



## Health and Safety Policy

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|---------------------------|-----------------|
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| <b>This document has been assessed for:</b> |                                     |
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| Compliance with Legislation                 | <input checked="" type="checkbox"/> |
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| Human Rights compliance                     | <input checked="" type="checkbox"/> |
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# Health and Safety Policy

## 1. Policy statement

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### POLICY STATEMENT BY THE CHIEF CONSTABLE

Overall responsibility for health and safety is vested in me by virtue of my appointment as Chief Constable. This health and safety policy statement, which is to be implemented and applied throughout Cleveland Police, reflects the importance that I place on the health, safety and welfare of all personnel and to other persons who may be affected by our work activities.

To ensure that the Force meets its health and safety responsibilities, my policy is as follows:

- Cleveland Police will meet the requirements of the Health and Safety at Work Act 1974, comply with relevant subordinate legislation and meet the requirements of appropriate internal publications and instructions produced to facilitate the management of health and safety within Cleveland Police;
- Working conditions will be provided, which will ensure so far as is reasonably practicable, a healthy and safe working environment;
- Potential hazards will be assessed, and where appropriate, suitable and sufficient control measures will be implemented with particular reference to applicable health and safety standards and best current practice. (Particular care is to be taken in assessing risks where there is no appropriate civil practice for comparison);
- Monitoring, measurement and evaluation of health and safety performance against known and acknowledged standards will periodically be carried out;
- Subsequent corrective action will be taken as necessary to achieve the required performance; and
- Appropriate mechanisms will be provided to facilitate consultation with Staff Association representatives on health, safety and welfare issues.
- To report to the Police and Crime Commissioner on a periodic basis regarding health and safety strategy and performance within Cleveland Police.

I wish to exercise my health and safety responsibilities through Executive Officers and Operational Commanders and functional heads.

Health and safety is a line management obligation and I therefore expect Operational Commanders and functional heads to delegate further (and as appropriate through the local management chain), the task of applying my policy within their respective areas of responsibility.

I further expect Operational Commanders and functional heads to ensure that line managers at every level receive appropriate training and have at their disposal adequate resources to discharge their health and safety responsibilities accordingly.

I task each Operational Commander and functional head with ensuring that an adequately detailed statement has been prepared setting out the organisation and arrangements for discharging their duties with respect to this policy statement within their respective area of responsibility.

These statements will indicate the procedure for monitoring the effectiveness of local arrangements, and specifically the mechanisms for controlling hazards.

With this my policy statement, they will form the overall health and safety policy required by the provisions of the Health and Safety at Work Act 1974.

Operational Commanders and functional heads will ensure that this policy document together with the local statements referred to above are brought to the attention of all Cleveland Police personnel within their areas of responsibility.

Chief Constable

#### POLICY STATEMENT BY THE POLICE AND CRIME COMMISSIONER

The Police and Crime Commissioner recognises his responsibility to oversee the Force's health and safety management arrangements, which must ensure, so far as is reasonably practicable, the health, safety and welfare of all employees and other persons who might be affected by force operations, with reference to the Health and Safety at Work Act 1974, and other subordinate legislation.

The Police and Crime Commissioner will ensure the provision of adequate and appropriate resources to implement the health and safety policies of both force and the office of the Police and Crime Commissioner.

Police and Crime Commissioner for Cleveland

The procedures set out in this document apply to all Police Officers, Police Staff; including those employed by the Police and Crime Commissioner and partner agencies where appropriate, Special Constables, Police Cadets and Volunteers.

This policy must be applied fairly, equally, and consistently by and to all Police Officers and employees irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or any other unjustifiable grounds.

## **2. Purpose**

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2.1 To define the health and safety policy of Cleveland Police together with the organisation and general arrangements for its implementation. The policy will form the central document of a subsequent structure of policies and related guidance which will form the safety management system within Cleveland Police.

### **2.2 Legal and other references**

The Health and Safety at Work Act 1974, Section 2 (3).

Section 2 (3) of the Health and Safety at Work Act 1974 requires employers to prepare and revise, as necessary, a written statement of their general policy regarding the health and safety at work of employees. This revised policy is intended to replace the existing general policy document, which is no longer considered valid.

Key supporting legislation:

- The Police (Health and Safety) Act 1997
- The Management of Health and Safety at Work Regulations 1999 (amended)
- The Workplace (Health, Safety and Welfare) Regulations 1992 (amended)

The Intranet- based Specialist Support and Planning Unit SharePoint contains information and guidance which supplements this policy.

A library of “model” generic risk assessments is available via the above SharePoint for adaptation and implementation locally.

## **3. Underpinning procedures**

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### **3.1 Organisational Arrangements**

Within this section, the majority of specific job titles and ranks have been omitted; however it is possible for all Cleveland Police personnel to clearly identify, as with the previous policy, the responsibilities placed upon them.

### **3.2 The Police and Crime Commissioner**

Police and Crime Commissioner has individual responsibility for overseeing the general implementation of this policy by the Chief Constable, in particular they will:

- Adopt and maintain effective policies which will encourage high standards of safety performance by individual employees at all levels and

contribute to the development of a culture of safety throughout the Force's sphere of operations;

- Allocate sufficient human and financial resources to permit the full implementation of this policy and the policies which will supplement it;
- Review performance indicators relating to safety across the Force's operations;
- Consider reports made by officers concerned with safety; and
- Ensure that action is taken to achieve and maintain high standards of safety.

### **3.3 Executive Officers**

The Executive officers (comprising the Chief Constable, Deputy Chief Constables, Assistant Chief Constables, and the Chief Finance Officer respectively), have overall and ultimate responsibility for the safe operation of all of the Force's undertakings and are accountable to the Police and Crime Commissioner, via the Chief Constable, for the general implementation of this policy.

In particular they will:

- Maintain a broad awareness of statutory requirements relating to safety and the specific issues, which are relevant to the Force's operations in this respect;
- Ensure the allocation of sufficient financial and human resources to meet the requirements of this policy and the policies, which supplement it;
- Facilitate, encourage and contribute to the review of the management of safety within the Force; and
- Monitor performance indicators relating to health and safety, encourage excellence and ensure that timely and appropriate remedial action is taken when required.

In addition to the general responsibilities outlined above, the Chief Finance Officer will chair a steering committee in the form of the Executive Risk and Governance Board. This Board has responsibility to determine and oversee the co-ordinated strategic direction of the Force in identifying and managing risk. The effective management of health, safety and welfare is fundamental within this remit.

Health and safety performance is examined in detail on an annual basis through the presentation of a report to the Audit and Scrutiny Committee.

### **3.4 Operational Commanders and Functional Heads**

Operational Commanders and functional heads are responsible to respective Executive Officers for ensuring that the health and safety policy of Cleveland Police is fully implemented, together with supplemental local policies and procedures which are relevant to their respective areas of operation.

In particular, they will:

- Maintain an outline knowledge of the statutory requirements relating to health and safety which are relevant to their Command;
- Ensure the allocation of sufficient financial and human resources to meet both the requirements of this policy and any supplemental policy and procedures which will support it;
- Ensure, by direct action or delegation to suitably qualified personnel, that suitable and sufficient assessments of risk is carried out in relation to their activities and that the control measures which they identify are adequately communicated and satisfactorily implemented; and
- Monitor the performance of their department or Service Unit in terms of health and safety, encouraging excellence and taking effective and timely remedial action when required.
- **Chair and contribute to quarterly health and safety meetings of their respective operational commands.**
- Ensure that all personnel under their direction and control receive suitable and sufficient induction training locally on appointment and thereafter as appropriate.
- Operational Commanders and functional heads **will** nominate at least one member of staff (depending on staff population, geographic area and the specific peculiarities of the particular Command of function) to liaise with Specialist Support and Planning Unit to ensure that Corporate Policies and procedures are interpreted and implemented appropriately at local level.

### **3.5 Command Team Members/Functional Heads**

Members of Command Teams and Functional Heads are responsible to Operational Commanders for the maintenance of safety within their areas of responsibility and for leading periodic reviews of safety within their operations and premises.

In particular they will:

- Maintain a working knowledge of applicable health and safety statutory requirements, which are relevant to their operations;
- Periodically review their activities and premises in terms of health and safety and report to their Operational Commander accordingly;
- Ensure, at all levels within their areas of responsibility, that when tasks are entrusted to personnel within their control, account is taken of their capabilities as regards safety;
- Ensure that personnel responsible to them are given adequate safety training and instruction, are provided with sufficient information and instruction and clearly understand their responsibilities under this policy;
- Maintain an adequate system of supervision which ensures high standards of safety throughout their areas of responsibility;
- Ensure that all personnel responsible to them discharge their respective responsibilities for safety both timely and appropriately, taking remedial action when required;

- Periodically review Injury on Duty reports and statistics, ensuring that corrective action is taken to prevent repetition of accidents;
- Determine, when required, by conducting local investigation into the cause or factor culminating in near miss, loss, damage, injury or sickness to people, plant or equipment arising from work activities; and
- Undertake, co-operate in, and contribute to, periodic reviews of local health and safety, and fire and safety arrangements.

### **3.6 Line Managers**

Line Managers are responsible to Functional Heads for the full implementation of this policy, both in relation to their work and the personnel or service users in their charge.

In particular they will:

- Maintain a good working knowledge of applicable statutory requirements, related guidance and internal policies and procedures, which relate to their sphere of work;
- Provide on a day to day basis, such information, instruction and supervision as may be necessary to ensure the safety of the personnel or service users in their charge, taking into account the degree of risk associated with the work or other activities being undertaken and the competency of the personnel or service users concerned, including their age, experience, previous training and the special needs of individuals;
- Ensure that work activities are undertaken in accordance with relevant local risk assessments and likewise ensure that assessments are periodically reviewed particularly in cases where they no longer apply to the work or activity concerned;
- When required to do so, participate in training given to personnel or service users in relation to local health and safety arrangements;
- Co-operate in, and contribute to, periodic reviews of local health and safety, and fire safety arrangements;
- Ensure the continued operation of the Injury on Duty reporting procedure in relation to themselves and the personnel or service users in their charge; and
- Carry out or participate in local injury/near miss and incident investigation when required.

### **3.7 Head of Specialist Support and Planning Unit (SSPU)**

In addition to other responsibilities imposed by this policy, the Head of SSPU is responsible to the Executive for overseeing and ensuring the effectiveness of the operations of the SSPU and its co-operation with others in relation to fire and safety issues.

### **3.8 Head of SSPU**

**Operational Planning and Safety Manager (including Fire Safety)**  
**Operational Planning and Safety Officer(s) (including Fire Safety)**

The Head of SSPU, Operational Planning and Safety Manager and Operational Planning and Safety Officers are responsible for providing the central health and safety and fire safety advisory resource. As such they act as the Force's "competent persons" (as required by the provisions of Regulation 6 of the Management of Health and Safety at Work Regulations 1999) and the Regulatory Reform (Fire Safety) Order 2005 to assist in the implementation of measures which need to be taken to ensure compliance with the requirements and prohibitions imposed by relevant statutory provisions.

In particular they will:

- Provide Cleveland Police with a comprehensive fire and safety advisory service.
- Disseminate information relating to health and safety and fire safety, including changes in legislation and official guidance;
- Provide guidance and assistance in the preparation and review of risk assessments;
- Conduct specialist risk assessments;
- Provide, upon request, tactical advice and guidance relating to the health and safety of Cleveland Police personnel and others who may be affected by our undertakings, both in Force Command Room or at the scene of operations;
- Monitor and report on safety performance via inspections and audits of operations and premises and to take timely and appropriate action to ensure compliance with applicable statute;
- Carry out assessments of the safety performance of external contractors (as requested) who tender for work, report on their competence and assist in the evaluation of tenders received from them;
- Liaise with the Health and Safety Executive, Fire Authority, other enforcement authorities, external agencies and safety professionals and appointed Staff Association Safety Representatives for the purpose of implementing best practice;
- Liaise with Staff Association Safety Representatives and other employee representatives on safety matters, promote the effective operation of workplace safety committees and provide professional safety advice and support to them;
- Co-operate with the Head of Training by providing health and safety training which meets the requirements set by the College of Policing;
- Co-operate with the Risk and Insurance Manager in the management of risks and mitigation of claims;
- Co-operate with the Corporate Estates Manager to ensure that risks associated with contractors, premises, plant and equipment and the maintenance thereof are minimised; and
- Receive all reports of Injury on Duty, Near Misses and other incidents related to safety. Report them as required to the Health and Safety Executive and investigate or advise on the investigation of same. Compile and present statistics accordingly.

In the case of the Head of SSPU, Operational Planning and Safety Manager and Operational Planning and Safety Officers, take immediate action to prohibit operations or require immediate improvements in them, where such action is deemed necessary to protect a person or persons from serious or imminent danger or to protect the interest of the Force. Thereafter the respective N.P.C.C. Portfolio holder (or duty N.P.C.C. Officer) will be informed immediately.

### **3.9 Safety Representatives**\_Safety Representatives will:

- Consult with managers and supervisors on health and safety issues with the aim of developing, monitoring, and maintaining arrangements designed to secure a safe and healthy environment;
- Familiarise themselves with the health and safety policy and associated procedures;
- Conduct workplace inspections on a planned basis;
- Conduct incident and near miss investigations and produce reports for consideration by Operational Commanders and functional heads as appropriate;
- Attend and contribute to Command Safety Meetings;
- Liaise with the Specialist Support and Planning Unit as appropriate.

Safety Representatives appointed by respective Staff Associations will be afforded those considerations laid down by the **Safety Representatives and Safety Committees Regulations 1977** to assist them to fully conduct their duties on behalf of the personnel they represent.

### **3.10 All Personnel**

In addition to more specific responsibilities imposed on certain personnel by this policy, all personnel are ultimately responsible to the Chief Constable for;

- Taking reasonable care of the safety of themselves and of all others who may be affected by their acts or omissions at work;
- Complying with the relevant statutory requirements and implementing this policy in relation to their own work;
- Co-operating fully in all matters concerning safety and its management within the organisation;
- Reporting promptly to their supervision, or other appropriate person, any unsafe conditions or defective article or equipment provided for the purpose of work;
- The correct use and reasonable care of the appropriate plant, equipment, machinery, appliances, tools and other items provided for the work which they undertake;
- The proper use and reasonable care of personal protective equipment provided to them; and
- Reporting Injury on Duty, near misses, incidents and deficiencies relating to safety in accordance with the organisation's established procedures.

### **3.11 ARRANGEMENTS**

### **3.12 Injury on Duty Reporting.**

SSPU will ensure that there is an effective system for the reporting, recording and investigation of accidents and 'near misses' in accordance with the current statutory requirements and Force policy.

All personnel will inform, as soon as possible after the event, their local Line Manager of injuries, ill-health and near misses.

Thereafter, they will complete Force electronic template A09.03 (Report of Injury on Duty). The form will be passed once completed to the appropriate Line Manager who will endorse the "Comments" section and provide a signature, collar number and date. The Line Managers will ensure that all Sections of the form A9.03 are complete prior to submission to the SSPU.

Line Managers will conduct a local investigation into the circumstances as reported to ensure remedial action to prevent reoccurrence.

A copy of any local investigation report will be provided to SSPU who will append same to the respective Injury on Duty form.

The human resources department will ensure that the SSPU and the appropriate Staff Association (where applicable) are notified (as soon after the event as possible) of all Injury on Duty, ill health and near-misses occurring at work. SSPU will ensure that the Health and Safety Executive is informed of all "notifiable" incidents in accordance with applicable statute.

Injury on Duty and injury statistics will be collated by the SSPU and will be presented to the Audit and scrutiny Committee, Command Health and Safety meetings and the Police and Crime Commissioner (if requested) accordingly.

### **3.13 Contractor Procedures**

All Project Work and Procured Services, including those undertaken or provided by contractors and sub-contractors, will be regulated locally by the lead estates business partner (Cleveland Police, Tascor, Mitie or Engie, dependent on location).

Prior to appointing said contractors, Service Unit Managers or those individuals procuring works or services on behalf of Service Unit Managers will satisfy themselves that health and safety and insurance arrangements relating to the proposed work have been checked and verified and a clear specification drawn up and communicated in writing to all interested parties. Arrangements include, risk assessment, method statements and permit to work documents.

In the case of capital building work, the lead estates business partner will arrange and subsequently monitor contract personnel thereby protecting persons at work from risk of injury or ill-health.

### **3.14 Emergency Procedures**

Operational Commanders will ensure that there are established local procedures which provide for major emergencies (which may foreseeably occur) within their respective areas of control.

Appropriate procedures based on threat/risk assessment will be documented locally.

### **3.15 Fire Safety Provision**

The lead estates business partner, in conjunction with the SSPU, will ensure that appropriate local systems are in place (including physical measures) which are designed to protect all persons whilst at work (and others) in the event of fire.

Frequent fire evacuation drills (at least twice per annum) will be carried out via the lead estates business partner and the SSPU to assess the suitability of the associated procedures.

Fire safety arrangements are defined locally via "Fire Action Notices" which are generally posted adjacent to fire alarm call points. All personnel must familiarise themselves with these procedures particularly those relating to their respective place of work and likewise those procedures relative to premises they may be visiting whilst on official business.

Fire safety risk assessments and, where necessary, personal emergency evacuation plans (PEEPs) will be completed by the SSPU in conjunction with line managers and made available at each premise occupied by Cleveland Police personnel irrespective of ownership, leasing arrangement etc. All risk assessments are subject to periodic review or following material or structural alterations or changes in working practice, whichever comes first.

Cleveland Police personnel who conduct local policing area (LPA) public meetings in third party premises are required to:

- Book or sign-in to the respective premises as a visitor.
- Familiarise themselves with the fire evacuation plan specific to the premises.
- Familiarise themselves with the emergency exit routes from which escape may prove necessary in the event of fire.
- Familiarise themselves with the designated Fire Assembly Point.
- Ensure that, should the fire alarm activate, they leave the premises by the nearest available exit and report to the Fire Assembly Point.

### **3.16 First Aid**

It is the responsibility of Operational Commanders and functional heads to ensure that all Police Officers, members of the Special Constabulary, Police Community Support Officers and Police Staff up to and including the rank of

Chief Inspector or equivalent and with public contact, be given periodic first aid training in accordance with the College of Policing standard of modular training which has been adopted by Cleveland Police.

Similarly, certain identified Police staff members will receive first aid training on the basis of the risk assessment associated with their respective areas of specialist responsibility and population.

Contractors working on behalf of the Cleveland Police must communicate with the organisation their first aid provision and where applicable emergency and rescue plans. High risk environments such as working at heights, working in confined spaces, working with electricity and any activity subject to the issue of a permit to work will require that first aid provision to be recorded on any risk assessment provided as part of the methodology and safe systems of work. Such documents must be submitted and approved prior to the work commencing.

### **3.17 Health Monitoring and Screening**

The Wellbeing Manager and qualified occupational health staff will ensure that there is an effective system in place for monitoring the health of personnel identified as being “at risk” as a result of their work activities.

### **3.18 Health and Safety Information**

The SSPU will provide Operational Commanders and functional heads with timely and appropriate information relating to individual areas of responsibility via the most appropriate route.

Where appropriate, Operational Commanders, functional heads and line managers will ensure the dissemination of such health and safety information to persons at work and will further ensure that redundant material is withdrawn.

Operational Commanders and functional heads will ensure that facilities are provided within their areas of responsibility whereby relevant health and safety information, including risk assessments can be acquired or read by such persons including access, where appropriate, to the Force Intranet and ultimately the SSPU SharePoint.

### **3.19 Manual Handling**

Operational Commanders and functional heads will ensure that manual handling operations are identified within the local risk assessment process.

Operational Commanders and functional heads will advise SSPU accordingly, who will in turn arrange to risk assess and reassess as appropriate, the activity identified.

Manual handling assessments, when complete, will be appended to the corresponding risk assessment held locally.

Safe systems of work will be implemented, or mechanical aids provided (control measures) where reasonably practicable with the intention of avoiding or reducing the risk arising from manual handling.

Manual handling training for operational police officers is provided by the Personal Safety Training Unit and is part of the Personal Safety Training (PST) modular programme.

Police staff considered “at risk” (on the basis of informed risk assessment), will be provided with appropriate training via the SSPU.

### **3.20 Working at Height**

The Working at Height Regulations 2005 (as amended in 2007) imposes requirements on employers to eliminate or minimise risk from working at height. They also impose a duty to implement safe systems of work where it is reasonably foreseeable that employees may work in any place, including a place at or below ground level, from where they could fall a distance liable to cause personal injury.

All Police Officers, Special Constables and PCSOs receive mandatory working at height awareness training. Officers within the Technical Surveillance Unit tasked with working at height are provided with technical rope access training. Equipment used for this purpose is covered by the Lifting Operations and Lifting Equipment Regulations 1998. This requires that all equipment is periodically examined and tested.

Authorised Firearms Officers undertake rope and ladder access training as an element of their D13 specialist firearms syllabus. As a nationally accredited venue, the Tactical Training Centre at Urray Nook provides this training to both Cleveland and Durham Police Firearms Officers.

All ladders and access devices across the force (including those for office use) are subject to inspection and certification, managed by Corporate Estates.

### **3.21 Confined Space Working**

The Confined Space Regulations 1997 concern any work that is carried out in a place which is substantially (but not always entirely) enclosed, where there is a reasonably foreseeable risk of serious injury from conditions or hazardous substances within the space.

Officers undertaking specialist search operations receive dedicated training, alongside the SSPU, from a private sector provider accredited by the College of Policing. The provider is also contracted to deliver technical support in the event of operational deployments across the force, including gas detection and access equipment. All work conducted within a confined space is strictly regulated through a permit to work system, following dynamic and analytical risk assessments by a Police Search Advisor [PoLSA] or an accredited member of the SSPU.

### **3.22 Monitoring Activities**

Premises health and safety and fire safety monitoring procedures, comprising of three monthly inspections will be undertaken by Corporate Estates. Annual health and safety premises inspections will be undertaken by the SSPU.

Statutory examination of mechanical plant and electrical equipment across premises comprising the Cleveland Police estate will be arranged via Corporate Estates and the Risk and Insurance Manager.

A formal procedure whereby Cleveland Police personnel at work may report hazards in their place of workplace is implemented and maintained through the Cleveland Police Service Desk.

### **3.23 Noise at Work**

The Control of Noise at Work Regulations 2005 imposes requirements on employers to carry out and review noise assessments and likewise ensure the maintenance of subsequent records.

Preliminary noise assessments will be carried out, or facilitated by, the SSPU in conjunction with the Wellbeing Manager and qualified occupational health staff.

Audiometry and health surveillance for those individuals with the potential for exposure to high levels of occupational noise will be identified by risk assessment and any necessary medical intervention carried out via the Wellbeing Manager and qualified occupational health staff.

### **3.24 Personal Protective Clothing and Equipment**

Suitable and sufficient protective clothing and equipment will be provided whenever the nature of the task requires such protection and where the associated risks cannot be adequately controlled by other means. This will be in accordance with the statutory provisions defined within the Personal Protective Equipment at Work Regulations 1992 (amended). As far as reasonably practicable, Cleveland Police will ensure that working practices are implemented which eliminate the need for personal protective clothing and equipment to be used. Where personal protective equipment is the only appropriate control measure then selection will be based on informed risk assessment.

When issued P.P.E. will be subject to periodic test and inspection in accordance with manufacturers' recommendations. P.P.E. will also be stored in accordance with manufacturers' recommendations.

### **3.25 Risk Assessment**

**3.26 Generic Risk Assessments:** SSPU will provide generic risk assessments to support the risk assessment process. These will relate to a number of workplace activities located or conducted within Cleveland Police.

Therefore Operational Commanders and functional heads must:

- Satisfy themselves that the model assessments relating to their areas of activity are appropriate;
- Adapt the model assessments to the detail of their actual work situations, including any extension necessary to cover hazards and risks not referred to in the model assessment, for example disability and lone working; and
- Implement associated control measures commensurate with the degree of risk identified.

Operational Commanders and functional heads will satisfy themselves that the above process has been applied thus ensuring that a suitable and sufficient assessment of risk has been undertaken in relation to all work activities within their respective areas of responsibility.

Risk assessment documentation will be created and held locally and will be available on Command SharePoint's. Guidance concerning the assessment process, risk scoring matrix, application of control measures and residual rating is available from the Operational Planning and Safety Manager; who will also conduct targeted visits where required.

### **3.27 Operational Risk Assessments**

The Officer-In-Charge of any directed patrol or planned police operation is required to identify hazards associated with that particular operation, and a suitable and sufficient written risk assessment produced. The risk assessment will be appended or linked to the respective Operational Order. It may be that a current risk assessment is in existence which can be referenced and amended if necessary. The SSPU will provide tactical advice and support as requested.

### **3.28 Dynamic Risk Assessments**

It is impossible to take into account (in advance), all of the variables involved in operational activities within the police family and the circumstances and environments in which those activities are carried out. A certain amount of reliance is therefore placed on operational personnel to make their own judgments in relation to health and safety.

Thus supervisors will ensure that both they and personnel under their direction and control have received dynamic risk assessment training to facilitate this process.

### **3.29 Substances Hazardous to Health**

Operational Commanders and functional heads will ensure that all substances hazardous to health are identified and subsequently controlled in such a way as to prevent the risk of injury or ill-health to Cleveland Police personnel and others during their use, handling, storage and transport.

SSPU personnel will, upon the request of the Operational Commander or functional head concerned, carry out risk assessments relating to substances classified as hazardous to health.

Operational Commanders and functional heads will ensure, (based on the outcome of the assessment) that hazardous substances are adequately controlled, that sufficient information relating to the hazards and precautions necessary on the part of all persons at work is made available, and that appropriate training is given.

Personnel will not deviate from the relevant control measures once established.

### **3.30 Temporary Workers**

Operational Commanders and functional heads will ensure that temporary workers or police volunteers are not discriminated against in the application of this health and safety policy or in health and safety matters in general.

### **3.31 Traffic Routes**

Operational Commanders and functional heads will ensure that local internal and external traffic routes do not expose persons at work to risk of death or injury. Such routes will be maintained free from obstruction and in the case of designated fire escapes, available for use at such times as premises are occupied.

Corporate Estates is responsible for circulation and external traffic routes within the police estate. The strategic business partner Tascor is responsible for all private finance initiative buildings and their respective curtilage. The strategic business partner Engie is responsible for the Tactical Training Centre facility at Urray Nook and its curtilage.

### **3.32 Health and Safety Training and Instruction**

The SSPU is responsible for the preparation and delivery of suitable and sufficient training to meet the requirements of Cleveland Police. Operational Commanders and functional heads are responsible for conducting local training needs analysis to determine training needs. This may involve directing members of staff to a third party provider.

### **3.33 Vulnerable Persons**

Service Unit Managers will on the basis of informed risk assessment make specific provision to ensure that vulnerable persons, including young persons, disabled persons, new and expectant mothers, new employees and personnel undertaking unfamiliar tasks are adequately supervised, trained and informed so as to prevent, so far as is reasonably practicable, risk of injury or ill-health.

### **3.34 Display Screen Equipment**

Operational Commanders and functional heads will ensure that police officers, police staff, temporary staff and volunteers have received training in display screen equipment risk assessment. Account will be taken of ergonomic and environmental factors, display screen equipment, software and work station arrangements.

Training provision will be via the National Centre of Applied Learning and Technology (NCALT) e-learning module. In addition, line managers will ensure that daily work routines are defined to ensure sufficient breaks away from the visual display screen units.

SSPU and Wellbeing will ensure that sufficient information relating to the hazards and the precautions necessary to reduce said hazards are made available, and that appropriate supplementary training is provided locally and as identified by an informed risk assessment. Once completed, an electronic A15.02 template must be forwarded to the relevant line manager who shall become responsible for any actions identified as a result of the assessment.

Line Managers will ensure that personnel under their care and control are given the opportunity to have a periodic eye sight examination where that person is defined as a habitual user of Display Screen Equipment (DSE) whilst at work. Managers should look towards the user profile and include the use of lap top computers, hand held devices or similar as well as regular work station activities.

Staff working from home or other premises approved by their managers may require further DSE advice and guidance in certain circumstances.

Ancillary equipment such as foot rests, wrist supports and document holders should generally only be provided when a DSE workstation assessment has indicated that one or more of these items are necessary.

Any records generated as a result of the assessments are to be retained by the Service Unit for a minimum period of 7 years following the assessment.

Periodic reviews of the assessments should be performed when the individuals circumstances change, the equipment is replaced or other factors influence the workstation or individual user.

### 3.35 Welfare Amenity Provision

Cleveland Police Corporate Estates department, Tascor and Engie Facilities Managers will ensure that local amenity provisions, i.e. drinking water, sanitation, hand-washing, showering facilities, clothing storage, and facilities for taking meals, are provided and properly maintained within premises falling under their control.

Operational Commanders and functional heads will ensure that their staff maintain a clean and well-ordered working environment with adequate attention to storage arrangements and housekeeping.

## 4. Appendices

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| Appendix | Description                       |
|----------|-----------------------------------|
| 1.       | Operational Command Safety Groups |
| 2.       | Safety Representatives            |

## 5. Compliance and Monitoring

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Monitoring and compliance will be carried out and validated via the already established systems i.e. visits, inspections and audits carried out by the Health and Safety Executive, HMICFRS, External Audit, Fire Authority etc.

## 6. Version control

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This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

| Version | Date          | Reason for update                            | Author       |
|---------|---------------|--|--------------|
| 0.1     | Oct 2009      | Revised Policy                               | Head of CP&G |
| 0.2     | February 2010 | Amended policy following formal consultation | Head of CP&G |
| 0.3     | March 2011    | No Change following policy review            | Head of CP&G |
| 1.0     | June 2011     | Policy agreed by SDG                         | Head of CP&G |

|     |               |   |                         |
|-----|---------------|---|-------------------------|
| 1.1 | November 2012 | Policy amended to reflect introduction of PCC, statement only   | ██████████              |
| 1.2 | January 2014  | Policy reviewed to reflect the replacement of the CPA by the PCC and organisational restructure under Orbis   | Head of ROPS            |
| 1.3 | April 2014    | Document reviewed and amended ahead of meeting with DCC Spittal   | Ops and Safety Manager  |
| 1.4 | May 2014      | Amendments following review by DCC Spittal & CFO Graeme Slaughter   | Executive Staff Officer |
| 1.5 | August 2016   | Review carried out  | Head of TCP&Ops         |
| 1.6 | Sept 2019     | Policy reviewed to reflect complete changes within Force executive and organisational structure. There has been a return to geographically-based policing.  | Head of SSPU            |
| 1.7 | Nov 2020      | Policy reviewed to reflect changes within Force Executive, PCC and organisational structure. Employees of the former lead strategic partner (Sopra-Steria) have since, 1 <sup>st</sup> October 2020, been TUPE'd into Cleveland Police. | Head of SSPU            |
| 1.8 | Mar 2020      | Questions raised during Exec and PCC consultation have been responded to, and amended where appropriate.  | Head of SSPU            |
| 2.0 | Mar 2020      | Policy published.   | Head of SSPU            |

## **Operational Command Safety Meetings – Terms of Reference**

The Safety Representatives and Safety Committees Regulations 1977 (as amended by the Management of Health and Safety Regulation 1999) require every employer to establish a safety group if requested to do so by at least two safety representatives appointed by recognised trade unions. Although the Police Federation and other police representative bodies are not recognised trade unions, Section 1 of the Police (Health and Safety) Act 1997 confers the right to exercise the functions of recognised trade unions upon them.

The Regulations are supported by a Code of Practice and Guidance Notes approved by the Health and Safety Executive. These documents provide a legal framework for employers and trade unions to reach agreement on arrangements for safety representatives and safety groups to operate in the workplace.

The provisions relating to safety representatives specifically are outlined in Appendix number 2.

Cleveland Police has developed a structure of health and safety groups aligned to the organisational Operational Commands.

The terms of reference for each of the Commands are defined as follows:

“The Health and Safety group exists to safeguard the Health, Safety and Welfare of the people working in the (*insert relevant Command*). This group, consisting of a representative body of the command, staff associations and business partners will meet on a regular basis to examine, discuss and resolve those Health and Safety matters brought to its attention. The group will monitor injuries received on duty, near miss and dangerous occurrence reports that affect the members of the (*insert relevant Command*). This will include reports from strategic business partners responsible for buildings and other operational activities.

An annual Health and Safety report is produced by the Operational Planning and Safety Manager and is presented to the Force Audit Committee, currently in May of each year. Any issues requiring immediate remedial action will be managed on a Command or Force-wide basis and will be brought to the attention of the executive by the Operational Planning and Safety Manager where appropriate. Should an issue be deemed to be so serious or protracted then it will be further submitted to the Risk and Governance Board for possible inclusion on the Strategic Risk Register until resolved.

## **Safety Representatives**

The Safety Representatives and Safety Committees Regulations 1977 (as amended by the Management of Health and Safety Regulation 1999) define the circumstances in which recognised trade unions may appoint safety representatives, specify their functions and establish the obligations of employers towards them. Although the Police Federation and the other police representative bodies are not 'recognised trade unions', Section 1 of the Police (Health and Safety) Act 1997 confers the right to exercise the functions of recognised trade unions upon them.

The Regulations are supported by a Code of Practice and Guidance Notes approved by the Health and Safety Commission. These documents give guidance on how safety representatives should aim to fulfil their statutory functions. They also provide guidance to employers in respect of the information to be made available to safety representatives to enable them to fulfil their functions.

The intention of this policy is to ensure actions comply with the provisions of the Safety Representatives and Safety Committees Regulations 1977.

### **Mutual Co-operation**

All levels of management must be co-operative with safety representatives in their various functions and can expect to receive reciprocal co-operation.

Safety representatives have an important role to play in assisting Cleveland Police meet its statutory obligations in terms of health and safety at work; indeed, they are an integral part of the process and therefore their active involvement in local issues should be encouraged.

### **Appointment**

The appointment of safety representatives is entirely a matter for the staff associations. They are not appointed by management. It is expected that safety representatives will normally be appointed to represent a group(s) of individuals for which that representative association or trade union has negotiating rights.

There is no "correct" number of safety representatives to be appointed. The large number of people employed within Cleveland Police, at so many different locations and on such a wide range of activities, suggests that safety representatives will function locally rather than from the centre. How many are appointed is entirely a matter for the trade union and representative associations. Any concern by local managers about an apparent over-provision of safety representatives at a location should be raised in the first instance with the Specialist Support and Planning Unit.

The 1977 Regulations require that safety representatives should have worked

for their respective employer throughout the preceding two years or have had at least two years' experience in similar work which will enable them to make a responsible and practical contribution to health and safety.

The following procedure will apply to the appointment of safety representatives:

- The appropriate staff association will appoint an individual to be a safety representative for a defined group of employees at a defined location.
- The staff association will advise the Chief Constable and the Specialist Support and Planning Unit in writing of the person to be a safety representative for the defined group of people in the defined location.
- The Head of the Specialist Support and Planning Unit will add those details to a master list and will confirm in writing to the staff association that the individual concerned has been duly acknowledged as a safety representative.
- The Head of the Specialist Support and Planning Unit will provide details of the acknowledged safety representative to the Operational Commander functional head concerned.

### **Training**

The 1977 Regulations allow safety representatives to take such time off, with pay during their working hours, as shall be necessary for the purpose of undertaking such training in their functions as may be reasonable.

It is the responsibility of the staff associations to arrange training for their safety representatives and for local management to allow time off with pay for that purpose.

### **Responsibilities**

The 1977 Regulations provide that no function given to a safety representative shall impose upon them any duty other than that they may have as an employee under the Health and Safety at Work Act 1974. Furthermore, the Health and Safety Executive will not institute criminal proceedings against any safety representatives for any act or omission by them when performing the duties of a safety representative.

### **Functions**

The 1977 Regulations provide for safety representatives to be allowed such time off with pay during their working hours as necessary for them to function as safety representatives. Local managers should allow them time accordingly.

Management must not discriminate against a safety representative for any activity which they carry out while performing their role as a safety representative.

The prime function of a safety representative, according to the 1977 Regulations, is to represent employees in consultation with the employer on health and safety matters.

Local managers must consult safety representatives with a view to the making and maintenance of arrangements for effectively promoting and developing measures to ensure the health and safety at work of employees and in checking the effectiveness of those measures.

The 1977 Regulations also permit each safety representative to perform the following additional functions:

- To investigate potential hazards and dangerous occurrences at the workplace (whether or not they are drawn to their attention by the employees they represent) and to examine the causes of reportable Injuries on Duty in the workplace and to make representations to management;
- To investigate complaints by any employee they represent relating to that employee's health, safety or wellbeing at work and to make representations to management;
- To make representation to management on general matters affecting the health, safety and wellbeing at work of employees at the workplace;
- To carry out inspections;
- To represent the employees they were appointed to
- represent in consultations at the workplace with Inspectors of the Health and Safety Executive and of any other enforcing authority and to receive information from those Inspectors, and
- To attend meetings of safety groups.
- The Management of Health and Safety Regulations 1999 require employers to consult safety representatives in good time about:
  - The introduction of any measure at the workplace which may substantially affect the health and safety of the employees the safety representatives concerned represent;
  - Any health and safety information required to be provided to the employees the safety representatives concerned represents by or under the relevant statutory provisions;
  - The planning and organisation of any health and safety training required to be provided to the employees the safety representatives concerned represents by or under the relevant statutory provisions;
  - The health and safety consequences, for the employees the safety representative concerned represents, of the introduction (including planning) of new technologies in the workplace, and;
  - To provide such facilities and help as safety representatives may reasonably require for the purpose of carrying out their function.
- To fulfil these functions safety representatives should:
  - Take all reasonably practicable steps to keep themselves informed of:
    - Legal requirements relating to the health and safety of people at work, particularly the groups they directly represent;
    - The particular hazards of the workplace and the measures necessary to eliminate or minimise the risk deriving from those hazards; and
    - The health and safety policy of the Force and the arrangements for fulfilling that policy.
  - Encourage co-operation between management and staff in promoting

and developing essential measures to ensure the health and safety of employees and in checking the effectiveness of those measures; and

- Bring to notice of management, normally in writing, any unsafe or unhealthy conditions or working practices or unsatisfactory arrangements for well-being at work which come to their attention whether through an inspection or day-to-day observation. The report does not imply that all other conditions and working practices are safe and healthy or that the appropriate arrangements generally are satisfactory in all other aspects.

Making a written report does not prevent the matter being brought verbally to the attention of management in the first instance, particularly in situations where speedy remedial action is necessary. It will also be appropriate for minor matters to be the subject of direct discussion without the need for a formal written approach.

### **Inspections in the Workplace**

Safety representatives are entitled to inspect the workplace, or any part of it, every three months. Where a high risk activity or rapidly changing circumstances (for instance, building alterations, new equipment or work process) are confined to a particular part of a workplace or an employee's activities, it may be appropriate for more frequent inspections to be agreed.

The 1977 Regulations require safety representatives to give reasonable notice, in writing, to management of the intent to inspect a work location. A programme of formal inspection agreed in advance between management and safety representatives, will itself fulfil the conditions as to notice, though any variation to that programme should be similarly agreed.

There are advantages in formal inspections being jointly carried out by management and safety representatives but this should not prevent safety representatives from carrying out independent inspections or private discussion with other staff. The Specialist Support and Planning Unit is available to give technical advice to management or safety representatives, on health, safety and fire safety matters which arise during the course of an inspection.

There are various forms which the inspection may take but the following types, or a combination of any or all of them over a period of time, may be appropriate:

- Safety tours: General inspections of the workplace.
- Safety sampling: Systematic sampling of particularly hazardous activities, or locations.
- Safety Surveys: General inspections of particularly hazardous activities or locations.

The number of safety representatives taking part in an inspection is a matter for agreement between local management and the safety representatives in light of the particular circumstances and the nature of the inspection.

## **Inspections following Notifiable Injury on Duty, Occurrences and Diseases**

Where there has been a notifiable Injury on Duty or dangerous occurrence at a work location or a notifiable disease has been contacted there, safety representatives may carry out an inspection, provided it is safe to do so. Management will provide such facilities and help as the safety representatives may reasonably require.

The main purpose of the examination will be to determine the causes so that the action to prevent a recurrence can be considered. For this reason, it is important that the approach to the problem should be a joint one by management and safety representatives. In some instances, it will be appropriate for the examination to be undertaken by the Specialist Support and Planning Unit.

The examination may include visual inspection and discussion with people who are likely to have relevant information and knowledge about the circumstances of the incident. The examination must **not** include interference with any evidence or the testing of any machinery, plant, equipment or substance which could disturb or destroy the factual evidence before an Inspector from the appropriate enforcing authority has had the opportunity to investigate the circumstances of the incident.

Where technical matters are involved, the safety representatives may consider that the necessary expertise is not available within the Force and that advice should be sought about the most appropriate way forward in such circumstances. There is no objection to safety representatives seeking advice from their own technical advisors, provided this has been agreed in advance with management (following consultation with the Specialist Support and Planning Unit) on the understanding that any report by the technical advisor will also be made available to management.

## **Inspection of Documents and Provision of Information**

Safety representatives have rights under the 1977 Regulations to inspect and take copies of relevant documents which management is statutorily required to keep.

They are also entitled to receive from management, the information necessary to enable them to fulfil their functions.

This includes;

- Information about plans for and performance of the workplace and any changes proposed insofar as they effect the health and safety at the workplace of employees;
- Information of a technical nature about the hazards to health and safety and the precautions deemed necessary to eliminate and minimise them, in respect of any machinery, plant, equipment, process, systems of work and substances in use at work, including any relevant information provided by consultants or designers or by the manufacturer, importer or supplier of any article or substance used, or proposed to be used, at work

by employees;

- Information which the employer keeps about the occurrence of any Injury on Duty, dangerous occurrence or notifiable industrial disease and any statistical records relating to them;
- Any other information specifically related to matters affecting health and safety at work, including the results of any measurements taken in the course of checking the effectiveness of health and safety arrangements; this does not include biological monitoring results of particular individuals.

Safety representatives are **not** entitled to receive:

- Any information the disclosure of which would be against the interests of national security;
- Any information which could not be disclosed without contravening a prohibition imposed by or under an enactment;
- Any information relating specifically to an individual, unless the individual has consented in writing to it being disclosed;
- Any information the disclosure of which would, for reasons other than its effect on health, safety or wellbeing at work, cause substantial injury to “the employer’s undertaking” or, where the information was supplied to them by some other person; or
- Any information obtained for the purposes of bringing prosecutions or defending legal proceeding.
- There is no entitlement under the 1977 Regulations for safety representatives to receive or inspect any document which is not related to health and safety.

### **Written Reports**

Safety representatives will normally record on a standard form when they have made an inspection. The format may vary between staff associations; however the essential message will be the same.

When a safety representative’s written report is received by management, appropriate remedial action may need to be taken. There will be occasions when this will involve one or more support departments. It is important that safety representatives are kept informed of progress on the issues they have raised. Where remedial action is not considered appropriate or cannot be taken within a reasonable period of time (28 days), or is not acceptable to the safety representatives, then management should explain the reasons and give them, in writing, to the safety representative(s) concerned. Where remedial action has been taken, the safety representative who brought the particular matter to notice should be given the opportunity to re-inspect to satisfy themselves that the reported matter has received appropriate attention.

In the event that safety representatives remain dissatisfied with the outcome, their options are to raise it further up the local management chain, or within the appropriate health and safety group.

The action taken in response to a written report should be publicised at the work

location (e.g. notice board) and brought to the specific attention of the safety group.

### **Communication**

Staff associations already have established means of communication with their members and with management and it is expected that safety representatives will use them to keep the groups they represent informed on all issues of consequence affecting health, safety and welfare at work.

Safety representatives must establish relationships with other representatives, including those appointed by other associations to develop a common approach to undertaking their function.

It is important that safety representatives are able to take matters up with management without delay. They must have the means of access to management, locally in the first instance.

The local management contact should be decided locally and must be identified in a local health and safety policy statement. Considering that health and safety issues could involve differing degrees of urgency and importance, it may be sensible to identify more than one manager as a contact point, a matter to be decided by Operational Commanders and functional heads.

The essential point is that safety representatives must be given a clear idea as to which local manager is most appropriate with whom to raise a specific issue.