
Health and Safety Policy

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1 Purpose

- 1.1.1 The purpose of this policy is to inform staff and others of the arrangements for managing health and safety at Brainkind.
- 1.1.2 Brainkind recognises its responsibilities regarding health, safety and welfare at work in accordance with the Health and Safety at Work Act 1974, all other relevant Health and Safety legislation and the Fire Precautions (Workplace) Regulations. The policy sets out how Brainkind will comply with these laws and regulations.
- 1.1.3 It also sets out the responsibility of individuals to ensure their own Health & Safety and the Health & Safety of those around them.
- 1.1.4 The content of this policy applies to all employees of Brainkind, bank workers, agency, workers, students, volunteers, contractors or visitors to Trust premises.

2 Responsibilities

2.1 Board of Trustees

- 2.1.1 The Board of Trustees of Brainkind has ultimate legal responsibility for the management of Health & Safety as a whole. The Board has chosen to delegate operational management of Health & Safety but is unable to delegate its legal responsibility.

2.2 Chief Executive

- 2.2.1 The responsibility for operational management of Health & Safety of Brainkind is delegated by the Board of Trustees to the Chief Executive.

2.3 Senior Leadership Team (SLT)

- 2.3.1 The members of the SLT are responsible for the implementation of policy and guidance in their particular areas of control. As a group, their responsibilities include:
 - Approving an annual plan for improving the management of Health & Safety for Brainkind as a whole



- Receiving reports that are monitoring progress against the plan and make appropriate comments
- Ensuring employees under their control are clear as to their responsibilities and have the appropriate skills, knowledge and resources to enable them to fulfil their responsibilities
- Encouraging a culture of co-operation regarding Health & Safety within Brankind
- Seeking advice from a competent person on Health & Safety issues where appropriate

2.3.2 The SLT member with special responsibility for all Health & Safety matters is the Director of Governance and Quality Assurance.

2.4 Managers and Heads of Department (including Service Managers, Area Managers, Head Teacher and those with supervisory responsibilities)

2.4.1 Each Manager is responsible for ensuring:

- Compliance with the Trust's Health & Safety Policy particularly in their areas of control
- The completion of all Health & Safety Audits and compliance checks are undertaken within the required timeframe
- That risk assessments are completed and regularly reviewed
- That all accidents and Health & Safety related incidents are reported and managed through the Datix system
- That the employees for whom they have responsibility are adequately trained and supervised to enable them to work safely
- That they communicate all relevant Health & Safety information to employees and address any concerns
- That they provide adequate supervision of Health & Safety practice in their specific areas of responsibility
- Will ensure that risks to members of the public/visitors are minimised, provide them with all relevant Health and Safety information and that premises present a safe environment for them to visit

2.5 Compliance Team (Governance and Quality Assurance)

2.5.1 With regards to Health & Safety, the Director of Governance and Quality Assurance, through the Health & Safety Team will:



- Develop and produce the Trust's Health & Safety Policy
- Ensure relevant, new and amended legislation is applied to the policy
- Ensure any changes to the Trust's methods of operation are reflected in the policy
- Provide guidance, advice and information
- Where appropriate, provide support to those who instruct and supervise Econtractors, consultants and external agencies

2.6 Employees (including agency staff, bank workers, students and volunteers)

2.6.1 Employees have a legal duty under the Health & Safety at Work Act 1974 to co-operate with Directors and Managers to achieve safe and healthy working conditions and to take reasonable care for their own Health & Safety and that of others to comply with this requirement all employees must:

- Take reasonable care of their own Health & Safety
- Consider the safety of other persons who may be affected by their activities on behalf of Brainkind
- Work in accordance with information provided, complying with safety instructions and directions laid down by Brainkind
- Refrain from intentionally misusing or recklessly interfering with anything that has been provided for Health & Safety purposes
- Report to a responsible person without delay anything which may cause a hazard or any shortcomings in existing safety arrangements, and to report any breach of any rules for Health & Safety
- Undertake any Health & Safety training provided and not undertake any task for which authorisation and / or training has not been given
- Ensure that all accidents and near misses in which they are involved are reported using the DATIX Incident Management system used by the Trust and also report it to their Line Manager

2.7 Visitors

2.7.1 All visitors to any Trust premises must observe the Trust's Health & Safety Policy information will be provided to each visitor regarding the relevant emergency evacuation procedures and the location of fire exits, each visitor will be responsible for making themselves familiar with the information provided.



- 2.7.2 All visitors are required to respond to any instructions issued by employees who are responsible for the operation of procedures and systems, including evacuation procedure.

2.8 Contractors

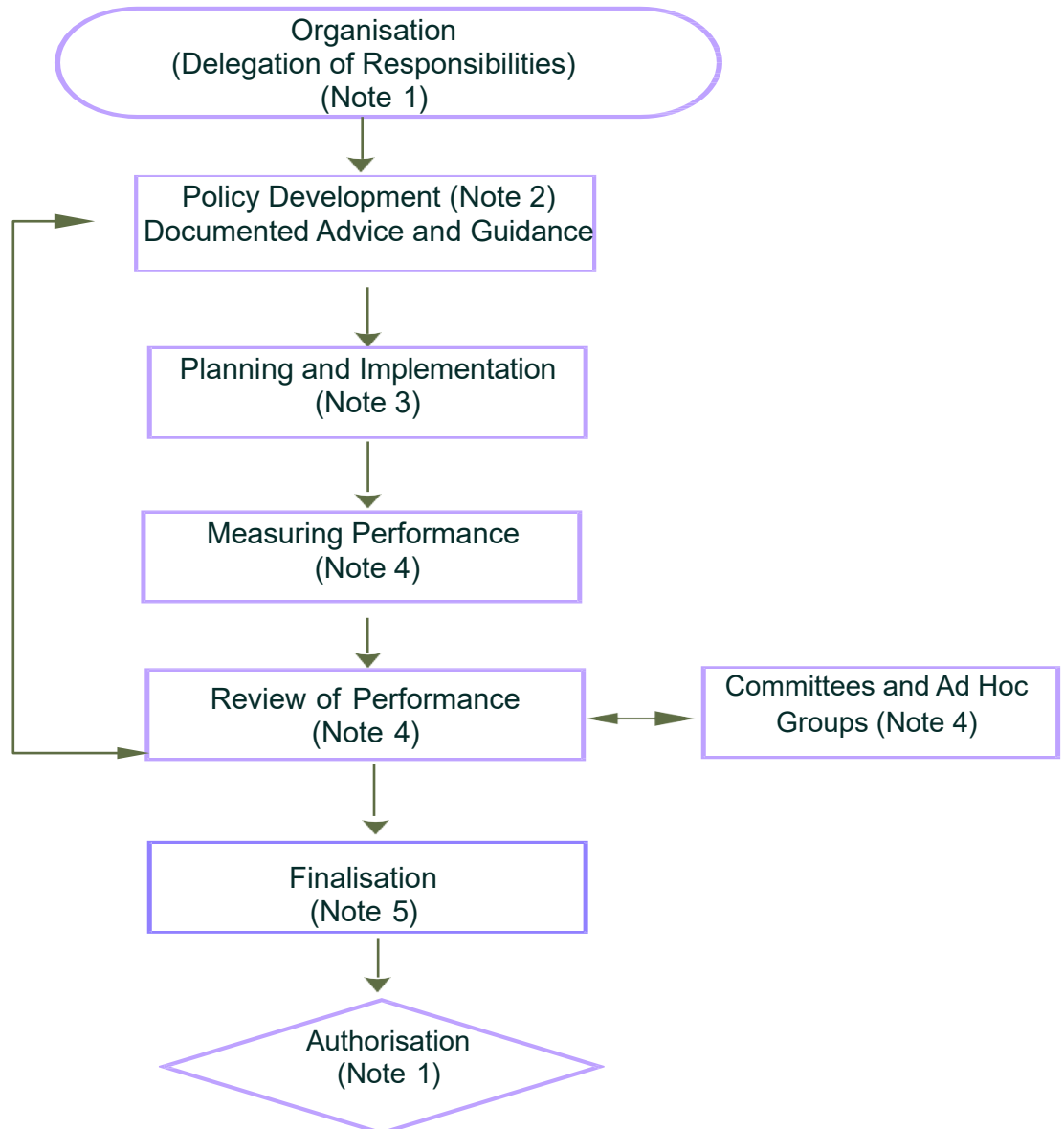
- 2.8.1 Any contractors working on Trust premises will be given adequate information to enable them to work safely and without risk to health. This information will be given to them before any work is carried out and will include details of the emergency evacuation procedures, particular fire hazards and any chemicals in use in the area in which they will be required to work.
- 2.8.2 The responsibility for providing this information rests with the person in charge of the premises or whoever gives the contractor an instruction to work on site e.g. the Estates and Property team.
- 2.8.3 Contractors, having been given adequate information, are required to ensure that their activities do not adversely affect the Health & Safety of employees and volunteers of, or visitors to Brainkind

3 Consultation and Communication

- 3.1.1 The Board of Trustees will consult employees on all matters which may affect their Health & Safety and will disseminate information regarding Health & Safety as follows:
- In Central Support Services day to day departmental Health & Safety matters are dealt with through the existing departmental management structure
 - At all other premises/services including the school this will take place via the established Health & Safety Committees where these are in existence, or through the regular employee meetings with Health & Safety being a standing agenda item
 - Any employee who notices a Health & Safety problem that they cannot safely correct themselves they must, as soon as practicable, report the matter to the appropriate responsible person
- 3.1.2 Health & Safety guidance, advice and information will be available via the Health & Safety Team (see Appendix B)



4 Arrangement and Procedures for the Management of Health and Safety



Note 1: Actions or responsibilities of the Board of Trustees and / or SLT

Note 2: Actions or responsibilities of the Health & Safety Manager/Advisor

Note 3: Actions or responsibilities delegated to those who have been designated by the Board of Trustees or Directors – Usually Managers

Note 4: Indicates the involvement of the Health & Safety Committees or ad-hoc groups

Note 5: Actions or responsibilities of the Policy Review Group (PRG)



- 4.1.1 It is the overall responsibility of the Board of Trustees, delegated to the Health & Safety team, to ensure the management systems run effectively and efficiently. Any alterations to the systems must be authorised before implementation.
- 4.1.2 Each stage within the management system is explained and elaborated on below. For further information on any aspect of this system, please contact the Health & Safety Advisor.

5 Policy Development

5.1 Documented Advice and Guidance

- 5.1.1 This section is actioned by, and the responsibility of, the Trust's Health & Safety Manager and the Health & Safety Advisor. The necessary policies and the required advice and guidance documents are drawn together using feedback and direction from Health & Safety Committees or ad-hoc groups. The content and format are then finalised by the Policy Review Group and presented to the Board of Trustees or their delegated representative (Senior Leadership Team) for authorisation. Only authorised policies and / or documents will proceed to any later stage.

5.2 Organisation (Delegation of Responsibilities)

- 5.2.1 Ultimate responsibility for Health & Safety within the Trust rests with the Board of Trustees; the Board has delegated responsibility for operational aspects of the Trust to the Chief Executive and the respective Directors. It is the responsibility of the Chief Executive and the respective Directors to ensure that sufficient training, information and support are available to carry out duties imposed under the Health & Safety Policy.
- 5.2.2 The organisation (Delegation of Responsibilities) can influence, and be influenced by, the information and advice produced by the Health & Safety Team

5.3 Planning and Implementation

- 5.3.1 Initial planning is the responsibility of the Directors and the Senior Leadership Team, guided by the information provided by the Health & Safety Advisor. Although implementation of the Health & Safety Management system is the responsibility of all who work within the Trust, the principal responsibility for its practical implementation is delegated to Managers. Adequate support and advice is available from the Health & Safety Manager, the Health & Safety Advisor and the appropriate Director.



5.4 Measuring Performance

- 5.4.1 Performance will be measured using a variety of methods, from regular formal audits to obtaining feedback from the local committees and appropriate Managers. Reports and recommendations will be provided by the Health & Safety Manager/Health & Safety Advisor following analysis of various measurement inputs.
- 5.4.2 Directors update the health and safety risks which relate to their areas of responsibility which feeds into the regular report submitted to the Board of Trustees by the Director of Governance and Quality Assurance.

5.5 Review of Performance

- 5.5.1 The information gathered by the Health & Safety Manager, the Health & Safety Advisor and the Directors will enable the Board of Trustees to determine the progress of the Health & Safety Management system against specific criteria.
- 5.5.2 This review of performance will provide further input and direction to the Health & Safety Team in the development of policies and the production of appropriate advice and guidance.
- 5.5.3 A report on Health & Safety performance will be prepared for the Board of Trustees on at least an annual basis.

5.6 Guidance, Information and Advice

- 5.6.1 The Health & Safety at Work Act 1974 is further enacted through numerous Regulations, Codes of Practice and Approved Documents. Furthermore, Health & Safety is subject to change through repeal, amendment and review, often as the result of court cases.
- 5.6.2 It is important that the Trust is able to access and provide the most up to date and relevant guidance, advice and information, therefore:

The Health & Safety Manager will:

- Ensure that the Trust's Health & Safety Policy is maintained and kept up to date
- Maintain and keep up to date all supporting guidance, advice and information and make it accessible to all staff with Health & Safety responsibilities
- Provide prompt and clear explanations to Health & Safety queries



5.7 Site Specific Documentation

- 5.7.1 This section is provided so that documentation specific to a particular site can be inserted into the Health & Safety Policy.
- 5.7.2 If you have any queries regarding this, please contact your Health & Safety Advisor for advice.

6 Review

- 6.1.1 The Trust Health & Safety Policy will be formally reviewed every three years, or if there are significant changes to Legislation.

7 References

- 7.1.1 The list below sets out the procedures which are available on Brainkind Hub Portal to provide guidance as part of the overall Health & Safety Policy:
- Dress Code Policy Statement
 - [Fire Safety Procedure](#)
 - [First Aid Procedure](#)
 - [Food Hygiene Procedure](#)
 - [Health & Safety Procedural Guidance](#)
 - [Infection Control Policy](#)
 - [Moving & Handling Policy](#)
 - [Office Safety Procedure](#)
 - [The Prevention and Management of Falls Policy](#)

8 Regulatory and Legislative Overview

- 8.1.1 This Policy is written to comply fully with the regulations of the current Health and Social Care Act (CQC), Care Standards Act 2000 (CSSIW), Healthcare Improvement Scotland and OFSTED.

9 Supporting Specific Areas of Reference

- Respect and involving people who use our Services
- Care and welfare of people who use our Services
- Supporting our employees



- Other relevant legislation / guidance
- Other relevant publications in relation to the local Inspectorate and Best Practices Scotland and OFSTED

10 Appendix A – CEO’s Health and Safety Statement

- 10.1.1 The [Health and Safety Statement](#) is reviewed annually and endorsed by the Chief Executive. The latest version is published on Connect.