

Office of the Police & Crime Commissioner

REQUEST FOR POLICE & CRIME COMMISSIONER DECISION - (N° 011 / 2018)

TITLE: Joint Health & Safety Policy

Executive Summary:

A Joint Health and Safety Policy with Cumbria Constabulary has been reviewed and updated to assist the Police and Crime Commissioner for Cumbria and the Chief Constable of Cumbria Constabulary to comply with their statutory obligations under the Health and safety at Work etc Act 1974, the Police (Health and Safety) Act 1997 and all associated subordinate legislation.

Recommendation:

The Commissioner is asked to:

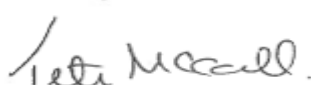
- Consider and approve the attached Joint Health and Safety Policy

Police & Crime Commissioner

I confirm that I have considered whether or not I have any personal or prejudicial in this matter and take the proposed decision in compliance with the Code of Conduct for Cumbria Police & Crime Commissioner. Any such interests are recorded below.

I hereby approve/~~do not~~ approve the recommendation(s) above

Police & Crime Commissioner / ~~Chief Executive~~ (delete as appropriate)



Signature:

Date: 16 April 2018

PART 1 – NON CONFIDENTIAL FACTS AND ADVICE TO THE PCC

1. Introduction & Background

- 1.1 There is a legal requirement for both the Police and Crime Commissioner and the Chief Constable to ensure they have a health and safety policy. It is with this in mind that a joint policy was developed and agreed in 2013.
- 1.2 A Health and Safety Policy not only provides structure to health and safety arrangements within both organisations but to reduce accidents, incidents, ill health and ultimately improve the efficiency of the organisation.

2. Issues for Consideration

- 2.1 The proposed revised policy has gone through a robust and comprehensive consultation process within both organisations.
- 2.2 The Chief Executive of the Office of the Police and Crime Commissioner and the Deputy Chief Constable of Cumbria Constabulary will be responsible for the delivery of the policy.

3. Implications

3.1. Financial Comments

Adopting this policy is likely to lead to long term financial savings due to the continued improved structure, management and organisation that the policy is designed to bring to health and safety. This in turn will lead to a reduction in injury accidents and the claims, sickness/absence and ill health retirement associated with accidents.

3.2. Legal Comments

The Police and Crime Commissioner for Cumbria is legally required to have a general policy with respect to the health and safety of his employees and the organisation and arrangements for the time being in force for carrying out that policy.

3.3. Risk Implications

Adoption of the Joint Health and Safety Policy will, in respect of health and safety, reduce the risks of prosecution, litigation and negative publicity both to Cumbria Constabulary and the Police and Crime Commissioner for Cumbria.

3.4. HR / Equality Comments

The revised policy has been through a full consultation process. There are no significant HR/Equality implications within this policy (for more details please see the Equalities Impact Assessment located within the first 4 pages of the policy).

3.5. I.T. Comments

There are no significant IT implications. SharePoint has been utilised to ensure that the policy is easily available and becomes easily embedded into both organisations.

3.6. Procurement

4. Backgrounds / supporting papers

Appendix 1 – Joint Health and Safety Policy

Public Access to Information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would not compromise the implementation of the decision being approved.

Is the publication of this form to be deferred? **YES / NO**

If yes, for what reason:

Until what date (if known):

Is there a **Part 2** form - **YES / NO**

(If Yes, please ensure Part 2 form is completed prior to submission)

ORIGINATING OFFICER DECLARATION:

I confirm that this report has been considered by the Chief Officer Group and that relevant financial, legal and equalities advice has been taken into account in the preparation of this report.

Signed: *Tim Reed*

Date: 27 March 2018

OFFICER APPROVAL

Chief Executive / ~~Deputy Chief Executive~~ (delete as appropriate)

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner / Chief Executive (delete as appropriate).

Signature: *Gill Shearer*

Date: 16 April 2018

Media Strategy

The decision taken by the Police & Crime Commissioner may require a press announcement or media strategy.

Will a press release be required following the decision being considered? ~~YES~~ / NO

If yes, has a media strategy been formulated? YES / NO

Is the media strategy attached? YES / NO

What is the proposed date of the press release:



Peter McCall



Health and Safety Policy

Policy:	Health and Safety Policy	
Approved by which board (or Chief Officer) and date:	Original policy on the 12 th December 2014	
Owner	Stephen Kirkpatrick	
For release under Freedom of Information?	Yes	
Supporting procedures	Section 5 of this policy provides a list of supporting procedures	
Contact for advice	Timothy Reed (Force Health and Safety Officer)	
Review date	1 st January 2018	

If changes have been made to an existing policy, you must complete the boxes below

Amendments made	Added reference to new procedures and the stage two transfer of staff from employment by the PCC to the Chief Constable
Date and Version Number	12 th December 2014 v2

Amendments made	Added reference to new procedures and the stage two transfer of staff from employment by the PCC to the Chief Constable
Date and Version Number	22 nd September 2017 v1

Amendments made	Extensive update to reflect changes in organisational structure and committee formats. This update also includes H&S lead inspector roles, procurement, learning and development and more effective utilisation of safety reps.
Date and Version Number	26 th March 2018 v2

1. Equality Analysis

What is the potential impact in relation to the General Duty of this proposal on each of the protected groups below?

Protected characteristics	Positive Impact				Negative Impact (provide details and mitigating actions taken or proposed)	No Impact (v)
	Does the proposal:					
	Eliminate unlawful discrimination (provide details)	Advance equality of opportunity (provide details)	Foster good relations (provide details)	Other positive impact (provide details)		
Age	The Management of Health and Safety at Work Regulations 1999 recognises that young people are more vulnerable therefore by following this policy we will eliminate unlawful discrimination by assessing and managing the risks associated with those vulnerabilities	The procedures that will be produced to support this policy will advance the equality of opportunity by completing a risk assessment on all young persons (as defined in the Management Regulations)	Although not designed to foster good relations as it is a legal obligation, there will be an element of positivity created through active implementation of this policy			
Disability	The policy also helps prevent unlawful discrimination by ensuring that the risks to those with disabilities are assessed and managed appropriately	The procedures that will be produced to support this policy will advance the equality of opportunity by completing a risk assessment on all individuals with disabilities	Although not designed to foster good relations as it is a legal obligation, there will be an element of positivity created through active implementation of this policy			
Sex	The Management Regulations	Will advance the equality of	Although not			

	apply equally to men and women and therefore legislate against such discrimination. This policy sets out a framework to comply with this legislation	opportunity by treating individuals for their personal needs thus eliminating inequalities due to the differences in gender e.g. section 4.2.7 of the policy specifically talks about the need to assess manual handling activities and the risks to new and expectant mothers	designed to foster good relations as it is a legal obligation, there will be an element of positivity created through active implementation of this policy			
Sexual orientation	N/A	N/A	N/A			
Gender reassignment	The Management Regulations apply equally to men and women and therefore legislate against such discrimination. This policy sets out a framework to comply with this legislation	In addition, the policy specifically requires formal risk assessments for individuals – this aspect will be important in preventing discrimination should any surgery be required	Although not designed to foster good relations as it is a legal obligation, there will be an element of positivity created through active implementation of this policy			
Marriage and civil partnership	N/A					
Pregnancy and maternity	The Management of Health and Safety at Work Regulations 1999 recognises that new or expectant mothers and their child are more vulnerable, therefore by	Will advance the equality of opportunity by treating individuals for their personal needs thus eliminating inequalities due to the differences in gender	Although not designed to foster good relations as it is a legal obligation, there will be an element of positivity			

	following this policy we will eliminate unlawful discrimination by assessing and managing the risks associated with those vulnerabilities	e.g. section 4.2.7 of the policy specifically talks about the need to assess manual handling activities and the risks to new and expectant mothers	created through active implementation of this policy			
Race	The Management Regulations require every employer to assess and manage the risks to their employees regardless of race			We note that in the future procedures and arrangements will need to address potential inequalities in this area		
Religion and belief including non-belief	The Management Regulations require every employer to assess and manage the risks to their employees regardless of religious belief, including non-belief			We note that in the future procedures and arrangements will need to address potential inequalities in this area		

If there is no potential impact (positive or negative) please provide a brief explanation why this is the case, e.g. the data utilised in arriving at the decision, summary of responses to consultation etc.

Brief explanation of the 'impact' decisions above

2. Aim

- The overall aim of the policy is to enable the Police and Crime Commissioner for Cumbria and the Chief Constable of Cumbria Constabulary to:
 - a) manage effectively, the Health, Safety and Welfare of:
 1. their 'employees' whilst they are at work; and
 2. those not in their employment but who may be affected by their undertaking;**and to,**
 - b) help them to comply with their statutory obligations under the Health and Safety at Work etc. Act 1974, the Police (Health and Safety) Act 1997 and all associated subordinate legislation.
- It has been written not only because there is a legal requirement to have a health and safety policy but to provide organisation and structure to our health and safety arrangements in order to reduce accidents, incidents and ill health and ultimately improve the efficiency of the organisation.
- The policy is primarily for managers at all levels within the organisation as they are the ones who 'manage' risks, but ultimately it is for all 'employees'.
- The Deputy Chief Constable of Cumbria Constabulary and Chief Executive of the Office of the Police and Crime Commissioner will be responsible for delivering the policy.

3. Terms and Definitions

In the context of this policy, the following terms and definitions are used:

- **"Manager"** means anyone with responsibility for others, this may include members of the Special Constabulary e.g. Sergeants & Inspectors.
- **"Employees"** – for the purpose of this policy - means Police Officers, Cadets, Police Staff, Office of the Police and Crime Commissioner (OPCC) staff, members of the Special Constabulary, those on Work Experience, volunteers and those employed as 'Agency' workers.
- **"Child"** means a person who is not over compulsory school age.
- **"Given birth"** means delivering a living child or, after twenty-four weeks of pregnancy, a stillborn child.

- **“New or expectant mother”** means an employee who is pregnant; who has given birth in the previous six month; or who is breastfeeding.
- **“Young person”** means any person who has not attained the age of eighteen.
- **“Hazardous manual handling”** means any transporting or supporting of a load (including people & animals) by hand or bodily force which involves a risk of injury.
- **“Hazardous substances”** means any substance which may cause injury or harm, e.g. PAVA.
- **“Risk”** means the risk to the health and safety of employees to which they are exposed whilst at work, and the risks to the health and safety of non-employees arising out of or in connection with Constabulary undertakings.
- **“Risk assessment”** means the process of identification of hazards, deciding who might be harmed and how, evaluating that risk and deciding on precautions – note there is a need to formally record risk assessments and to review and update them as necessary
- **“Risk manager”** means the person responsible for assessing and managing a particular risk e.g. line manager, departmental head etc.
- **“Course owner”** means person responsible for a given training course.
- **“Volunteer”** means any person undertaking work on or behalf of the Constabulary or Police and Crime Commissioner without payment and may include those on work experience or members of the public who help in some way.
- **“Vehicles”** means motor vehicles and does not include pedal cycles. The Police Pedal Cycle Policy covers the purchase, storage and use of pedal cycles.
- **“PPE”** means Personal Protective Equipment e.g. flame retardant clothing, protective gloves, safety glasses, body armour etc. It does not include appointments such as: TASER, handcuffs, baton etc.
- **“Display Screen Equipment”** means any alphanumeric or graphic display screen, regardless of the display process involved e.g. a computer.
- **“Service”** means Cumbria Constabulary.
- **“Significant Changes”** means any change which is likely to have Health and Safety implications e.g. a change in shift patterns, change of premise, new vehicles, merging of talk groups etc.

4. The Policy

4.1. Statement of General Policy with respect to Health and Safety

The Chief Constable of Cumbria Constabulary and the Police & Crime Commissioner for Cumbria are jointly committed to ensuring the health and safety of all those who work for either organisation including Police Officers, Police Staff, Special Constables, OPCC staff, volunteers, contractors and all other third parties. They are equally committed to ensuring the health and safety of members of the public who may be affected by their activities.

It is therefore the joint policy of the Chief Constable of Cumbria Constabulary and the Police & Crime Commissioner for Cumbria to, so far as is reasonably practicable, ensure:

- the health & safety of our employees whilst they are at work; and
- the health & safety of persons not in our employment but who may be affected by our undertakings e.g. the community we serve

The Chief Constable of Cumbria Constabulary and Police & Crime Commissioner for Cumbria recognise that managing risk is a fundamental part of everything we do and are jointly committed to providing and maintaining:

- safe and healthy working conditions, equipment and systems of work; and
- such leadership, resources, information and training and supervision as is needed for these purposes

The Chief Constable of Cumbria Constabulary and Police & Crime Commissioner for Cumbria expect all members of the service – irrespective of rank, grade or position – and all contractors, volunteers and agency workers working on behalf of either organisation, to:

- cooperate fully in the achievement of this policy; and
- take reasonable care of themselves and others who may be affected by their acts or omissions

The organisation and arrangements for carrying out this policy are set out in Section 4.2 & 4.3 respectively.

The Chief Constable and Police & Crime Commissioner for Cumbria hereby give full commitment to the implementation of this policy.

Signatures of Chief Constable and Police and Crime Commissioner to be inserted here

4.2 Organisation for carrying out this policy

4.2.1 Police and Crime Commissioner for Cumbria Responsibilities:

Under the Police Reform and Social Responsibility Act 2011, 'The Police and Crime Commissioner for Cumbria' is a corporation sole and is, in respect of Cumbria:

- The employer of the staff in the Office of the Police and Crime Commissioner.
- The employer of volunteers working directly on behalf of the Office of Police and Crime Commissioner.
- The employer in control of all assets / premises, or parts thereof, that are either owned, leased by, or used by Cumbria Constabulary or the Office of the Police and Crime Commissioner for Cumbria – at least to the extent of any contractual arrangement.

Under the Health and Safety at Work etc. Act 1974, it is the duty of the Office of Police and Crime Commissioner for Cumbria to:

1. ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees
2. conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety
3. Take such measures as it is reasonable for a person in his position to take to ensure, so far as is reasonably practicable, that the premises, all means of access thereto or egress therefrom available for use by persons using the premises, and any plant or substance in the premises or, as the case may be, provided for use there, is or are safe and without risks to health.

To achieve compliance with the above, the Police and Crime Commissioner will:

- a) ensure that adequate resources for health and safety are made available, within the wider resource plan, to enable strategic and operational objectives to be accomplished safely and in accordance with this Health and Safety Policy
- b) hold the Chief Constable to account for health and safety within the Constabulary

- c) actively support the Chief Constable of Cumbria Constabulary in the implementation of this policy
- d) agree an annual health and safety strategic plan / objectives with the Chief Constable for Cumbria, and
- e) delegates day to day management of Health and Safety within the Office of Police and Crime Commissioner for Cumbria to the Office of Police and Crime Commissioner's Chief Executive

4.2.2 Office of Police and Crime Commissioner – Chief Executive's Responsibilities:

The Chief Executive is responsible for the implementation of this policy within the Office of the Police and Crime Commissioner. To achieve this, the Chief Executive will:

- a) nominate a representative from the OPCC to sit on the 'Health, Safety and Security Committee',
- b) monitor the implementation of the Health and Safety Policy within the Office of Police and Crime Commissioner and give direction and, as appropriate, action to Office of Police and Crime Commissioner Executives,
- c) support the Police and Crime Commissioner in monitoring the effectiveness of the Health and Safety Policy within the Force and inform the Police and Crime Commissioner of any significant health and safety concerns,
- d) ensure the risks for all work activity that the Office of Police and Crime Commissioner is responsible for are formally assessed* and managed in accordance with the 'Risk Management Procedure'. Paying particular and specific attention to:
 - a. new or expectant mothers
 - b. individuals with medical conditions or disabilities
 - c. young persons
 - d. hazardous manual handling activities
 - e. chemicals or substances
 - f. volunteers working on behalf of the Police and Crime Commissioner.

* Seeking advice from Occupational Health or Health and Safety where appropriate

- e) in respect of the Office of Police and Crime Commissioner:
- a. ensure members of the Office of Police and Crime Commissioner are consulted regarding any significant changes which may impact upon health and safety in accordance with the 'Consultation with Employees Procedure',
 - b. ensure that there are adequate first aid and fire arrangements in place,
 - c. implement action and direction from the Health, Safety and Security Committee, and
 - d. ensure that any accident that occurs within the Office of Police and Crime Commissioner's area of control are reported and investigated in accordance with the ['Accident / Incident Reporting Procedure'](#).

4.2.3 Chief Constable of Cumbria Constabulary's Responsibilities:

Under the Police Reform and Social Responsibility Act 2011, the 'Office of Chief Constable for Cumbria Constabulary' is a corporation sole.

A Police Force, and the civilian staff of a Police Force, are under the direction and control of the Chief Constable of the Force.

- The employer* of Police Officers or Police Cadet.
- The employer* of Special Constables.
- The employer of all police staff (including volunteers, PCSOs, Detention Officers).
- The employer* of any Constables or Police Cadet who, by virtue of a collaborative agreement under Section 22A of the Police Act 1996, are under the direction and control of the Chief Constable of Cumbria Constabulary.

***Note:** Any 'Constable' or 'Police Cadet' is, by virtue of the Police (Health and Safety) Act 1997, classed as an 'employee' under the Health and Safety at Work etc. Act 1974.

Under the Health and Safety at Work etc. Act 1974, it is the duty of every employer to:

1. ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees and
2. conduct his undertaking in such a way as to ensure, so far as is reasonably

practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

To achieve compliance with the above, the Chief Constable of Cumbria Constabulary will:

- a) set a clear, realistic and achievable Health and Safety strategic plan with objectives for the year based on operational and Police and Crime Commissioner priorities and the quarterly COG H&S reports
- b) allocate suitable and sufficient funds to meet the Health and Safety objectives and any legislative requirements,
- c) delegate implementation of this policy throughout the force to the Deputy Chief Constable of Cumbria Constabulary, and
- d) actively support the Deputy Chief Constable of Cumbria Constabulary in the implementation of this policy.

4.2.4 Deputy Chief Constable's Responsibilities:

The Deputy Chief Constable of Cumbria Constabulary is responsible for the implementation of this policy throughout the force. To achieve this, the Deputy Chief Constable of Cumbria Constabulary will:

- a) set up, maintain and chair an effective 'Health, Safety and Security Committee',
- b) monitor the effectiveness of the Health and Safety Policy using the information provided to them by the Health and Safety Advisor, the quarterly H&S COG reports the Force Health, Safety and Security Committee, Heads of Department and Divisional Commanders,
- c) inform Chief Officers of any significant Health and Safety concerns and act positively on those concerns, and
- d) give direction and, as appropriate, actions to Commanders and Heads of Departments.

4.2.5 Director of Corporate Support responsibilities:

- a) provide and maintain a comprehensive occupational health and safety provision available to all employees through the Occupational Health, Safety and Wellbeing Department,

- b) in consultation with Cumbria Police Federation and UNISON Safety Representatives, appoint a competent person(s) to advise on health and safety,
- c) coordinate effort to implement the H&S plan and audit process,
- d) support the Deputy Chief Constable, OPCC Chief Executive and Health, Safety and Security in the day to day delivery of this policy,
- e) support the Health and Safety Advisor and Safety Representatives by ensuring that they receive adequate training to undertake their functions
- f) support the Occupational Health Department by ensuring that the department receive adequate resources, facilities and personnel to undertake the services they provide

4.2.6 Force Health, Safety and Security Committee Responsibilities:

- a) Consider management proposals for significant changes that may affect Health, Safety and Welfare of employees,
- b) Consider Health and Safety progress updates from recognised Health and Safety Representatives, Management or Health and Safety Advisor(s),
- c) Set, implement and monitor a robust Health and Safety audit process of our Health and Safety Arrangements and Procedures, and
- d) Identify gaps in our Health and Safety Arrangements and Procedures and set SMART actions to address any such gaps.

4.2.7 Head of Learning and Development Responsibilities:

- a) Ensure all training meets all national current standards and best practice,
- b) Ensure all training is delivered by persons competent and authorised to do so.
- c) Ensure all training is provided in a timely manner,
- d) Ensure all training is conducted in a way so as to eliminate or, if not eliminate then reduce to an acceptable level, the risks to the health and safety of the learner taking into account any reasonable adjustments that may be required as a result of medical conditions
- e) Review and adapt training to take into account any learning obtained from health and safety management systems

4.2.8 Departmental Heads and Commander's Responsibilities:

The Departmental Heads and Commanders are responsible for the implementation of this policy within their area of direction and control. To achieve this, Departmental Heads and Commander's will:

- a) ensure that Occupational Health, Health and Safety and Recognised Safety Representatives are consulted as appropriate regarding any significant changes which may impact upon health and safety in accordance with the 'Consultation with employees procedure',
- b) ensure that suitable and sufficient risk assessments are conducted for all work activities that they are responsible for and that any significant risks identified by the risk assessment process are adequately controlled,
- c) advise the Deputy Chief Constable of any concerns regarding Health and Safety arrangements,
- d) ensure that there are adequate first aid and fire safety arrangements in place, and
- e) implement action and direction from Force Health, Safety and Security Committee

4.2.9 Superintendent / Detective Superintendent / Chief Inspector / Detective Chief Inspector's Responsibilities:

- a) ensure health and safety is a standing item on local team meetings,
- b) identify and appropriately address accident and incident trends across geographical area,
- c) ensure accidents that occur within their area of control or direction are adequately investigated in accordance with the 'Accident / Incident Reporting Procedure',
- d) ensure the risks for each work activity that they are responsible for are formally assessed* and managed in accordance with the 'Risk Management Procedure'.

Paying particular and specific attention to:

- a. new or expectant mothers
- b. individuals with medical conditions or disabilities
- c. young persons
- d. hazardous manual handling activities
- e. chemicals or substances.

* Seeking advice from Occupational Health or Health and Safety where appropriate

- e) ensure that all employees and officers are trained and competent to use equipment, plant or machinery that they are required to use,
- f) liaise with Occupational Health and/or Health and Safety as appropriate, in matters relating to health, safety and welfare, and

- g) procure goods, equipment, works and services in accordance with the 'Arrangements for procuring goods / equipment / work or services'.

4.2.10 Inspector / Detective Inspector / Sergeant / Detective Sergeant / Manager / Supervisor Responsibilities:

- a) report and perform an initial supervisor's investigation for any injuries that occur to their staff/officers that occur out of or in connection with work in accordance with the 'Accident / Incident Reporting Procedure',
- b) report and perform an initial supervisor's investigation for any injuries that occur to others e.g. members of the public, contractors etc. that occur out of or in connection with work activities for which they are responsible in accordance with the 'Accident / Incident Reporting Procedure',
- c) ensure that employees work in accordance with the control measures identified by the risk assessments and, where applicable, safe systems of work,
- d) ensure that all employees / officers are trained and competent to use equipment, plant or machinery that they are required to use,
- e) report any concerns regarding Health and Safety to Senior Management, and
- f) seek advice, as required from Occupational Health and/or Health and Safety, in matters relating to health, safety and welfare.

4.2.11 General Responsibilities for all employees / Officers:

Under Section 7 of the Health and Safety at Work etc. Act 1974 it is the duty of every employee while at work:

- a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work; and
- b) as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with.

Under Section 8 of the Health and Safety at Work etc. Act 1974 it is the duty of every employee:

- a) not to interfere with or misuse things provided pursuant to certain provisions; and
- b) not to intentionally or recklessly interfere with or misuse anything provided in the

interests of health, safety or welfare in pursuance of any of the relevant statutory provisions.

To enable employees to comply with the above provision, employees will:

- a) report any injuries that occur to themselves, contractors or members of the public that occur out of or in connection with work promptly to their line manager in accordance with the 'Accident / Incident Reporting Procedure',
- b) only use equipment / vehicles that they have been trained and authorised to use and then only use them in accordance with any instruction and training given,
- c) take reasonable care of themselves and of others affected by their acts or omissions,
- d) report any concerns regarding the safety arrangements promptly to their line manager and, as necessary, using the 'Accident / Incident Reporting Procedure',
- e) report any damage, defect or fault of any equipment or premise either owned or controlled by Cumbria Constabulary in accordance with the 'Fault / Defect / Damage Reporting Procedure',
- f) maintain a safe and tidy workplace,
- g) procure goods, equipment, works and services in accordance with the 'Arrangements for procuring goods / equipment / work or services',
- h) follow the 'arrangements' and 'procedures' that accompany this policy,
- i) Wear any PPE issued in accordance with instruction and training given, reporting any defect with PPE immediately to line manager.

4.2.12 Force Health and Safety Advisor Responsibilities:

- a) health and safety policy formulation and development,
- b) providing competent Health and Safety advice to all persons working for, or on behalf of, Cumbria Constabulary and the Police and Crime Commissioner for Cumbria,
- c) monitoring compliance with this policy / H&S legislation and reporting any concerns to the relevant body,
- d) creating and improving systems to enable integration of H&S with core business,
- e) reporting of accidents, dangerous occurrences and diseases, as required under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

- j) investigating accidents in accordance with the 'Accident / Incident Reporting Procedure', and
- k) produce quarterly reports on H&S performance for consideration by the Force Health, Safety and Security Committee, the Deputy Chief Constable of Cumbria Constabulary and the Police and Crime Commissioner for Cumbria.
- l) Advise occupational health on the need for statutory health surveillance where risk assessment indicates need; i.e. all risk reducing strategies have been implemented and a residual risk to health remains.

4.2.13 Occupational Health, Safety and Wellbeing Department Responsibilities:

- a) Ensure post offer medical screening is undertaken for specified groups such as police recruits, PCSOs, Specials and any other roles where risk assessment deems post offer screening necessary to establish a specified baseline, e.g. Command and Control Room Staff. Undertake health screening for those moving into roles within the organisation where risk assessment has identified a need.
- b) ensure that Health Surveillance, where identified risk assessment, is conducted in accordance with legislative requirements and, as necessary, in order to proactively monitor the effectiveness of safety arrangements,
- c) conduct health screening in line with ACPO guidance e.g. annual firearms medicals, TASER eye sight tests,
- d) advise employees and management on the protection of staff against physical, psychological and environmental health hazards which may arise from their work,
- e) give specific advice regarding individual's based on the individual's risk assessment provided by management, and
- f) carry out immunisation programmes; specifically Hepatitis B or make arrangements for suitable vaccination centres to undertake vaccinations (DVI) where the need is identified by a risk assessment.

4.2.14 Head of Estates and Fleet Responsibilities:

The Head of Estates and Fleet Department is responsible for:

- a) in respect of buildings, premises or parts thereof that are under the control of either the Police and Crime Commissioner for Cumbria or the Chief Constable of Cumbria Constabulary, assessing and managing the risks associated with the:
 - a. adaptation of existing buildings / premises,
 - b. the design of new buildings / premises, and the
 - c. maintenance of buildings / premises – at least to the extent that any contractual agreement allows.
- b) ensuring electrical equipment is maintained in accordance with the ‘Arrangements for inspecting and testing Electrical Equipment’.
- c) In respect of the vehicles under the control of either the Police and Crime Commissioner for Cumbria or the Chief Constable of Cumbria, assessing and managing the risks associated with the:
 - a. Purchase of new vehicles
 - b. The adaptation of existing vehicles
 - c. The maintenance of vehicles – at least to the extent that any contractual agreement allows.

4.2.15 UNISON and Federation recognised Safety Representatives:

The Police and Crime Commissioner for Cumbria and the Chief Constable of Cumbria Constabulary both formally recognise UNISON and Cumbria Police Federation.

Safety Representatives do not have legal ‘duties’ however their role is critical to the successful management of Health and Safety and therefore will be supported by the Chief Constable of Cumbria Constabulary and the Police and Crime Commissioner for Cumbria at all levels in undertaking the following ‘functions’ which they are by law allowed to undertake:

Functions of a Safety Representative:

- a) to investigate potential hazards and dangerous occurrences at the workplace (whether or not they are drawn to his attention by the employees he represents) and to examine the causes of accidents at the workplace;

- b) to investigate complaints by any employee he represents relating to that employee's health, safety or welfare at work;
- c) to make representations to the employer on matters arising out of sub-paragraphs (a) and (b) above;
- d) to make representations to the employer on general matters affecting the health, safety or welfare at work of the employees at the workplace;
- e) to carry out inspections in accordance with Regulations 5, 6 and 7 of the Safety Representatives and Safety Committees Regulations 1977
- f) to represent the employees he was appointed to represent in consultations at the workplace with inspectors of the Health and Safety Executive and of any other enforcing authority;
- g) to receive information from inspectors in accordance with section 28(8) of the 1974 Act; and
- h) to attend meetings of safety committees where he attends in his capacity as a safety representative in connection with any of the above functions.

For more information on the appointment, numbers of Safety Representatives and functions of a Safety Representative please see our 'Arrangements for Health and Safety Representatives' and the 'Facilities agreement with UNISON'.

4.2.16 Inspectors with Health and Safety portfolio:

Are responsible for:

- a) Ensuring the Area Health and Safety Plan is implemented locally
- b) Investigating local accidents and incidents as necessary
- c) Inspecting workplaces or parts thereof within the TPA
- d) Utilising Safety Representatives in any of the above
- e) Advise area commanders regarding local health and safety issues

4.2.17 Head of Procurement responsibilities:

The Head of Procurement is responsible for:

- a) Procuring equipment that is, so far as is reasonably practicable, selected to be safe for the purpose for which it is intended.

4.3 Supporting Information (Arrangements)

- a) [Accident / Incident Reporting Procedure](#)
- b) [Fault / Defect / Damage Reporting Procedure](#)
- c) [Consultation with Employees Procedure](#)
- d) [Facilities agreement with UNISON](#)
- e) [Fire Safety Arrangements](#)
- f) [First Aid Arrangements](#)
- g) [Arrangements for procuring goods / equipment / work or services](#)
- h) [Arrangements for acquiring competent H&S Advice and Assistance](#)
- i) [Arrangements for Health and Safety Representatives](#)
- j) [Arrangements for inspecting and testing Electrical Equipment](#)
- k) [Arrangements for the maintenance of the Estate](#)
- l) [Arrangements for Control of Contractors](#)
- m) [Risk Management Procedure](#)
- n) [Clean Air Procedure](#)
- o) [Lone Working Standard Operating Procedure](#)
- p) [Parking Rules Procedure](#)
- q) [Display Screen Equipment – Standard Operating Procedure](#)
- r) [Police Pedal Cycle Procedure](#)

Note regarding supporting information

The procedures / arrangements for making the policy work may be subject to change and development at any time as a natural evolutionary improvement process. Such changes will occur in consultation with recognised Safety Representatives and be brought to the attention of those they affect. Such changes do not constitute a change of policy.

5. Monitoring and Reviewing

The Force Health, Safety and Security Committee will monitor the effectiveness of this policy and the arrangements / procedures (referred to in Section 4 of this policy). They will do this by:

- Systematically looking at each of the arrangements / procedures in turn, and

- when items are brought to the attention of the Committee

Where such monitoring reveals a potential problem the Committee will commission a review of the arrangement or process

The Health and Safety Officer will review this policy:

1. After any changes in legislation or relevant guidance
2. Should any information come to light to suggest it is no longer valid, or
3. After any significant changes to the organisation

Following any changes to the post of either Chief Constable of Cumbria Constabulary or Police and Crime Commissioner for Cumbria, the Force Health and Safety Officer will send this policy to the new post holder(s) for consideration and signature.

There is no follow up action required as a result of the equality analysis.