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## **Blue Triangle (Glasgow) Housing Association Ltd**

### **Health & Safety Policy**

**DM 005 REV 1**

**8 December 2016**

### **Our Mission Statement**

***“Blue Triangle exists to support, accommodate and assist vulnerable people achieve better lives.”***

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## Revision history

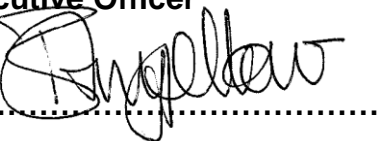
Rev No.	Rev. Date	Consultation Requirements (See Section 4 – Consultation)	Lead Officer	Committee	Approved by COM
1	Nov 2016	Revision and new template.	FS/DS	Development	08 Dec 2016

### Chairman

Signed:.....

Dated: 8 December 2016

### Chief Executive Officer

Signed:.....

Dated: 8 December 2016

## **Section 1 Introduction**

### **1.1 Rationale for the policy**

Health and Safety laws apply to all businesses, no matter how small. As an employer of staff and a charity working with vulnerable people, we need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment and a safe living environment for service users.

### **1.2 Risk assessment statement**

This relates to a high level of risk as without effective systems, policies and procedures to manage risk for staff and service users we could open ourselves to prosecution, reputational damage and worst of all, hurt or damage to our service users and staff.

### **1.3 Policy context**

We need a Health and Safety policy in order to manage an area of risk and responsibility for the Association.

## **Section 2 Legal and regulatory standards**

**The standards referred to in this section have been taken directly from each Regulator's guidance. Each Regulator has written their guidance according to the audience being addressed: service user, staff or board member.**

### **2.1 Legal framework**

Health and Safety at Work etc Act 1974

Regulations supporting the Health and Safety at Work Act

Corporate Manslaughter and Corporate Homicide Act 2007

### **2.2 Regulatory standards: the Scottish Housing Regulator (SHR) (Governance and Financial Management)**

#### **Regulatory standard 1**

The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

#### **Regulatory standard 4**

The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose

### **Regulatory standard 4.3**

The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk management and mitigation, internal control and audit

### **Significant performance failures**

The Scottish Housing Regulator (SHR) has a duty to consider issues raised with them about "significant performance failures". A significant performance failure is defined by the SHR as something that the landlord does or fails to do that puts the interests of its tenants at risk, and which the landlord has not resolved. That is something that is a systemic problem that does, or could, affect all of a landlord's tenants. Examples of a significant performance failure could be if social landlords are not:

- delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- achieving the regulatory standards on governance or financial management.

## **2.3 OSCR (Office of the Scottish Charity Regulator**

### **The Targeted Regulation Framework**

**You must act in the best interests of the charity (standard 1)**

**You must act with care and diligence (standard 1.2)**

- As Charity trustees, you must all work together to advance the charitable purposes, including making sure the charity is run properly, responsibly and lawfully
- You have to protect your charity including its beneficiaries, assets and reputation. This means understanding and assessing potential risks to make sure decisions are as robust as possible

## **2.4 The Scottish Social Housing Charter**

There are no relevant Scottish Social Housing Charter standards and Indicators

## **2.5 Regulatory standards for housing support: the Care Inspectorate**

You experience good quality housing support. This is provided by management and staff whose professional training and expertise allow them to meet your needs. The service operates in line with all applicable legal requirements and best-practice guidelines **(standard 3)**

You can be assured that the provider has policies and procedures which cover all legal requirements, including:

- Staffing and training
- Whistleblowing

- Managing risk, and
- Proper record keeping, including recording incidents and complaints  
(standard 3,1)

### **Section 3 Policy content**

**3.1** The Chair of the Committee of Management and the Chief Executive of Blue Triangle (Glasgow) Housing Association Limited are responsible for the conduct of the business of the Association.

**3.2** The Health and Safety at Work Act imposes statutory duties on employers and employees. To enable these statutory duties to be carried out, it is the policy of Blue Triangle (Glasgow) Housing Association Limited, so far as is reasonably practicable:

- to ensure that responsibilities for safety and health are assigned, accepted and fulfilled at all levels of the Association;
- to ensure that all practicable steps are taken to manage the health, safety and welfare of all employees;
- to conduct business in such a way that the health and safety of residents and visitors to any premises under our control, is not put at risk.

**3.3** The Association intends, so far as is reasonably practicable, to ensure that:

- The working environment of all employees is safe and without risks to health and adequate provisions are made with regard to the facilities and arrangements for their welfare at work.
- The provision and maintenance of machines, equipment and systems of work are safe and without risks to the health of employees, residents, contractors and any other person who may be affected by premises or operations under our control.
- Arrangements for the use, handling, storage and transport of articles and substances for use at work, or belonging to residents, are safe and without risks to health.
- Employees are provided with such information, instruction, training and supervision as is necessary to secure their health and safety at work.
- Responsibilities for Health and Safety within the Association, together with relevant precautions and procedures, shall be adequately documented in the form of a Health and Safety Manual.
- The Policy and the Health and Safety Manual will be regularly reviewed and updated as and when this is necessary.
- All employees shall be informed about this Policy, the Health and Safety Manual and all changes that may be made to them.

**3.4** It shall be the duty of all employees at work to ensure:

- That reasonable steps are taken to safeguard the health and safety of themselves, residents and of other persons who may be affected by their

acts or omissions at work.

- Co-operation with the Committee of Management so far as is necessary to ensure compliance with any duty or requirement imposed on the employer, or any other person, under any relevant statutory duties.

#### **Section 4 Consultation**

Section 54 of the Housing (Scotland) act 2001 stipulates a requirement of RSL's to consult their tenants on policies and procedures which significantly affect their tenants. BTHA has no tenants but considers this a right which should be given to its service users. The occupancy agreement that we use, therefore, includes a clause which indicates our commitment to consult with service users.

The regulatory standards (Care and Housing) also stipulate that service providers should have robust consultation processes in place in order to comply. This means that if there are proposals or policies which could significantly impact on service users such as those in relation to housing management, repairs and maintenance or more strategic changes that we endeavour to notify service users of this and listen to any concerns. The main vehicle for this will be our service users' forum.

We also operate a policy on consulting with staff and taking feedback on board. Service users and staff will not be consulted on all policies – an assessment will be made at policy review as to what level of consultation (if any) will take place.

#### **Section 5 Monitoring and review/link with KPIs**

Policies will be reviewed on a three yearly cycle by the Committee of Management according to a policy programme provided on an annual basis at the start of the financial year. All policy reviews will take into account our Equality Impact Assessment toolkit requirements. Committees will report on performance to Committee of Management at the end of the year. We use a small number of key performance indicators (KPIs) which monitor critical success factors. Our policy monitoring framework tracks any policies which impact on KPIs. Other policies may have indicators which are monitored at departmental level.

The policy and its implementation will be reviewed by the Committee of Management

The COM will be advised of all incidents of health and safety through the normal reporting framework and any improvement actions as a result will also be taken to the relevant Committees and/or COM.

#### **Section 6 Publishing and Availability of policy**

This policy is available in electronic format or hardcopy to all staff, service users, Committee members and other customers, as appropriate.

#### **Section 7 Accessibility**

We are committed to promoting accessible services that address the needs of individual service users and employees, as appropriate. For example, our policies can be provided in other formats such as in larger print or in audio-format.

## **Section 8 Other relevant policies and procedures**

The association has a wide range of policies covering corporate services (covers the entire association and operational services (covers only specific operational areas). It is important that this policy is not viewed in isolation but consideration is given to the wider context in which it operates.

## **Section 9 Complaints**

We follow the Model Complaints Handling System that has been developed by the Scottish Public Services Ombudsman (SPSO). This is a comprehensive procedure that allows for complaints to be dealt with in either one of two stages.

Complaints must be dealt with in line with set timescales so that complaints are dealt with quickly.

If still dissatisfied after Stage 2 has been completed, a dissatisfied customer can take their complaint to the SPSO.

Any service user wishing to complain should ask for a copy of our complaints procedure. A service user, alongside their right to complain to the SPSO, can also complain to the Care Inspectorate, the Local Authority or other commissioner of the service, and they may have the right to complain to the Scottish Housing Regulator. To take their complaint further, a service user generally needs to go through our internal complaints procedure in the first instance

## **Section 10 Equality Impact Assessment**

Equality Impact Assessments are required when developing or amending or reviewing policies. This is to ensure that the impact of any policy is understood in terms of EO requirements.