractors) liable to be affected by the activities carried out within NHS Lothian premises.

This will include responsibility for:

- a) The staff employed within NHS Lothian
- b) The work processes, activities and systems performed within NHS Lothian
- c) The specific accommodation within which NHS Lothian activities are carried out.
- d) The property in the form of equipment, supplies, furnishings etc. which is used in the performance of these activities.

In practice the Chief Executive will discharge this direct responsibility by delegation to the Executive Medical and Senior Management Teams.

- The Chief Executive through the line management structures will ensure that there are systems in place to monitor regularly the arrangements for managing the health and safety. The details of those arrangements will be agreed in Partnership.
- It is the responsibility of the Chief Executive to ensure that sufficient resources are available to ensure so far as is reasonably practicable, the health and safety of NHS Lothian staff.
- The Chief Executive shall ensure that there is an effective consultation and governance system in place for the health and safety of staff and others. This will be facilitated through the NHS Lothian Health and Safety Committee(s) and the NHS Lothian Staff Governance Committee framework.

### 5.1.2 Executive Medical Director

The Executive Medical Director is responsible for the following:



- Ensuring that the provisions of this policy are implemented throughout the organisation.
- Ensuring through the various line management structures and the NHS Lothian Staff Governance Committee that the NHS Lothian Board is meeting all its health and safety statutory requirements in order to provide a continuously improving healthy and safe working environment for staff and others.
- Reporting annually to the Chief Executive and advising the Chief Executive of any serious breaches of the duties of the employer under legislation relating to the health and safety of employees, patients and others who may be affected by the activities of NHS Lothian Board.
- Taking a visible and active lead in health and safety matters.
- Ensuring that arrangements are made to enable NHS Lothian to comply with statutory regulations and codes of practice which particularly affect clinical staff for example the Ionising Radiations Regulations, Ionising Radiation Medical Exposure Regulations, and reports of the HSE Advisory Committee on Dangerous Pathogens.
- Ensuring where possible that there is Medical Staff representation and attendance at the NHS Lothian Health and Safety Committee and other local Health and Safety Committees/Groups as required.

## 5.1.3 Senior Management and their teams

Senior Management and their teams are responsible for ensuring the following:

- Full compliance with the requirements of the NHS Lothian Health and Safety Policy and its supporting Management System.
- That NHS Lothian Health and Safety related Policies are being implemented and that where applicable local rules and procedures are prepared to comply with them.
- That so far as is reasonably practicable there are in place:
  - a) Safe systems of work, safe procedures and safe processes and that are devised, observed, monitored and maintained.
  - b) Arrangements to ensure that all staff based on the risk that they may be exposed to are provided with the necessary information, instruction and supervision to enable them to carry out their duties safely. This should include comprehensive and relevant information on health and safety risks identified by any risk assessment and the protective and preventative measures in place. Any training/ assessment must be

repeated when appropriate to take into account any new or changed risks to the staff concerned and must take place during working hours.

c) The provision of information on any special skills required for safe working and any health surveillance required, before work starts to any person they employ on a fixed term contract or secondment, or through an employment agency.

d) Assurance that plant and equipment provided for use is maintained to a standard which is safe and without risks to health when used, and is cleaned and maintained.

e) Accommodation(s) that is maintained in a manner which constitutes a safe and healthy environment.

f) Arrangements to ensure the transport of personnel and the transport, handling, use and storage of articles and substances are carried out in a manner which is without risk to health.

g) Effective procedures that are set up to be followed in the event of serious and imminent danger to persons working in NHS Lothian premises and other locations, including the nomination of competent persons to implement any evacuation procedures and restrict access to areas of danger.

- That where NHS Lothian shares a workplace with another employer or employers (e.g. Health and Social Care Partnerships), there is a mutual co-operation to enable the relevant statutory duties to be complied with and all reasonable steps to be taken to inform other employers of risks arising out of the NHS Lothian undertaking.
- The provision to any self employed persons or employees of other employers working on NHS Lothian premises, of comprehensive information concerning any risks from the undertaking, including procedures to be followed in the event of serious or imminent danger.
- That all staff are fully aware of their delegated health and safety duties and that these responsibilities are where required documented and given to the individuals concerned, and ensuring, by effective monitoring, that the duties are being carried out and corrective action is taken if they are not.
- That work related incidents, accidents, diseases and dangerous occurrences are reported and recorded in accordance with the NHS Lothian Adverse Event Management Policy and Procedure and the appropriate follow-up action taken.
- That Staff Side Health and Safety Representatives are consulted in good time in respect of the staff they represent concerning:

- a) The introduction of any measure within NHS Lothian, which may substantially affect health and safety.
- b) Any health and safety information that NHS Lothian is required to provide to employees.
- c) Planning and organisation of any health and safety training the organisation is required to provide.
- d) The health and safety consequences of the introduction of new technologies into the workplace.

## 5.1.4 Line Managers and their teams

Line managers and their teams are responsible for the following:

- Taking a visible and active lead in health and safety matters.
- Ensuring that this Policy is communicated and implemented and that staff to which specific responsibilities are delegated, are fully aware of and discharge these Health and Safety responsibilities. Where they do not have the authority to deal with such matters they should escalate them to more senior management.
- Taking appropriate action on matters concerning Health and Safety, which are brought to their attention including providing a level supervision that is commensurate with the risk. E.g. higher risk tasks would require a greater level of supervision.
- Ensuring that all staff are aware, understand and have access to this Policy and that they are also made aware of any health and safety related policies and procedures. All policies and procedures should be easily accessible. Policies must be effectively implemented, share with staff and monitored by the management teams.
- Preparing and updating any local health and safety risk assessments and procedures for their department, liaising with managers of similar departments in other locations of NHS Lothian. This will assist with functional consistency of practice, and ensure that all staff for which they are responsible receive and understand any departmental health and safety risk assessment and procedures. This should be undertaken by seeking advice from Health and Safety Advisors/specialists where appropriate.
- Developing and implementing safe working practices and systems by risk assessment, education, training, supervision and provision of information within the department, particularly in the case of young or inexperienced staff, to ensure maximum safety for all personnel involved.

- Identifying the level of knowledge required for all staff under their control and providing the necessary training where this is possible. Training needs which cannot be met should be reported to the next higher authority, and training records should be clearly documented. Training should be commensurate with the level of identified risk. This should be undertaken seeking advice from Health and Safety Advisors/specialists when required.
- Undertaking hazard spotting exercises, leading to risk assessments, along with compliance monitoring, and safety inspections to ensure that machinery and equipment is maintained in a safe condition, that safety devices are fitted, maintained and operated, and that safety rules and procedures are observed, and safety equipment utilised.
- Reporting and investigating all accidents, incidents (near misses), diseases and dangerous occurrences in accordance with the NHS Lothian Adverse Event Management Policy and Procedure.
- Providing Trade Union and employee appointed Health and Safety representatives with facilities to carry out their prescribed functions in accordance with the Safety Representatives and Safety Committee Regulations and the Health and Safety (Consultation with Employees) Regulations.
- Liaising with safety representatives for the department on all matters concerning safety.
- Keeping up-to-date with developments in their field of work and responding to change as necessary.
- Responding to specific safety technical information notified.
- Ensuring that any visitors to the department are segregated from foreseeable hazards, or are advised of any hazards they may encounter, so far as is reasonably practicable. Where departmental activities take place out with the department, to ensure similar care is taken.
- Ensuring the department is kept tidy, with safe access and egress, and safe storage, use and disposal of materials.
- Ensuring that new equipment is inspected by a competent person and staff trained in its use, before it is brought into operation.
- Ensuring that fire procedures are brought to the attention of all their staff and that staff attend training, in accordance with the NHS Lothian Fire Safety Policy.

- Maintaining appropriate safety records. E.g. risk assessments, training records, significant adverse event report forms in line with the NHS Lothian Records Management Policy.
- Making proposals to the relevant Directors for improvements to safety policies and contributing towards the preparation of safety policies, where appropriate.
- Co-operating and consulting with the Facilities Department and where applicable other external providers to ensure that all statutory examinations are carried out at the appropriate time and records are maintained.
- Seeking specialist advice when necessary by bringing matters to the attention of the appropriate Director and/or Specialist Adviser.
- Ensuring that requirements under the NHS Lothian Control of Contractors Policy are met.

## 5.1.5 Staff

Every member of staff working on NHS Lothian premises or elsewhere on its behalf has a legal duty to take all reasonable care of their own health and safety as well as that of others, e.g. patients, who may be affected by their acts or omissions. Students, volunteers and placements will be treated as staff (employees) for the purposes of this Policy.

NHS Lothian requires its staff to:

- Take all reasonable care of their own health and safety and that of others who may be affected by their acts or omissions.
- Co-operate with any provision made towards achieving the Health and Safety Policy objectives and complying with statutory duties.
- Notify immediately to their manager/supervisor all health and safety hazards that they identify. (Note: Where an employee believes it is inappropriate for any reason to raise a legitimate concern with their manager that is in the public interest they may wish to raise it with a Senior Manager within the NHS Lothian Whistleblowing Policy and Procedure).
- Make full and proper use of any control measure, personal protective equipment or other facility provided to eliminate or reduce risk to health and safety.
- Report all work related adverse events (incidents, accidents, dangerous occurrences or diseases) to the appropriate manager/supervisor as soon as possible, in accordance with NHS Lothian Adverse Event Management Policy and Procedure.

- Use all machinery, equipment, any dangerous substances, transport equipment, means of production or safety devices in accordance with any relevant training and instructions.
- Make themselves familiar with all relevant Health and Safety related Policies and local procedures.
- Report any defect in plant or equipment, or shortcomings in the existing safety arrangements to their supervisor or manager without delay.
- Be aware that if they feel that a job or activity is inherently unsafe, they should report to their supervisor before attempting to undertake the job or activity. **If in doubt ask.**
- Not undertake any task for which authorisation and training has not been given. **If in doubt ask.**
- Attend health and safety training when requested to do so.

Staff are encouraged to improve standards of health and safety and constructive suggestions made by them will be welcomed. Such suggestions should be passed to the appropriate line manager and safety representative.

## 5.1.6 Occupational Health and Safety Service

The Occupational Health and Safety Service (OHSS) is responsible for the following:

- To develop and prepare health and safety policies and procedures on behalf of the Chief Executive to aid compliance with current legislation.
- To advise the Chief Executive and all Management Teams on health and safety issues including notification of any changes to current legislation.
- To monitor the implementation of health and safety policies and procedures on behalf of the Chief Executive through use of recognised performance management systems.
- To offer practical support and guidance to Managers and their staff, on the assurance and risk assessment process. To assist with devising and implementing initiatives in response assurance levels and to identified risks.
- To investigate potential hazards associated with work practices and or the environment and to recommend action for their elimination to local management.
- To assist in ensuring that NHS Lothian premises are safe for patients, employees and visitors.

- To provide health and safety related training e.g. adverse events, health and safety management, COSHH, risk assessment.
- To act in an ex-officio capacity at health and safety committee/group meetings within each Site or Service and Health and Social Care Partnership, advising the committee on its remit and activities and assisting managers in promoting the effectiveness of the committee.
- To collect and disseminate statistics and other data on health and safety matters to assist with the control of risk, and to highlight areas of concern either locally or for NHS Lothian Board.
- To liaise with and respond to correspondence from the Health and Safety Executive.
- To prepare regular reports on health and safety performance to the Health and Safety Committees/Groups as required.
- To support managers and others to undertake adverse events including RIDDOR (Reporting Incidents, Diseases and Dangerous Occurrence Regulations) investigations in line with the requirements of the NHS Lothian Adverse Management Policy and Procedure.
- To coordinate activities carried out by the NHS Lothian Respiratory Protective Equipment (RPE) Service.
- To provide a wide range of service such as: pre-employment screening, immunisation, health surveillance, 24 hour on call sharp adverse events advice, hand skin surveillance, workplace advice, management referrals and advice to employees and managers on fitness for work.
- To provide an Annual report to the Chief Executive regarding relevant Occupational Health and Safety information.

## 5.1.7 Other Specialist Advisers

Specialist Advisers e.g. Infection Prevention and Control, Radiation Protection and Manual Handling, have been appointed to comply with the general requirements of Regulation 7 of the Management of Health and Safety at Work Regulations 1999. The Advisors for these disciplines will be able to:

- Provide a proactive source of competent advice within their particular specialism and experience.

- Prepare and issue appropriate Policies and Guidelines within their sphere of expertise on which managers require advice.
- Be available to meet with and consult with department heads, Health and Safety Committees and staff appointed safety representatives.
- Have the right to attend Health and Safety Committee meetings and to propose agenda items where relevant.
- Assist management and staff to interpret national Occupational Health and Safety standards.
- Advise on local procedures, training and risk assessment.
- To make available appropriate training to meet Health and Safety requirements.
- Give guidance on the preparation and amendment of NHS Lothian policies and procedures.

## 5.1.8 Head of Fire Safety and Fire Safety Advisors

- To assist the Director of Facilities to develop and prepare the NHS Lothian Fire Safety Policy and any associated Procedures, on behalf of the Chief Executive, to ensure compliance with current fire safety legislation and other mandatory requirements e.g. any current Scottish Health Technical Memorandum.
- Advise the Chief Executive and Line Management on fire safety issues including the notification of any changes to current legislation.
- To provide both general and specific fire training, and an advisory service, for all staff relevant to specific areas of work. This should include use of fire fighting equipment and evacuation techniques.
- To carry out an ongoing review of fire risk assessments of all premises and prepare reports, prioritising findings with recommendations for action to the management team. Copies of any Fire Risk assessments must be provided to the ward/department managers to inform of the findings and what if any action(s) is required.
- To ensure close liaison and co-operation with the Scottish Fire and Rescue Service and external agencies in fire related matters.
- To investigate all fire related adverse events and prepare reports with recommendations for action.



- Prepare and submit quarterly reports to the NHS Lothian Health and Safety Committee.

## 5.1.9 Contractors

NHS Lothian requires all contractors to comply with all health, safety and environmental legislation and must be adhered to the NHS Lothian Control of Contractor Policy that is available and regularly revised and reviewed.

## 5.2. Arrangements

### 5.2.1 Health and Safety Policy and related Policies

The Health and Safety Policy will be revised and reviewed every 3 years. All Services within NHS Lothian will establish arrangements (systems and procedures) for carrying out this policy objectives.

These arrangements will include adoption and implementation of health and safety related policies and procedures issued by NHS Lothian on specific issues e.g. Manual Handling, Prevention of Sharps Injuries, Preventing Employee Slips, Trips and Falls, Lone Working, Waste Management, Management of Aggression, Control of Substances Hazardous to Health (COSHH), Driving at Work, Risk Management/Assessment, Radiation Safety etc. This list is not exhaustive.

All the health and safety related policies and procedures are available on the health and safety homepage of the intranet and will be updated without complete revision of the Health and Safety Policy.

### 5.2.2 Health and Safety Management System

NHS Lothian uses a closed loop Health and Safety Management System. The system follows the principles of the HSE (G) 65 revised guidance on Plan, Do, Check and Act and will comprise of the following interrelated components: policy, organisation, planning and implementation, performance measurement and a review of performance. The Annual Health and Safety Plan which is central to the system and each of its elements will be reviewed annually and reports submitted quarterly to the NHS Lothian Health and Safety Committee.

Health and Safety education/training and awareness for managers and staff will form part of the management system requirements. All the information on Health and Safety Management System is available on the NHS Lothian Intranet Site.

## 5.2.3 Key Hazards

The management of these hazards will help to improve health and safety performance. These are detailed below:

1. Management of Violence and Aggression
2. Safe Bathing, Showering and Surface Temperatures
3. COSHH Review including Face Fit Testing and Skin Health Surveillance
4. Manual Handling
5. Environmental Ligature Points
6. Workplace Inspections
7. Prevention of Falls from Windows and Balconies
8. Clinical Sharps
9. Fire Safety Arrangements
10. Slips, Trips and Falls
11. Work related Stress
12. Adverse Events Management including RIDDORs

These hazards will be reviewed and updated annually by the NHS Lothian Health and Safety Committee in line with the outcomes of the previous year. Most of the common hazards which affect the majority of the Services (12 key hazards as listed above) can be found in the Health and Safety Plan which is monitored by the local Health and Safety Committees and the NHS Lothian Health and Safety Committee.

Not all of the hazards are included in the health and safety plan, some may be very Service specific such as working in Confined Spaces or Radiation Safety and these risks should be identified and controlled by the Service.

As part of the Health and Safety Management System, reports are provided on a quarterly basis to update on the individual topics under focus for that period. The information reported at each level is reviewed and summarised by each of the Local Health and Safety Committees/Groups to determine local levels of assurance. This is again reviewed by the NHS Lothian Health and Safety Committee to determine the overall Assurance Level as part of the Corporate Governance process.

## 5.2.4 Health and Safety Plan

The Annual Health & Safety Plan identifies key hazard topics that are expected to be controlled within the ward/department. Progress against the control requirements of the plan are monitored on a quarterly basis and those that are not effectively controlled during the year will be discussed at the NHS Lothian Health and Safety Committee and highlighted to the Staff Governance Committee, as necessary.

## 5.2.5 Partnership Working

NHS Lothian is committed to the principles of partnership working and the NHS Lothian Partnership Forum is the main vehicle to take this forward. Staff-side Health and Safety Representatives will be an integral part of the NHS Lothian Health and Safety Committee arrangements and can act as Co-Chairs of those Committees.

## 5.2.6 Health and Social Care Partnerships

Health and Social Care Partnerships within NHS Lothian, involve both NHS Healthcare staff and staff from local Councils. Both groups of staff may be working on premises controlled by either NHS Lothian or the Local Council. Consequently, mutual co-operation and communication of risk is required between both employers to ensure that all statutory provisions are met and risks are controlled.

Managers managing multi disciplinary teams will ensure that the policy requirements from the respective employer organisations are being followed and complied with. When common shared risks are identified appropriate, joint local procedures may be devised to manage and control those risks.

## 5.2.7 Health and Safety Committees

- The NHS Lothian Health and Safety Committee is chaired by the Executive Medical Director and meet at on a quarterly basis. The co-Chair of the NHS Lothian Health and Safety Committee will be the NHS Lothian Employee Director. The Committee will oversee organisation-wide health and safety issues. The Term of Reference (TOR) is published as follows:

## **NHS Lothian HS Committee Terms of Reference (TOR)**

### **Committee Overview**

The Health and Safety Committee is established in compliance with the Health and Safety at Work Act 1974, Safety Representatives and Safety Committees Regulations.

The Health and Safety Committee is a consultative Committee and reports to the NHS Lothian Staff Governance Committee.

The Staff Governance Committee is a standing committee of the NHS Lothian Board and together with the Healthcare Governance Committee and the Audit and Risk Committee form the full governance framework for the Board.

The Staff Governance Committee shall receive reports from the NHS Lothian Health and Safety Committee on assurances that the risks to staff health and safety are identified and are being controlled and or reduced.

It is also recognised that the remit of the Health and Safety Committee extends beyond staff into health and safety issues affecting patients, visitors and contractors and links will therefore need to be made with other Committees as appropriate.

### **Purpose of the Health and Safety Committee**

- To develop, endorse, promote and review the NHS Lothian Health and Safety Policy aims and objectives and to oversee implementation.
- To ensure that health and safety risks are identified and managed and that the NHS Lothian Board meets both its organisational and legislative requirements.
- To promote the ownership of health and safety as an integral part of the provision of high quality health care and health care services.
- To ensure the organisation meets the Staff Governance Standard that entitles staff to an *“improved and safe working environment”*.
- To ensure that the appropriate level of competence in health and safety is identified, supported and maintained.
- To monitor health and safety performance and strive for continual improvement, both in the operational service and at a corporate level.
- To provided assurance to the NHS Lothian Board that effective systems are in place to manage for health and safety.

These working arrangements have been developed to ensure that the committee functions efficiently, effectively and achieves its purpose.

## Specific responsibilities

The specific responsibilities of the Health and Safety Committee are to:

- To improve health and safety leadership, management commitment and employee participation.
- To endorse Health and Safety Policies and recommend them to the Staff Governance Committee and NHS Lothian Board as appropriate.
- To supervise the commissioning of health and safety policy development and consultation.
- To monitor the dissemination and implementation of health and safety related policies across the organisation.
- To inform and influence health and safety planning, developments and budgeting.
- To consider the impact of significant change / service management processes on health and safety risks.
- To consider and act upon enforcement representations, reports and factual information provided by Health and Safety Executive inspectors.
- To monitor performance from Health and Safety internal audit reports, adverse event statistics and trends and provide direction for corrective action.
- To monitor and oversee action planning arising from health and safety inspections, audits, and adverse event data.
- Consideration of reports which staff-side health and safety representatives may wish to submit.
- To communicate health and safety information and advice to the organisation.
- To translate statutory and best practice requirements into operational targets for use by NHS Lothian.
- To review and approve health and safety information reporting requirements.
- To consider UK / Scottish Government proposals for new/amending legislation and recommend NHS Lothian responses.
- To establish 'Short Life Working Groups' as it deems necessary to fulfil its operational and statutory obligations.
- To support Local Health and Safety Committees/Groups adhering to the NHS Lothian Partnership Agreement.

## **Committee Membership**

The membership of the Committee includes:

- Medical Director – Chair
- Employee Director – Co-Chair
- Deputy Director of Human Resources
- Partnership Health and Safety representatives
- Chair or deputy from the Site/ Services, REAS and the Health and Social Care Partnership Health & Safety Committees/Groups
- Director of Facilities
- Nurse Director representative
- Director of Occupational Health and Safety
- Head of Health and Safety
- Associate Director of Clinical Governance and Risk Management
- Other specialist advisers nominated by the Chair

## **Staff Side Representatives**

Each Trade Union/Professional Organisation will be invited to nominate one staff side health and safety representative to sit on the Committee. However in specific circumstances more than one representative may attend the Committee as appropriate and necessary.

## **Advisors**

Advisors will attend the Committee but not be formal members. This should facilitate them providing independent advice. Membership can be supplemented by co-opted attendees to provide additional knowledge or expertise:

- Health and Safety Advisors
- Radiation Protection Advisors

## **Frequency of Meetings**

Meetings of the Committee shall be held at such intervals as the Committee may determine in order to conduct its business. In any event, meetings shall normally be held as a minimum four times a year.

## **Quorum**

No business shall be transacted at a meeting of the Committee unless at least six members are present of which there will be one Executive Member of NHS Lothian Board. Any member must be represented by a Deputy at any meeting if unable to attend in person.

## **Reporting Arrangements**

The Health and Safety Committee will report to the Staff Governance Committee by means of submission of minutes to the next available meeting along with a summary report highlighting the key risks discussed and also any that will be required to be addressed in the future or that require escalating to the NHS Lothian Board.

The Chair of the Health and Safety Committee will also provide assurance on the work of the Committee on an ongoing basis to the Staff Governance Committee.

An Annual Report will also be prepared for presentation to the Staff Governance Committee describing the outcomes from the Health and Safety Committee during the year in order to provide assurance that it has met its remit during that year.

- The chairperson of the NHS Lothian Health and Safety Committee shall report annually to the Chief Executive via the Staff Governance Committee and, in addition, shall advise the Chief Executive of any serious breaches of the duties of the employer under legislation relating to the health and safety of employees, patients, and members of the public who might be affected by the activities of Lothian NHS Board.
- The NHS Lothian Health and Safety Committee shall approve the Health and Safety Annual Plan.
- All Acute Hospital Sites and other Services along with the Health and Social Care Partnership(s) have their own Local Health and Safety Committees/Groups in place to ensure that health and safety arrangements/risks for operational matters are discussed communicated with and to staff. As a result of these discussions proportionate action must be taken. These Committees/Groups will be chaired by a senior manager and will provide evidence and assurance on a quarterly basis to the NHS Lothian Health and Safety Committee.

## 5.2.8 Radiation Safety

Radiation safety will be managed in accordance with the provisions of the NHS Lothian Radiation Protection and the Policy for the implementation of the Ionising Radiation (Medical Exposure) Regulations 2017 (IRMER).

In conjunction with advice from the Radiation Protection Advisor, the Executive Medical Director shall be responsible for providing and maintaining relevant policies and for ensuring that the provisions of these policies are implemented throughout the organisation.

These Policies shall include details of how the Radiation Protection Committee members shall be appointed, the staff position held by these members, the frequency of meetings, and the arrangements for reporting to the NHS Lothian Health and Safety Committee on Radiation Protection Committee matters.

There shall be an NHS Lothian Radiation Protection Committee, the chairperson of which shall be the Executive Medical Director.

There shall be an IRMER Committee, the chairperson of which, who will also act as the IRMER Policy Lead, shall be appointed by the Executive Medical Director.



## 5.2.9 Health and Safety Advice

The Occupational Health and Safety Service will provide advice on health and safety matters. The Occupational Health and Safety staff will serve as a source of 'competent advice' as required by the Management of Health and Safety at Work Regulations.

All managers and employees are encouraged to contact the Occupational Health and Safety Service for advice on any health and safety issues.

The Health and Safety Advisors have access to both the Chief Executive and the Executive Medical Director regarding health and safety issues. The Health and Safety Advisors have delegated authority, by the Chief Executive, to stop any work which has an immediate serious risk to employees, patients, visitors, contractors, or members of the public, or which could result in Enforcement Action (e.g. Prohibition / Improvement Notice) from any of the Enforcing Authorities.

Other specialist Advisors such as: Radiation Protection, Infection Prevention and Control, Manual Handling, Violence and Aggression, Fire Safety are also available within NHS Lothian to provide advice.

## 5.2.10 Communication

NHS Lothian will ensure that a mechanism for communicating all information regarding health and safety risks is established throughout the organisation. This will take the form of both written and verbal communication including the use of I.T. systems.

## 5.2.11 Resources

NHS Lothian will consider the allocation of resources to support the implementation of this policy along with any other supporting health and safety related policy requirements based on the information provided by the Staff Governance Committee. This allocation will be determined by the level of risk tolerance.

## 5.2.12 Monitoring

The requirements and the arrangements of the policy will be monitored by the NHS Lothian Health and Safety Committee.

## 5.2.13 Equality and Diversity

Health and Safety issues are a concern for all staff and groups of users of NHS Lothian's services and premises. The equality & diversity page on the intranet includes a wide range of information about the issues and how these might be addressed. Previous similar versions of this policy were subject to an impact assessment and no concerns were identified.

## 6.0 Associated materials

- NHS Lothian Adverse Event Management Policy and Operational Procedure.
- NHS Lothian Risk Management Policy and Risk Register Operational Management Procedure
- NHS Lothian Health Surveillance Policy
- NHS Lothian Control of Contractors Policy.
- NHS Lothian Waste Management Policy.
- NHS Lothian First Aid Policy.
- NHS Lothian Fire Safety Policy.
- NHS Lothian Records Management Policy.
- NHS Lothian Whistleblowing Policy.
- NHS Lothian Policy for the Implementation of the Ionising Radiation (Medical Exposure) regulations 2017.

## 7.0 Evidence base

Health and Safety at Work etc. Act 1974.

Management of Health and Safety at Work Regulations 1999.

The Health and Safety (Consultation with Employees) Regulations 1996.

Safety Representatives and Safety Committees regulations 1977.

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

The Ionising Radiation (Medical Exposure) Regulations 2017.

Ionising Radiation Regulations 2017.

Managing for health and Safety, HSE, HSG65, 2013.

## 8.0 Stakeholder consultation

This policy was placed on the NHS Lothian Consultation Zone for a 4-week period for all NHS Lothian staff to comment on.

The policy was presented in the NHS Lothian Health and Safety Committee.

## 9.0 Monitoring and review

### 9.1 Proactive management

The implementation of the Health and Safety Management System is reviewed and reported on annually as part of the Health and Safety Management Quarterly Reporting System. Documented information is gathered at ward/department level and then provided to the Service(s)/HSCP Management Teams. Reports are then provided to the respective Health and Safety Committees. This information is then gathered by the NHS Lothian Health and Safety Committee with the risk assurance level and provided to the Staff Governance Committee.

### 9.2 Reactive management

All adverse events must be reported using the DATIX system and investigated in line with the NHS Lothian Adverse Event Management Policy and Operational Procedure.

### 9.3 Review

This policy will be revised and reviewed every three years or as a result of any changes in level of risk and/or in legislation which may occur before this. This policy may also be subject to review if new guidance or legal opinion is issued or NHS Lothian identifies a need for revision as the result of inspection, audit or following investigation of an adverse event.