

CONTENTS	Page
1.0 INTRODUCTION.....	1
2.0 GENERAL STATEMENT	1
3.0 LEGISLATION	2
4.0 ORGANISATION AND MANAGEMENT	2
5.0 PEOPLE WE SUPPORT AND THE RISK ASSESSMENT PROCESS	5
6.0 YOUNG PEOPLE AND THE RISK ASSESSMENT PROCESS.....	5
7.0 NEW AND EXPECTANT MOTHERS AND THE RISK ASSESSMENT PROCESS.....	6
8.0 ASSESSMENT	6
9.0 DEFINITIONS.....	7
10.0 IDENTIFYING HAZARDS	8
11.0 ASSESSING POTENTIAL RISKS	9
12.0 PRIORITY AND ACTION.....	9
13.0 CONTROL MEASURES	10
14.0 REVIEWING RISK ASSESSMENT.....	11
15.0 COMMUNICATING THE RISK ASSESSMENT.....	11
16.0 HEALTH SURVEILLANCE.....	12
17.0 SAFE SYSTEMS OF WORK.....	12
18.0 MONITORING, AUDIT & REVIEW	12

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 Outcomes First Group (collectively known as “the Group”)

2.0 GENERAL STATEMENT

The Organisation recognises that in the providing of its service to people we support, certain aspects will, unless properly controlled create risks to members of staff and others. The Organisation’s policy therefore, is to comply with both the letter and the spirit of the law on Health and Safety at Work and to this end; the provisions of this policy are centred on ensuring that all reasonably practicable measures are put in place to reduce these risks to an acceptable level.

The Organisation will ensure that 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

The Organisation strongly advocates a team approach to risk assessment, as this will allow for the consultation process to be engaged. It will also assist in achieving ownership of the problems and very importantly encourage staff to make full use of any of the necessary control measures.

The Organisation recognises that people we support must be involved in the risk assessment process as is meaningful to them and where the risks cannot be sufficiently reduced, the service supports/signposts the people we support into other more appropriate services. Reviews can be initiated at any time by a person supported.

Employees are responsible for ensuring that 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.

Risk Assessment is a legal requirement under a range of health and safety legislation, notably the following:-

- The Management of Health and Safety Regulations 1999
- Manual Handling Operations Regulations 1992
- Control of Substances Hazardous to Health Regulations 2003

The Management of Health and Safety Regulations state that every employer shall make a suitable and sufficient assessment of:

- (a) the risks to the health and safety of their employees to which they are exposed whilst they are at work; and
- (b) the risks to the health and safety of persons not in his employment arising out of or in connection with the Group's work activities.

Any such assessment should be reviewed by the employer if:

- (a) there is reason to suspect it is no longer valid; or
- (b) there has been a significant change in the matter to which it relates.

The Regulations also require employers to record the significant findings of the assessment.

4.0 ORGANISATION AND MANAGEMENT

Board of Directors

The Board of Directors have ultimate responsibility for Health and Safety.

Group Chief Executive Officer

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

Managing Directors of specific services

The Managing Directors 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 the risk assessment findings.

Regional Heads of Division/Service

Heads of Division/Service are responsible for the ensuring the provision of arrangements in relation to risk assessment and ensuring that the company'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.

Regional Operations Managers

Regional Operations Managers are responsible for the implementation of this policy and the monitoring of compliance within their respective services.

The Health and Safety Manager

Health and Safety Manager is responsible for facilitating the risk assessment process 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.

Registered/Service Managers, Head Teachers

Registered/Service Managers/Head Teachers have direct responsibility for health and safety matters relating to premises 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 homes/schools/departments under their jurisdiction by:

- Ensuring that suitable and sufficient risk assessments are conducted in the area(s) under their control, including those for New and expectant mothers.
- Ensuring that risk assessments consider who could be harmed and clearly identify those groups or individuals in the assessment
- **Ensuring that the staff team is involved in the risk assessment process.**
- **Ensuring that People we support are involved in the risk assessment process as is meaningful to them.**
- Ensuring that where the risks cannot be sufficiently reduced, the service supports/signposts the People we support into other more appropriate services.
- Ensuring that People we support are aware that reviews can be initiated at any time by themselves.

- Ensuring that persons involved in the risk assessment process are given adequate information and training.
- The risk rating is determined by considering the severity of the impact/outcome of the hazard and the likelihood of its occurrence in order to prioritise the risk reduction measures required.
- Risks are rated and prioritised for action using the method described in the “Risk Rating Scale”.
- Safe systems of work are developed to eliminate, reduce or control risk and compliance with these systems is effectively monitored
- Where generic risk assessments are adopted, these are thoroughly reviewed and adapted, as appropriate, to ensure their relevance to the service.
- Risk assessments and risk action plans are recorded on the appropriate documentation and are available for inspection.
- 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.
- Risk assessments are reviewed at least annually, and/or when circumstances change or the assessment is thought to be no longer valid for any reason.
- Staff receive training appropriate to the safe performance of their work activities.
- Senior managers are made aware of any resource implications related to 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 service based work activities.
- Undertaking dynamic risk assessments of their working environment (including whilst supporting people we support in the community, recording any significant findings and bringing these to the attention of managers and their colleagues.
- Identifying risks where they arise and bringing their concerns to the attention of their manager.
- Complying with the safe systems of work.
- Female staff are responsible for notifying their line manager in writing once a pregnancy has been confirmed.
- Attending training as required to enable them to participate in the risk assessment process and perform their work activities capably and safely.
- Reporting all incidents to the manager in accordance with the Group's 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.

5.0 PEOPLE WE SUPPORT AND THE RISK ASSESSMENT PROCESS

It must be borne in mind that people we support are involved in the risk assessment process as is meaningful to them.

Initially, it is important to establish wherever possible what the individual to be supported thinks or feels about any possible risk, i.e. what things they see as a risk to their health and safety and what risks they may not have identified or understood.

Using relevant care/support planning systems and communication aids, support teams establish what each individual feels are essential to a healthy lifestyle, what things they feel are important, and what things they would prefer to do but which are not essential to their lifestyle. Support teams work with the individual to find out what they think and feel about their safety and what level of independence they want to achieve.

Documentation is used that identifies risks and responsibilities often using an arbiter or facilitator to agree key goals and actions to be taken to reduce certain risks. We recognise that each individual will want to be able to live their life taking some risks, certain individuals are less risk averse than others and as an organisation we also have a duty of care to maintaining the health and safety of the people we support. In order to meet expectations and individual goals as well as maintain the safety of individuals we support, therefore it is of utmost importance where possible to find a compromise about the level of risk and actions to be taken to reduce risks of injury or harm while at the same time promoting independence and choice.

As part of the support planning process individuals are given comprehensive risk assessments to address all aspects of their care and support. This is an inclusive process undertaken on a multi-agency basis and includes input from the individuals to be supported and other stakeholders. The assessments highlight individual care needs - physical condition, general health, competency/daily living skills, behavioural characteristics and environmental (e.g. the people we support home and the day to day activity of people we support in their home).

Identified risks are included within individual support plans together with an agreed response to each situation. Additional risks and/or changes to the nature of identified risks would require further assessment. The Group will encourage individuals to increase their independence and experience new opportunities safely.

In certain circumstances, Assistive Technology is used as a means to aid Service Users to maintain independence, this includes people with a learning disability, mental health issue or a physical disability. Examples of Assistive Technology used includes care call, fall sensors, PIR, movement detectors, flood and heat detectors, door security, epilepsy monitoring, 'prompts' for medication etc.

However, the most important aspect to note is that people we support are involved in the process as is meaningful to them.

6.0 YOUNG PEOPLE AND THE RISK ASSESSMENT PROCESS

Young People under the age of 18 are not permitted to be employed in Adult or Children's Services.

Where a young person may be working in the service e.g. school work experience the Manager must carry out a risk assessment which takes into account their in-experience, lack of awareness of existing or potential risks.

The risk assessment must consider whether the young person should be prohibited from certain work activities, except where they are over the minimum school leaving age and it is necessary for their training or the risks have been reduced so far as is reasonably practicable and where adequate and proper supervision is provided by a competent person.

7.0 NEW and EXPECTANT MOTHERS AND THE RISK ASSESSMENT PROCESS

New and Expectant mothers are considered a specific at risk group and measures must be taken with regard to their safety and health. The organisation has statutory obligations under the Management of Health and Safety at Work Regulations to ensure any workplace hazards are risk assessed for new and expectant mothers and that where this process has identified significant risks to the health and safety of the new or expectant mother and where these risks cannot be avoided by taking any necessary preventive and protective measures under other relevant health and safety legislation, then action must be taken to remove, reduce or control the risk.

MHSW also states that where a new or expectant mother works nights and she provides a medical certificate from her GP or Midwife which says that working night shifts will affect her health, then her employer must suspend her from work, on full pay, for as long as necessary. However, the [Employment Rights Act 1996](#) provides that where appropriate, suitable alternative work should be offered, on the same terms and conditions, before any suspension from work is considered.

The organisation as employer is only required to take action to protect the pregnant worker when they have been advised, in writing, of her condition, i.e. either that she is pregnant, has given birth in the last six months or is breast feeding.

All female staff are responsible for notifying their line manager in writing once a pregnancy has been confirmed. If requested by the organisation, the staff member may also have to provide a certificate from a GP or Registered Midwife confirming the pregnancy. The organisation is under no obligation to take the action outlined in this policy and any subsequent guidance documents until it has received this notification.

All pregnant staff are legally required to take reasonable care of themselves and not expose themselves to unnecessary risk of harm. The member of staff and their line manager should work together to complete the risk assessment (see document "HS Risk Assessment Policy – Risk Assessment Form – New and Expectant Mothers).

Pregnant staff or new mothers will be required to comply with any changes to their job design, activities etc. in line with any assessment actions, as well as inform their line manager of any concerns that may require the assessment to be reviewed. This will include notifying their line manager when they cease to breastfeed as the requirements to assess new mothers under the legislation will no longer apply.

See documents "HS Risk Assessment Policy – New and Expectant Mothers Guidance" and HS Risk Assessment Policy – New and Expectant Mothers and Avoidance" for further information.

Sickness during pregnancy is to be found in the HR Attendance policy and Maternity Rights are covered separately under the HR Maternity Policy.

8.0 ASSESSMENT

All managers shall ensure that risk assessments are carried out, which shall detail the range of foreseeable health and safety hazards associated with the operation of their service. Examples of the types of hazards that must be covered are detailed in "Hazards in the Workplace".

This risk assessment should include hazards and associated risks to New and Expectant Mothers.

All managers shall ensure that any assessment relating to the use of a hazardous substance (Control of Substances Hazardous to Health - COSHH) or the use of display screen equipment (DSE) is carried out before the commencement of any work involving the use of that substance or workstation.

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

Risk assessments must be carried out by a competent person i.e. someone who has the skills and knowledge of the particular task or work area, and is trained in the use of the risk assessment system.

All risk assessments should be documented on the current record sheet relevant to the assessment. Details of the current version of all risk assessment forms will be found the Health & Safety policies and procedures folder on the SharePoint.

The outcome of all risk assessments will be communicated to all 'at risk' persons; this includes contractors carrying out work on site.

Safe systems of work/safe procedures will be drafted and implemented by the appropriate manager and staff.

All assessments must be current for the tasks or work area to which they apply and be reviewed if there is any reason to suspect that they are no longer valid, or there has been any significant change (e.g. changes in legislation, technology, staffing or the loss of experienced specialist staff). As a minimum, assessments will be reviewed on an annual basis. There may be a requirement to re-evaluate the level of risk following the implementation of further control measures.

Certain hazards and risks are covered by specific legislation. These include the exposure to noise, disposal of special waste, asbestos etc. The organisation will make provision for guidance and for specialist risk assessment advice in such areas.

9.0 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.

Generic Risk Assessment – a risk assessment which is developed to identify the hazards, risks and control measures associated with a common task, activity or environment.

Note: generic assessments may be supplemented, as appropriate, to include hazards and risks associated with the specific environment or circumstances.

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.

Suitable and Sufficient - A risk assessment will be considered to be suitable and sufficient if it:-

- is appropriate to the nature of the work.
- ensures that all aspects of the work activity are reviewed
- takes a systematic approach in identifying hazard and risk taking account of the way the work is organised.
- identifies the foreseeable risks associated with the work and includes enough detail proportionate to the risk
- considers who might be affected including member of the public
- Involved employees or their representatives and they were asked in relation to who may be affected.
- identifies the measures already in place to control risk as well as any required to further reduce risk including any necessary to comply with any statutory requirements applicable to the work or process.
- the precautions are reasonable and the remaining risk is low
- includes a recommended review date: i.e. identifies the period of time for which the assessment is likely to remain valid

Young Person

A **young person** is anyone under 18 who may be exposed to additional hazards/risks due to:

- lack of experience
- being unaware of existing or potential risks and/or
- lack of maturity

New or Expectant Mother

The phrase 'new or expectant mother' means an employee who is either pregnant or has given birth within the previous six months or who is breastfeeding. 'Given birth' is defined as 'delivering a living child' or after 24 weeks pregnancy, 'a stillborn child.'

10.0 IDENTIFYING HAZARDS

Hazard identification should be made using for example the following:-

- task observations
- consultations with staff
- accident ill-health or near miss data
- workplace inspections
- legal standards
- guidance (manufacturers; Equipment user guidance/instructions; HSE; BSI; professional bodies – NMC; National Back Care)

This list is not exhaustive.

11.0 ASSESSING POTENTIAL RISKS

When the hazards have been identified, the risk assessor should consider the potential impact the hazards may have on people, services or property.

A risk grading must be decided upon for the task/activity/hazardous situation being assessed. This should be done taking into account how likely people are at risk with the existing control measures in place.

The organisation uses a risk grading system based on a 1 – 5 scale for hazard severity and 1 – 5 scale for hazard probability. Using this scale the lowest risk is graded as 1 and the highest risk is graded as 25. (Refer to Risk Assessment Rating Scale).

Please note that the likelihood of recurrence for an incident is not related to whether the incident will happen to the same person again, but whether it may occur to someone else.

E.g. If a person falls over because of a hole in the road the person will learn to walk round it, but what is the chance of someone else falling over because of the same hole? Or what is the chance of a piece of equipment failing again? Or of another person we support being harmed because a clinical protocol/procedure is inadequate?

12.0 PRIORITY AND ACTION

Once the assessment has been made it should be possible to take action on the necessary precautions and protective measures, and the following should be used to determine the required course of action:

....Scale of Risk

Insignificant (0-4) – colour coded blue

- No further action is currently needed; however keep under review for an increase in the scale.

Low (5-10) – colour coded yellow

- The majority of control measures in place or harm insignificant.
- Action any additional quick and easy measures immediately.
- Plan further actions when resources permit - may be long term.
- Managed by Registered Managers/Team Leaders

Medium (12-16) – colour coded amber

- Medium Likelihood of major harm if control measures not implemented.
- Action as soon as possible but no later than a year (medium term)
- Make safe the situation.
- Review any existing control measures to determine effectiveness.
- If adequate control cannot be implemented immediately, an action plan must be developed to indicate how the risk will be reduced, who will be responsible for implementation and the timescale involved.
- Managed by Registered Managers/Regional Heads of Service

High (20-25) – colour coded red

- Significant probability of major harm.
- Urgent action required.

- Consider stopping process.
- Report immediately to line manager and member of Management Team.
- Details considered and entered on the Corporate Risk Register.
- Managed by Registered Managers/Regional Heads of Service in liaison with Managing Directors of Service where significant resources are required to implement necessary control.

13.0 CONTROL MEASURES

Once the assessment has been made it should be possible to take action on the necessary precautions and protective measures.

Any preventative and protective measures implemented shall be determined on the basis of the principles specified in Schedule 1 of the Management of Health and Safety Regulations 1999:-

- a) avoiding risks;
- b) evaluating the risks which cannot be avoided;
- c) combating the risks at source;
- d) adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health;
- e) adapting to technical progress;
- f) replacing the dangerous by the non-dangerous or the less dangerous;
- g) developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- h) giving collective protective measures priority over individual protective measures; and
- i) giving appropriate instructions to employees

Control Strategy

It is far preferable to provide effective controls measures which provide a safe place of work rather than measure which only protect the individual person. I.e. preference should be given to eliminating the hazard altogether or replace it with something less hazardous, than to rely on people working safely or wearing protective clothing.

Managers should therefore seek to provide 'safe place controls' in preference to 'safe person controls'.

Safe Place Controls

Elimination of risk
Substitution
Reduction of risk at source
Enclosure of risk
Removal of person from risk
Reduction of contact with risk

Safe Person Controls

Procedures
Training
Instruction
Supervision
Information
Personal protective equipment

The general working environment should be safe for everyone. In that way, whoever is exposed is likely to have some degree of protection. Personal controls place the onus very much on individuals, linked with all the usual human behavioural problems. In reality, a combination of controls is often implemented, i.e. as much

control of the work environment as possible, supported by instruction notices, procedures and safety equipment, where required.

14.0 REVIEWING RISK ASSESSMENT

Risk assessment is not a one-off activity, as hazards and risks do not remain static. It is therefore necessary to carry out a periodic review of risk assessments in order to ensure that they remain valid and to ensure that:-

- Actions have been implemented appropriately and the risk mitigated
- The risk scoring is still appropriate
- The likelihood or impact of a risk has not been altered by other factors
- Reviews should be undertaken in the following circumstances: -
- Following an accident: incident; near miss or dangerous occurrence.
- Where there is a significant change in the work activity (if any circumstances change);
- Where there is a change in the employees' e.g. new employees; young workers, expectant mothers; people with disabilities.
- Changes to equipment, plant and work processes.
- Changes in legislation
- As a result of monitoring or audit
- As a result of advice or action by Enforcing Authorities
- New information becomes available relevant to the work activities
- Improved control measures become available
- special "one-off" occasions (e.g. building alterations)
- a specific period of time has elapsed, thus indicating the need for a periodic review.

However, it is good practice to review risk assessments regularly even when the above circumstances do not occur.

The frequency of these reviews will depend on the type of assessment and any legislative requirements. Work activity risk assessments, particularly around working with people we support and young people, should be reviewed relatively frequently, whilst general risk assessments shall be reviewed at no less than annual intervals as a minimum.

Risk scores may increase or decrease depending on the effectiveness of the actions implemented and other factors that may have compounded the situation (e.g. staff shortages)

The organisation advocates a team approach to risk assessments as being most effective. Therefore Registered/Service Managers/Head Teachers/Department Heads shall be responsible for establishing this approach within the premises/departments for which they are responsible.

15.0 COMMUNICATING THE RISK ASSESSMENT

It is important to regularly update employees on what risk assessments have been completed/reviewed, and any actions that have been implemented/changed as a result. This will allow staff to be aware of changes that happen as a result of the risk assessment process and encourage compliance with it.

Employees should be updated on new/reviewed risk assessments especially those relating to the people we support as soon as practically possible following the review.

16.0 HEALTH SURVEILLANCE

In some circumstances, health surveillance may be required as part of the monitoring (e.g. if there is an identifiable disease or health condition related to the work and health surveillance of employees is needed to detect biological changes).

17.0 SAFE SYSTEMS OF WORK

A safe system of work is a procedure that results from a systematic examination of a working process that identifies hazards and specifies work methods designed either to eliminate the hazards or controls and minimises the relevant risks. The legal background to this is the requirement, contained within the Health and Safety at Work Act 1974.

When developing safe systems of work from risk assessments refer to the guidance "Safe Systems of work".

18.0 MONITORING, AUDIT & REVIEW

The Group Health and Safety Manager will regularly monitor any accident/incident information 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