

HEALTH AND SAFETY POLICY

Policy Statement

Public Health Wales is committed to ensuring the health, safety and welfare of it's staff and those who are affected by it's activities. This policy has been developed in line with the requirements of the Health and Safety at Work etc., Act 1974. The Act provides the legislative framework and this overarching policy sets out Public Health Wales commitment to health and safety, outlining the arrangements within the organisation including general and specific responsibilities of all staff.

Policy purpose and aims

The Policies purpose and aims are to:

- outline the requirements of the Health and Safety at Work etc., Act 1974;
- outline the management of Health and Safety arrangements within Public Health Wales;
- minimise the Health and Safety risks within Public Health Wales to all staff and others;
- recognise the obligations imposed under the Health and Safety at Work etc., Act 1974, Section 2(3), to prepare an appropriate policy.

Supporting Procedures and Written Control Documents

All other organisational Health and Safety policies, procedures and written control documents.

- Incident Reporting Policy
- Risk Management Framework

Scope

This policy and any arrangements made under it applies to:

- all persons employed or engaged by Public Health Wales, including part time workers, temporary and agency workers, those holding honorary contracts and those engaged by the NHS Wales Health Collaborative
- all service users, visitors and volunteers;

Where Public Health Wales provides services with other organisations, including health boards, the policies and procedures of the employing organisation including honorary contract holders will apply. Where appropriate joint working arrangements will be agreed and for shared premises a Service Level Agreement/Memorandum of Understanding or alternative agreement will be in place.

Equality and Health Impact Assessment	Assessment complete
Approved by	Quality Safety and Improvement Committee
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Group with authority to approve supporting policies and procedures	Policies - Quality, Safety and Improvement Committee Procedures – Health and Safety Group
Accountable Executive Director/Director	Huw George, Deputy Chief Executive/ Executive Director for Finance and Operations
Authors	Chris Orr, Head of Estates and Health and Safety

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or [Board Business Unit](#).

Summary of reviews/amendments				
Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
1	n/a	28 June 2012	5 July 2012	n/a
2	11 January 2017	--	--	Changes to the layout of the document to provide a more succinct policy and reflect revised arrangements for management of health and safety.
3	25 January 2018	27 March 2018	4 May 2018	Typographic errors: Page 7 Act 197 – 1974 lower case to upper case in bullet points throughout document Page 11 5.28 job title change Appendix 1: addition of new sub group (Building and Environment Group)

4	January 2022	20 July 2022	21 July 2022	<p>Page 5- Typographic errors and addition of words 'related matters' in 5th paragraph</p> <p>Page 5- change from 'Managers' to all staff</p> <p>Page 5- insert 'and reporting of unsafe practices or conditions'</p> <p>Page 7- Word change from 'persecution' to 'prosecution'.</p> <p>Page 7- word change of 'Organisation' to 'Trust'</p> <p>'Page 8- Typographic errors corrected</p> <p>Page 9- Review date changed from annually to every 3 years</p> <p>Page 9- removal of wording- 'safe staff are our most important asset.'</p> <p>Page 10- Rewording of second bullet point under responsibilities of Director of People and OD</p> <p>Page 11- Additional bullet added under Executive Director of Quality, Nursing and Allied Health Professionals to reflect close working with Lead for Infection, prevention and control.</p> <p>Page 12- Grammatical changes</p> <p>Page 13- Specific wording added to reflect roles of Health and Safety Managers in Screening and Microbiology. Removal of specific reference to Manual Handling training- covered by Moving and Handling Policy</p> <p>Page 13- Reference included to access to independent external advice from a Health and Safety consultant if required.</p> <p>Page 14- Removal of wording that states Health and Safety Managers will have direct access to Executive Lead for Health and Safety. This is a historic arrangement and no longer required. Adequate governance structures currently in place.</p> <p>Page 15- Change from People and OD Committee to Quality, Safety and Improvement Committee</p>
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1 Contents

2	CHIEF EXECUTIVES STATEMENT OF INTENT	6
3	INTRODUCTION.....	8
4	POLICY AIMS AND OBJECTIVES	7
5	RESPONSIBILITIES	9
6	AUDIT MONITORING ARRANGEMENTS FOR HEALTH AND SAFETY ..	15
7	RESOURCES.....	16
8	TRAINING.....	16
9	COMMUNICATION AND IMPLEMENTATION	14
10	REFERENCES.....	16
11	APPENDIX 1 – PUBLIC HEALTH WALES HEALTH AND SAFETY REPORTING STRUCTURE	18

2 Chief Executives Statement of Intent

Public Health Wales is committed to providing safe, effective and supportive services. We believe that our staff are our most important asset and as such we accept responsibility for ensuring, so far as is reasonably practicable, the health, safety and welfare of all employees and of those who may be affected by our activities.

We are committed to excellence and the provision of quality services, it follows that the Health and Safety, of those using our facilities, visiting our sites or affected by our actions, is fundamental to the provision of our services.

Public Health Wales believes that an excellent organisation is by definition safe and secure. It therefore follows that caring for all personnel and minimising risks is inseparable from all other Public Health Wales objectives. It recognises that it is essential that there is a safe environment and that all staff are competent, healthy and safe at work.

All employees will be provided with equipment, information, training and supervision as is necessary to implement the Policy and achieve the stated objective.

I, as the Chief Executive regard health and safety management to be fundamental to the delivery of safe and quality services. I therefore accept ultimate responsibility for health and safety related matters and issues. The management of health and safety for Public Health Wales has been delegated to the respective Executive Directors and Senior Managers. However, to ensure that all properties and departments of Public Health Wales comply, many of the duties arising from this responsibility have been further delegated to line managers.

To further maintain and promote the implementation of the Policy and enable employees to function efficiently with regard to health and safety; information, instruction, training and supervision will be provided in accordance with identified needs. It is recognised that health and safety is a key responsibility for all staff and is included in all job descriptions. Effective health and safety management is based on a good understanding of the risks and how to control them. This is achieved through good quality risk assessment and management and with a programme of training based on Public Health Wales Statutory and Mandatory Training requirements.

Whilst overall responsibility to provide and maintain safe and healthy working conditions, equipment and systems of work rests at the highest level of management, every individual has a responsibility to ensure its implementation and reporting of unsafe practices or conditions, so far as is reasonably practicable.

We will fully engage with our staff, and in particular Trade Union appointed Safety representatives, in developing working processes and procedures, and in inspections, audits, and investigations relating to health and safety matters arising from their work activities or in their workplace.

The Trust's Health and Safety objective is to minimise the number of occupational accidents and incidents of ill health and ultimately to work towards an accident-free workplace.



SIGNED:

DATE: XXXXXX

Tracey Cooper, Chief Executive

3 Introduction

The Health and Safety at Work etc., Act 1974 (The Act) provides the legislative framework to promote, stimulate and encourage high standards of health and safety at work. It places a duty upon the employer to safeguard so far as is reasonably practicable, the health, safety and welfare of all employees, including the provision and maintenance of safe plant and systems of work. In addition to this Act, there are a number of other related laws which have relevance within Public Health Wales. These are also designed to ensure that work is conducted in a safe and healthy manner and environment as much as possible.

The Act requires all employers to prepare a Health and Safety Policy and bring that policy to the attention of all employees.

Compliance with the Health and Safety at Work etc., Act 1974 is a legal requirement. As such, an offence, committed under the Act would constitute a criminal offence and could lead to prosecution, resulting in a fine and/or term of imprisonment.

Although the main responsibilities for compliance with the Act rests with the employer, every employee has a responsibility to ensure that no one is harmed as a result of their acts or omissions during the course of their work.

Employees have a duty under the Act, to take reasonable care to avoid injury to themselves and others and to cooperate with employers and others in meeting statutory requirements. The Act also requires employees not to interfere or misuse anything provided in the interests of health and safety or welfare in pursuance of any specific requirement of any relevant statutory provisions.

4 Policy aims and objectives

The aim of this policy is to outline how Public Health Wales will discharge its statutory health and safety duties to provide a safe environment for service users, visitors, contractors, staff and others who may be affected by the work of the Trust.

The policy aims are to:

- outline the requirements of the Health and Safety at Work etc., Act 1974;
- outline the management of Health and Safety arrangements within Public Health Wales;
- minimise the Health and Safety risks within Public Health Wales to all staff and others;
- recognise the obligations imposed under the Health and Safety at Work etc., Act 1974, Section 2(3), to prepare an appropriate policy.

The policy objectives are to:

- secure the health, safety and welfare of people at work;
- protect service users and people other than those at work against risks to their health and safety arising out of work activities;
- minimise the number of occupational accidents and incidents of ill health and ultimately to achieve an accident-free workplace;
- minimise financial loss as a direct and indirect cost associated with incidents, accidents and occupational ill health;
- establish a culture of co-operation, communication, competency and control for health and safety.

5 Responsibilities

Public Health Wales recognises and accepts its responsibilities for establishing and maintaining, so far as is reasonably practicable, a safe and healthy working environment. This responsibility arises from:

- a moral responsibility to provide the best working conditions and safe systems of work as far as is reasonably practical.
- Public Health Wales statutory obligations to comply with the Health and Safety at Work etc., Act 1974 and other related legislation.

5.1 Ultimate and Overall Responsibility

5.1.1 Board members

Board Members are collectively responsible for providing leadership and direction on health and safety. Non-Executive Directors will help ensure the organisation gets the right direction and leadership on health and safety matters, they also perform a scrutinising role ensuring the integrity of the process to support the Board's significant health and safety risks.

5.1.2 The Chief Executive

The Chief Executive accepts ultimate overall responsibility for all matters including health, safety and welfare in Public Health Wales. They are responsible for ensuring appropriate health and safety management arrangements are in place, from the Health and Safety Group through to each Directorate/ Division ensuring there is adequate communication, co-operation, competency and control.

Specifically the Chief Executive is responsible for:

- ensuring that the Public Health Wales Health and Safety Policy is implemented and reviewed every three years;

- ensuring the Board is informed as required on health and safety matters affecting employees and/or the public;
- ensuring that regular update reports, together with an Annual Report are presented to the Board;
- supporting training and development of staff – monitoring that health and safety performance against agreed targets;
- including within the Annual Report a section on Public Health Wales health and safety plans and performance;
- ensuring that health and safety is adequately resourced within Public Health Wales;
- ensuring that health and safety information is effectively communicated throughout the Trust;
- ensuring appropriate financial provision to deliver health and safety responsibilities;
- supporting quality initiatives aimed at continuous improvement.

5.2 Executive Directors and Executive Team Members/ Director of the NHS Wales Collaborative

The Chief Executive will be supported in progressing these responsibilities by the Executive Team and the Director of the NHS Wales Collaborative, and specifically:

5.2.1 Deputy Chief Executive and Executive Director of Operations and Finance

The Deputy Chief Executive and Executive Director of Operations and Finance, as Executive Director with responsibility for Health and Safety is responsible for:

- supporting the Chief Executive in the delivery of health and safety responsibilities
- ensuring that Fire Safety is appropriately managed
- ensuring that Health and Safety is appropriately resourced
- ensuring that Fire Safety reports are provided to the Health and Safety Group
- ensuring that business continuity arrangements are in place to respond to major incidents and emergencies

5.2.2 Director of People and Organisational Development

The Director of People and Organisational Development is responsible for:

- ensuring that health and safety responsibilities are included in current job descriptions, training programmes and induction programme

- ensuring there is a mandatory Health and Safety training programme and included as part of the corporate induction process and is appropriately monitored and resourced
- submitting regular reports on stress and mental health well-being
- joint negotiation forum arrangements for scrutiny and agreement of Health and Safety policies

5.2.3 Executive Director of Quality, Nursing and Allied Health Professionals

The Executive Director of Quality, Nursing and Allied Health Professionals is responsible for:

- ensuring arrangements are in place for reporting and investigating incidents
- ensuring there are adequate links between Infection, Prevention and Control work programme where relevant

5.2.4 Executive Team

The Executive Team are responsible for:

- ensuring that the health and safety aspects for service users safety are integrated throughout Public Health Wales
- ensuring there are robust arrangements for Health and Safety in place within each Directorate and Division
- ensuring there is appropriate support provided to Divisional Directors/ Service Managers in all locations
- monitoring/auditing health and safety performance against agreed targets within their respective Directorates/Divisions
- ensuring that there are nominated facilities leads at each site so as to provide a focus for each site outside of the management accountability structure that will provide staff with an identified senior person to who concerns can be raised
- ensuring they advise the Chief Executive of any issues which require their attention which cannot be resolved locally, or are of organisation wide significance

5.2.5 All Senior Managers

All Divisional Directors and Senior Managers are responsible for:

- the implementation of Public Health Wales Health and Safety Policy in their areas of responsibility

- nominating staff with management responsibility for Health and Safety within their spheres of influence and ensuring that they have the necessary resources to comply with Health and Safety Policies and Procedures

It is the responsibility of all Divisional Directors and Senior Managers to demonstrate a duty of care and to ensure that they personally maintain a suitable awareness of Health and Safety matters by attending relevant training courses to keep their knowledge up to date.

5.2.6 All Managers

Every Manager is responsible for the health and safety of all persons (including visitors and contractors) who report to their area of responsibility, even when they are not present in the workplace. They are also responsible for any workplace equipment (including ensuring maintenance and servicing) and activities they directly control.

Managers are provided with health and safety information. This will support them in discharging their responsibilities, specifically to:

- scope out all the individual staff, activities and working environments under their direct management control
- be a resource to help meet their health and safety responsibilities
- equip themselves with the tools to undertake self-assessment and risk assessments and audits
- undertake annual checks for Health and Safety Training through employees annual 'my contribution' and document locally
- ensure that where teams meet, health and safety is a regular item on the agenda
- investigate incidents where required
- retain the evidence that Health and Safety arrangements are in place
- ensure their staff are made aware at least annually of their responsibilities under the Health and Safety Policy through 'My Contribution'

5.2.7 The Head of Estates and Health and Safety

The Head of Estates and Health and Safety is responsible for:

- ensuring that workplaces meet legal standards/requirements under appropriate legislation and Health Technical Memoranda and providing specialist advice to maintain compliance
- fire safety arrangements including Fire risk assessment and physical fire precautions
- ensuring building defects are rectified

- ensuring specialist advice in relation to, Personal Safety, is available
- monitoring Estates and Health and Safety Performance
- co-operating with landlords, their representatives or managers to ensure so far as is reasonably practical buildings are safe
- facilitating the implementation of the relevant associated policies, including the Incident Reporting Policy
- planning, measuring, reviewing and auditing health and safety activities to ensure so far as is reasonably practical that legal requirements are satisfied and risks are minimised
- safe place of work for contractors
- monitoring of contractors health and safety and work performance
- preparing an Annual Report for submission to the People and Operational Development Committee and Trust Board.

5.2.8 Health and Safety Managers

Within Screening and Microbiology Divisions, Health and Safety Managers have specific responsibilities to ensure the implementation of the Health and Safety Policy within their respective Divisions. Health and Safety Managers will:

- provide 'competent' health and safety advice to their respective Directorates and Divisions within Public Health Wales
- assist in the review and update of specific health and safety policy and procedures
- ensure where reasonably practicable that Public Health Wales complies with all relevant, legislation in matters relating to health and safety of staff
- work with all staff to maintain, monitor, review and audit safe management systems
- work with managers/leads to undertake and review health and safety risk assessments, ensure lessons learnt are captured and acted upon
- ensure that health and safety related training is planned, implemented and monitored effectively
- disseminate health and safety information and reports to appropriate staff
- provide support and advice to the Head of Estates and Health and Safety and the Deputy Chief Executive / Executive Director of Finance and Operations in the implementation of health and safety policies

In the event of additional and independent advice on Health and Safety matters being required, Health and Safety Managers will also have access to an external Health and Safety Consultant arranged through the Estates and Health and Safety Division.

5.2.9 Employee Responsibility

Public Health Wales recognises the importance employees can play in helping avoid accidents and ill health at work. Employees must report all incidents and hazards as soon as possible.

All employees (for the purpose of this policy this includes all those included within the scope of this policy), have a statutory duty of care, both for their own personal safety and that of others who may be affected by their acts or omissions.

All employees are required to bring to the attention of their managers/leads/supervisor or recognised health and safety staff representative any hazards or specific queries and concerns relating to health and safety in the workplace.

Specifically, all employees are required to:

- co-operate with the employer's safety arrangements
- take reasonable care for their own health and safety
- consider the safety of other persons who may be affected by their acts or omissions
- work in accordance with information and training provided
- refrain from intentionally misusing or recklessly interfering with anything that has been installed/placed/fitted etc. for health and safety reasons to ensure safe work practices
- report to a responsible person without delay any hazardous defects in plant and equipment or shortcomings in the existing safety arrangements
- report all building/facilities defects to the estates department and/or shared services and hosting organisation where appropriate
- report incidents and near misses in accordance with the Incident Reporting Policy
- not undertake any task for which authorisation and/or training has not been given
- to co-operate with the employer so far as is necessary to enable that duty or requirement to be performed or complied with. It is the responsibility of staff to contribute to the carrying out of suitable and sufficient assessment of risk
- undertake identified health and safety training in line with specific roles and responsibilities

6 Audit Monitoring Arrangements for Health and Safety

Senior Managers, supported by staff health and safety representatives, will carry out monitoring of this policy at specified intervals following implementation. A diagram outlining the Health and Safety reporting structure is shown in appendix 1.

A number of mechanisms exist to measure the success of the policy. These include:

6.1 Internal monitoring

Internal monitoring of Health and Safety within Public Health Wales is the responsibility of Executive Directors and Senior Managers and will be overseen by:

The Health and Safety Group which will consider the effectiveness of arrangements for the day to day management of health and safety including shared learning as a result of incidents. The work of this group will be considered by the Quality, Safety and Improvement Committee.

Specifically on behalf of the Board, the Quality, Safety and Improvement Committee will seek assurance that:

- there are increased alignment of health and safety incidents and lessons learned;
- there is increased awareness of health and safety across Public Health Wales;
- health and safety incidents including The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) are recognised, themes identified and mitigation enacted where necessary;
- all incidents/accidents are reported using the appropriate incident reporting process;
- ensuring that incidents/accidents are investigated and that actions are fed back to the reporting individual;
- ensure lessons learned from employee litigation claims, with lessons learnt cascaded across Public Health Wales where appropriate;
- processes are in place to undertake regular checks of sickness and absence statistics and to identify those absences that are a result of work related injuries/ill health;
- records maintained relating to Staff Health and Safety Training;
- recognised staff representatives with responsibility for health and safety are fully involved in health and safety activity.

6.2 Health and Safety Audit

All Directors will be required to support Health and Safety audits when undertaken and provide leads designated to assist in line with Public Health Wales Audit protocol, and action plans are developed to address any gaps.

7 Resources

Public Health Wales will identify a designated corporate budget for Health and Safety across the organisation, while also recognising it is an integral aspect of all operational activity. If any additional resources are required, this will be considered as part of the risk management and profiling arrangements within Public Health Wales.

Any additional cost needs identified as a result of new or specific policy needs will be brought to the Executive Team, Board Committee or Board – if required.

8 Training

Public Health Wales Health and Safety Policy and enactment arrangements will be brought to the attention of all new staff at induction and provide updated training as identified for their specific roles and responsibilities.

All staff will be required to undertake mandatory training relevant to their role.

9 Communication and Implementation

A copy of the Trust Health and Safety Policy and related publications will be accessible via Public Health Wales intranet site.

A register of all Public Health Wales Health and Safety Policies and Procedures will be maintained by the Corporate Governance Directorate. They will ensure that all policies and procedures are maintained on Public Health Wales intranet (in line with PHW management of policies, procedures and control of documents).

10 References

10.1 Legislation:

Health and Safety at Work etc, Act 1974

Management of Health and Safety at Work Regulations 1999

Safety Representatives and Safety Committees Regulations 1977

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

Corporate Manslaughter and Corporate Homicide Act 2007

10.2 Guidance:

Health and Safety Executive – Managing Contractors – A Guide for Employers HSG159

Health and Safety Executive – Managing for health and safety HSG65

Health and Safety Executive/Institute of Directors – Leading Health and Safety at Work INDG417(rev1)

11 Appendix 1 – Public Health Wales Health and Safety reporting structure

