

First Wave Housing Limited

Health & Safety Housing Standards Statement

October 2020



Document Master Sheet

Version	Author	Date	Review Date	Comments/amendments	Approved by
1	Toby Hayward-Butcher	May 2017	May 2018	Creation of Policy	FWH Board
2	Charlotte Moore	May 2018	May 2019	Update to policy review procedures and company name	FWH Board
3	Ralph Gibson	Sept 2019	Sept 2020	Annual Review	FWH Board
4	Maddy Rose	Sept 2020	Sept 2021	Policy Review	FWH Board

1 Overview of this Policy

1.1 Introduction and scope

The aim of this policy is to provide a standard of health and safety that First Wave Housing Ltd (FWH) expects all of its staff and contractors to adhere to.

The aim of the policy is to ensure that all customers, contractors, and employees working on behalf of FWH are mitigated against health and safety risks, and to ensure legal compliance and achieve sector best practice.

2.0 Working with contractors

We expect all contractors to adhere to the standards set out in this policy, and will ensure that they have appropriate health and safety policies and procedures of their own. It is expected that contractors ensure that their sub-contractors also adhere to the policy.

3 Electrical Safety

3.1 Introduction and scope

This policy will set out our responsibilities towards our customers, staff, visitors and contractors in regards to electrical safety

The policy applies to all areas of the business where we have electrical installations and where we use or supply portable electrical appliances.

3.2 Aims and Objectives

The aims and objectives of this policy are to demonstrate how we expect our contractors will manage and control electrical safety, in order to mitigate the risk to customers, staff, visitors and contractors and to ensure legal compliance and achieve sector best practice.

3.3 External Related Documents

HSE Guide – Electrical Safety and You.

HSE Guide - Electricity at work. Safe working practices.

HSE Guide – The Electricity at Work Regulations 1989.

3.4 Legal Framework

Legislation

Health and Safety at Work Act 1974

Main powers and relevance to electrical safety

- Principal UK legislation which gives powers of enforcement
- Sets out the requirements to meet standards to achieve legal compliance

The Electricity at Work Regulations 1989

- Sets out the legal requirements to manage and maintain electrical installations and equipment

The Management of Health & Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees
- States the legal requirement for risk assessments

3.5 Policy Statement

3.5.1 Introduction

This Policy supports FWH's vision and values by ensuring we manage and maintain electrical installations and equipment in a safe manner to reduce the risk of electrocution or fires from faulty electrical items or installations to protect colleagues, customers, visitors and contractors.

3.5.2 Roles and Responsibilities

FWH Board:

The FWH Board has overall responsibility for health and safety. They are required to ensure that adequate resources and staff are allocated in order to manage and maintain electrical installations and equipment to the required standard. The Board will ensure that it receives assurance regarding adherence to this policy together with relevant reports demonstrating effective control of electrical installations and equipment and legal compliance.

All contractors are required to:

- Arrange for fixed electrical installations to be inspected and maintained by competent persons on a five year cycle
- Arrange for portable electrical equipment to be inspected and maintained by competent persons annually
- Ensure an operational electrical procedure is developed and implemented
- Review and monitor performance against set indicators
- Provide advice regarding electrical testing and inspection requirements

Employees:

All employees working on behalf of FWH, irrespective of their position, have a responsibility to:

- Co-operate with their employer to enable compliance with this policy and the legal duties it holds
- Report any faulty or dangerous electrical equipment
- Not to interfere with or attempt repair of electrical equipment unless competent to do so

3.5.3 Fixed Wiring Installations

All FWH owned communal/shared areas will be subject to a fixed installation inspection at least every five years or sooner if required. It is now required that domestic properties are

now also subject to inspection every five years.

Remedial works will be completed in-line with recommendations and prioritised based on the risk category.

3.5.4 Portable Appliances

Any portable electrical appliances used or purchased by FWH or any of its contractors will be subject to testing on a frequency determined by class i.e. class 1 or 2, the location and use of equipment.

Any faulty portable appliances will either be repaired if feasible or removed and replaced if repair is either not possible or cost effective.

3.5.5 Information for Customers

We will give customers electrical safety information at the point of sign up and via newsletters and the FWH website.

3.5.6 Information for Staff

We will give staff basic electrical safety information on induction.

3.5.7 Voids

Void properties will be inspected for electrical safety before reoccupation.

3.5.8 Record Keeping

An inventory of all portable appliances will be developed and maintained to ensure items are inspected when required.

Records of fixed electrical installation inspections, including remedial works, and portable appliance testing will be maintained by the Electrical and Mechanical Services Manager.

3.5.9 Review

This policy will be reviewed on an annual basis or following a material electrical incident e.g. fire or electrocution.

4 Gas Safety

4.1 Introduction and scope

This policy will set out our responsibilities towards our customers, staff, visitors and contractors in regards to gas safety.

The policy applies to all areas of the business where we maintain gas boilers, supply pipework and appliances, in tenanted properties or communal areas. We may at our discretion apply this policy to leasehold properties in order to protect customers.

4.2 Aims and Objectives

The aims and objectives of this policy are to demonstrate how we will manage and control gas safety, in order to mitigate the risk to customers, staff, visitors and contractors and to ensure legal compliance and best practice.

4.3 External Related Documents

HSE Guide – Gas Safety (Installation and Use) Regulations 1998 Approved Code of Practice and guidance.

HSE Guide - A guide to landlords' duties: Gas Safety (Installation and Use) Regulations 1998.

4.4 Legal Framework

Legislation

Health and Safety at Work etc.
Act 1974

Main powers and relevance to gas safety

- Principal UK legislation which gives powers of enforcement
- Sets out the requirements to meet standards to achieve legal compliance

The Gas Safety (Installation and Use) Regulations 1998

- Sets out the legal requirements to manage and maintain gas installations and equipment
- Can be used for prosecutions for failings in relation to gas safety

The Management of Health and Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees
- States the legal requirement for risk assessments

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

- States the legal requirements to install carbon monoxide detectors in dwellings where there are solid fuel appliances

Environmental Protection Act 1990

- Gives the ability to apply to the courts for a warrant of access to maintain gas safety records and reduce statutory nuisances

4.5 Definitions

Gas Safe Register – The UK national register of qualified gas engineers

Competent Person – A person with training, knowledge and experience in relation to gas safety

4.6 Abbreviations

LGSR	Landlord's Gas Safety Record
EPA	Environmental Protection Act
HSE	Health & Safety Executive

4.7 Policy Statement

4.7.1 Introduction

This Policy supports FWH's vision and values by ensuring we manage and maintain gas boilers, supply pipework and appliances in a safe manner to reduce the risk of fire, explosion or gas poisoning from faulty gas boilers and appliances to protect colleagues, customers, visitors and contractors.

4.7.2 Roles and Responsibilities

FWH Board:

The FWH Board has overall responsibility for health and safety. They are required to ensure that adequate resources and staff are allocated in order to manage gas safety to the required standard. The Board will ensure that it receives assurance regarding adherence to this policy together with relevant reports demonstrating effective control of gas safety and legal compliance.

All contractors are required to:

- Review and monitor performance against set indicators
- Arrange gas boilers and appliances to be inspected and maintained by competent persons who are Gas Safe registered
- Ensure an operational gas safety procedure is developed and implemented
- Provide or obtain advice regarding gas inspection and servicing requirements
- Appoint a competent person/s to undertake works on gas systems or appliances. They must be able to demonstrate competency by way of knowledge, experience and qualifications/training to a level that is appropriate to the systems or appliances being worked on. They will be Gas Safe registered.

Employees:

All SLA employees and employees working on behalf of FWH, irrespective of their position, have a responsibility to:

- Co-operate with their employer to enable compliance with this policy and the legal duties it holds
- Report any faulty or dangerous gas equipment
- Not to interfere with or attempt repair of gas equipment unless competent to do so

4.7.3 Gas Inspections

All landlord's gas boilers and appliances must be maintained in a safe condition and will be serviced and inspected at least every twelve months.

Remedial works will be completed in-line with recommendations and prioritised based on the risk.

If a customer has their own gas appliance that FWH, through its contractors, has not provided, FWH are responsible only for the maintenance of the gas pipework, not the appliance itself.

4.7.4 Information for Customers

We will give customers gas safety information at the point of sign up and via newsletters and the FWH website.

Customers will be provided with a copy of the gas safety check record within 28 days of the annual safety inspection. New customers are issued with a copy of the current gas safety record before they take up occupation.

4.7.5 Information for Staff

We will give staff basic gas safety information on induction if relevant to the job role.

4.7.6 Voids

All void properties will be inspected for gas safety and certificated as per annual inspections before reoccupation.

4.7.7 No Access

FWH and/or our contractors will take all reasonable steps to gain access to undertake annual gas safety checks. Once all reasonable steps have been exhausted we will pursue legal action and force entry if necessary.

4.7.8 Carbon Monoxide Detectors

FWH's contractors install, maintain and replace Carbon Monoxide detectors to all tenancy properties where there are gas boilers.

4.7.9 Record Keeping and Monitoring

An inventory of all landlord's gas boilers and appliances will be developed and maintained to ensure items are inspected when required.

Records of gas inspections, including remedial works, will be maintained and retained for a minimum of three years.

We will maintain an up-to-date database of all LGSR issued and the location, age and condition of all gas appliances within dwellings.

We will ensure strict monitoring of contractor performance to ensure they are compliant with current Gas Safe regulations and legislation.

4.7.10 Review

This policy will be reviewed on an annual basis, following a gas related incident or technological or legislative changes.

5 Asbestos

5.1 Introduction and scope

This policy will set out our responsibilities towards our customers, staff, visitors, members of the public and contractors in regards to asbestos management.

The policy applies to all areas of the business where we have or may have asbestos containing materials.

5.2 Aims and Objectives

The aims and objectives of this policy are to demonstrate how we will manage and monitor asbestos materials, in order to mitigate the risk of asbestos fibre exposure to customers, staff, visitors and contractors and members of the public and to ensure legal compliance and best practice.

5.3 External Related Documents

Asbestos essentials. A task manual for building, maintenance and allied trades of non-licensed asbestos work. [Click here for publication.](#)

Managing and working with asbestos. Control of Asbestos Regulations 2012. Approved Code of Practice and guidance. [Click here for publication.](#)

Asbestos: The Survey Guide. [Click here for publication.](#)

Managing asbestos in buildings. A brief guide. [Click here for publication.](#)

5.4 Legal Framework

Legislation

Main powers and relevance to asbestos management

Control of Asbestos Regulations 2012

- Defines the requirements to identify asbestos, assess risk, manage asbestos materials and plan works effectively
- Can be used to bring prosecutions for failure to manage

Health and Safety at Work etc. Act 1974

- Principal UK legislation which gives powers of enforcement

- Sets out the requirements to meet standards to achieve legal compliance

The Management of Health and Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees
- States the legal requirement for risk assessments

5.5 Definitions

Asbestos – A naturally occurring mineral. When materials containing asbestos are disturbed, fibres are released into the air that, when inhaled, can cause serious disease or illness, including Mesothelioma, Lung Cancer, Asbestosis and Pleural Thickening. Many of these diseases can be fatal.

Management Survey – A survey undertaken to establish the presence of asbestos in accessible areas of a building

Refurbishment and Demolition Survey – A destructive survey to establish the presence of asbestos in all areas of a building

Asbestos register – A register detailing the type, location and current condition of asbestos materials

5.6 Abbreviations

CAR	Control of Asbestos Regulations 2012
HSWA	Health and Safety at Work etc. Act 1974
R&D	Refurbishment and Demolition
P402	Surveying and Sampling Strategies for Asbestos in Buildings Qualification
UKAS	United Kingdom Accreditation Service
ACM	Asbestos Containing Material

5.7 Policy Statement

5.7.1 Introduction

This Policy supports FWH's vision and values by ensuring we manage and monitor materials that we have confirmed or presumed to contain asbestos, in a safe manner to reduce the risk of asbestos exposure to protect colleagues, customers, visitors, the general public and contractors.

5.7.2 Roles and Responsibilities

FWH Board:

The FWH Board has overall responsibility for health and safety. They are required to ensure that adequate resources and staff are allocated in order to manage asbestos effectively and in line with legal requirements. The Board will ensure that it receives assurance regarding adherence to this policy together with relevant reports demonstrating effective control of asbestos containing materials and legal compliance.

All contractors are required to:

- Ensure an operational asbestos management procedure is developed and implemented
- Review and monitor performance against set indicators
- Arrange for asbestos surveys to be undertaken
- Arrange for the removal of asbestos materials if required
- Provide or obtain advice regarding asbestos management
- Provide advice and guidance in relation to asbestos surveyors and contractor competencies
- Review the asbestos management procedure to ensure it is fit for purpose and enables FWH to meet its legal duties
- Control and maintain the Asbestos Register
- Arrange for asbestos surveys to be undertaken
- Arrange for the removal of asbestos materials if required
- Report any damage to suspected or confirmed asbestos materials
- Carry out works in way they have been trained so as not to disturb asbestos materials

Employees:

All contractors and employees working on behalf of FWH, irrespective of their position, have a responsibility to co-operate with their employer to enable compliance with this policy and the legal duties it holds.

5.7.3 Surveys

Surveys will be carried out when specifically requested and only be undertaken by qualified and competent persons. All asbestos surveyors will be required to hold P402 certification, UKAS accreditation and have a minimum of two years' experience in asbestos surveying.

We will undertake Management Surveys as a minimum with R&D surveys being completed prior to refurbishment or demolition works taking place.

5.7.4 Asbestos Register

We will hold an asbestos register centrally which will be updated following inspections, works to or removal of asbestos materials and changes to stock profile.

5.7.5 Duty to Manage

Regulation 4 of CAR states that FWH, through our contractors, have a legal duty to manage asbestos in non-domestic areas e.g. communal areas of blocks of flats.

5.7.6 Duty of Care

Our duties extend into individual dwellings under section 3 of HSWA which stipulates that an employer must ensure its work activities does not present a risk to the health and safety of people who are not their employees. This includes customers, contractors, visitors and members of the public. Where FWH leases properties attached to common arrears FWH will obtain a copy of an asbestos survey from the freeholder.

5.7.7 Contractor Requirements

All contractors or sub-contractors working with or removing asbestos materials will be licenced.

5.7.8 Information for Customers

We expect our contractors to give customers information regarding asbestos in the home at the point of sign up, via newsletters and the contractors' website or if we are undertaking works in customer's homes that may or will involve asbestos materials.

5.7.9 Information for Staff and Contractors

We will give staff basic asbestos safety information on induction and will notify them if asbestos is present in their workplace.

Contractors will be given full information regarding the existence or possible existence of asbestos materials prior to works being undertaken. All measured-term contractors will have access to the online asbestos register for the site or area of works and are required to inspect the register before commencing intrusive works and request a survey if required.

5.7.10 Training for Staff

We will give provide asbestos awareness training for staff who may or do come into contact with asbestos materials.

5.7.11 Voids

A Management Survey will be completed for all void properties where one has not already been completed. A demolition and refurbishment survey will also be undertaken if required. This will be completed before reoccupation.

5.7.12 Review

This policy will be reviewed on an annual basis, following an asbestos related incident, FWH being served a notice or prosecuted for failure to manage asbestos in line with legal requirements or due to technological or legislative changes.

6 Water Safety and Legionella

6.1 Introduction and Scope

This policy will set out our responsibilities towards our customers, staff, visitors and contractors in order to reduce the risk of contracting Legionnaires disease from our water systems.

The policy applies to all areas of the business and all property types that we or our contractors manage. We will also consider the risk to vulnerable client groups to reduce the risk of harm to as low as is reasonably practical.

6.2 Aims and Objectives

The aims and objectives of this policy are to demonstrate we expect contractors to adhere to, to manage and control water safety, particularly in respect to legionnaires disease, in order to mitigate the risk to customers, staff, visitors and contractors and to ensure legal compliance and work towards sector best practice.

6.3 External Related Documents

HSE Guide - Legionnaires' disease a brief guide for duty holders. [Click here for publication.](#)

L8 Approved Code of Practice and Guidance (2013 – Fourth Edition). [Click here for publication.](#)

HSG274 Part 2: The control of legionella bacteria in hot and cold water systems. [Click here for publication.](#)

6.4 Legal Framework

Legislation

Main powers and relevance to water safety

Health and Safety at Work etc. Act 1974

- Principal UK legislation which gives powers of enforcement
- Sets out the requirements to meet standards to achieve legal compliance

Control of Substances Hazardous to Health Regulations 2002

- Sets out the legal requirements to manage and monitor hazardous substances including bacteria.
- Can be used to bring prosecutions for failure to manage effectively or if an outbreak of legionnaires disease is attributed to FWH

The Management of Health and Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees

- States the legal requirement for risk assessments

Workplace (Health Safety and Welfare) Regulations, 1992

- Provision of safe and clean drinking water

6.5 Definitions

Legionella bacteria – A naturally occurring bacteria found in water sources

Legionnaires' disease – A disease caused by legionella bacteria. Symptoms are similar to flu and can be fatal in some cases

Duty Holder – The most senior person in the organisation

Responsible Person – A senior person from the organisation with delegated duties to manage water safety

Competent Person – A person with training, knowledge and experience in relation to water safety, including contractors and in-house staff

6.6 Policy Statement

5.6.1 Introduction

This Policy supports FWH's vision and values by ensuring we manage and control the risk of colleagues, customers, visitors and contractors contracting water-borne diseases, including Legionnaires' disease.

5.6.2 Roles and Responsibilities

FWH Board:

Ultimate responsibility for compliance with this policy lies with the FWH Board. The Board will ensure that it receives assurance about adherence to this policy together with relevant reports demonstrating effective water safety management.

All contractors are required to:

Contractors are required to nominate a Competent Person, showing due consideration must be shown that the person has been suitably informed, instructed and trained and their suitability assessed. They should be properly trained to a standard, which ensures that tasks are carried out in a safe, technically competent manner.

Any contractor appointed in relation to water safety will be required to be a member of the Legionella Control Association or Water Management Society. We will scrutinise contractors past work to ensure they have sufficient competencies and knowledge of the social housing sector. We may request a sample survey risk assessment to enable us to judge the quality of their work.

6.6.3 Risk Assessment Surveys

It is a requirement to undertake a risk assessment survey for all properties, regardless of the size or type of property or characteristics of the water system. We will achieve this by

prioritising properties into high, medium and low risk categories.

Low risk properties, principally single household properties with no or little stored or shared planned improvements or works to empty properties.

Medium and high risk properties such as those with shared water storage and vulnerable client groups will be assessed by contractors.

Risk assessment surveys must comply with BS 8580:2010 Water quality risk assessments for Legionella control, code of practice.

We will monitor and manage water systems as determined by risk assessment survey written scheme of works.

Review frequencies will be set by the initial risk assessment survey.

6.6.4 Monitoring

We will monitor and manage water systems in line with legislative requirements and the scheme of works as detailed in risk assessment surveys. This may include water temperature monitoring, flushing little used outlets, cleaning of water storage tanks and water sampling.

6.6.5 Information for Customers

We will publicise to customers the importance of carrying out regular checks through customer communications.

6.6.6 Emergency Procedures

In the event of an outbreak of Legionnaires' disease or a positive sampling result we will invoke our emergency procedures as set out in our water management procedure and written scheme of works.

6.6.7 Record Keeping

All contractors will ensure that the following records are kept and are accessible for the purposes of auditing, review and inspection by third parties:

- Survey risk assessment
- Written scheme of works including the action plan
- Maintenance records
- Results of monitoring, inspection, checks and tests
- Planned programme of inspections

6.6.8 Review

This policy will be reviewed on an annual basis or following an outbreak of Legionnaires' disease, a high bacteria count or FWH being served a notice by the Local Authority or Environment Agency.

7 Fire Safety

7.1 Introduction and Scope

This policy will clearly set out our responsibilities towards our customers, staff, visitors and contractors in order to reduce the risk of injury or fatalities from the effects of fire.

The policy applies to all areas of the business and will take account of the variety of operational areas, property types that we manage and the needs of individual groups of people.

7.2 Aims and Objectives

The key aims and objectives of this policy are to enable FWH to demonstrate how it will manage and monitor fire safety effectively in order to mitigate the effects of fire to our customers, staff, visitors and contractors and to ensure legal compliance and sector best practice.

7.3 External Related Documents

DCLG Fire Safety in Sleeping Accommodation. [Click here for publication.](#)

LGG Guide Fire Safety in Purpose Built Blocks of Flats. [Click here for publication.](#)

DCLG Updated interim safety advice for building owners [Click here for publication](#)

LACORS – Housing Fire Safety. [Click here for publication.](#)

7.4 Legal Framework

Legislation

Main powers and relevance to fire safety

The Regulatory Reform (Fire Safety) Order 2005

- Principal UK fire legislation which gives powers of enforcement
- Sets out the requirements to meet standards to achieve legal compliance

The Housing Act 2004

- Part 1 – Housing Conditions
 - Chapter 1 – Enforcement of Housing Standards

The Housing Health and Safety Rating System

- Introduced under the Housing Act 2004
- Hazard 24 – Fire Enforcement under the Housing Act 2004 for failing to achieve required standards for fire safety

The Management of Health and Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees
- States the legal requirement for risk assessments

Approved Document B (Building Regulations)

- Sets the legal requirements for construction and design of buildings in relation to fire safety
- Non-compliance may result in enforcement action

7.5 Definitions

Fire Risk Assessment (FRA) – An organised and methodical look at premises, the activities carried out there, the occupancy type and the likelihood that a fire could start and cause harm to those in and around the premises

Responsible Person – The responsible person under the RRFSSO is usually the employer in this case FWH

Competent Person – A person with training, knowledge and experience both in relation to fire safety and the social housing sector

Passive fire protection measures – Fire protection from fixed parts of a building e.g. fire protected wall

Active fire protection measures – Fire protection from items such as fire alarms and emergency lighting.

Communal Areas – A shared or enclosed area serving two or more homes.

7.6 Abbreviations

FRA	Fire Risk Assessment
RRFSSO	Regulatory Reform (Fire Safety) Order 2005
FRACS	Fire Risk Assessors Certification Scheme
BAFE	British Approvals for Fire Equipment
LACORS	Local Authorities Co-ordinators or Regulatory Services

7.7 Policy Statement

7.7.1 Introduction

This Policy supports FWH's vision and values by ensuring the housing stock and all other buildings owned, leased or managed by us are maintained in a safe condition. FWH has a statutory duty to ensure fire safety is managed to the highest standards in addition to general duties under Health and Safety at Work legislation.

7.7.2 Roles and Responsibilities

FWH Board:

The FWH Board has overall responsibility for fire safety. They are required to ensure that adequate resources and staff are allocated in order to manage fire risk effectively. The Board will ensure that it receives assurance regarding adherence to this policy together with relevant reports demonstrating effective fire safety management and legal compliance.

All contractors are required to:

- Arrange for the review of fire risk assessments with the appointed competent person
- Ensure a robust fire safety management process is developed and embedded
- Review and monitor performance against set indicators

Employees:

All employees working on behalf of FWH, irrespective of their position, have a responsibility to:

- Attend fire safety training as required
- Co-operate with their employer to enable compliance with this policy and the legal duties it holds
- Report fire safety concerns e.g. faulty equipment or items left in communal areas
- Ensure that any staff they supervise comply with all relevant fire safety guidelines
- Ensure that any contractors share fire safety information and comply with this policy, contractual obligations and all relevant legislation

7.7.3 Servicing and Maintenance

We will service, maintain, test and check all passive and active fire safety measures and equipment in line with legal requirements, British Standards and sector best practice.

7.7.4 Fire Risk Assessments

We will undertake and review fire risk assessments on a prioritised basis for all communal areas, based on a risk assessment carried out by a competent fire risk assessor. Intrusive and dwelling assessments will be undertaken when required.

Under the RRFSo, FWH, through its contractors, must appoint competent fire risk assessors. We will undertake a full review of the competencies of contractors to identify their training, knowledge and experience both in relation to fire risk assessing and the social housing sector. We will refer to the Fire Risk Assessment Competency Council "Competency Criteria for Fire Risk Assessors" and "A Guide to Choosing a Competent Fire Risk Assessor" documents to assist in determining the competency of contractors and individual assessors.

We will reserve the right to only employ the services of fire risk assessor companies or individuals who are registered under either of the two UK third party accredited schemes, FRACS and BAFE SP205. In addition we may require potential assessors to undertake a sample fire risk assessment in order to judge the quality of their work.

7.7.5 Fire Risk Management

We will manage fire safety effectively by ensuring all staff are trained to a relevant standard in relation to their job role, by undertaking physical inspections and by having a robust fire management procedure. Inspections and any resultant actions will be recorded.

7.7.6 Fire Safety Equipment

FWH will appoint competent contractors to maintain up-to-date fire equipment and signage in communal areas.

7.7.7 Fire Safety Actions

We will ensure that all our contractors undertake action within the period appropriate to the level of risk.

8 Mechanical and Lifting Safety

8.1 Introduction and scope

This policy will set out our responsibilities towards our customers, staff, visitors and contractors in regards to mechanical and electrical safety

The policy applies to all areas of the business where we or our contractors have mechanical equipment, electrical installations and where we use or supply portable electrical appliances.

8.2 Aims and Objectives

The aims and objectives of this policy are to demonstrate how we will manage and control mechanical safety, in order to mitigate the risk to customers, staff, visitors and contractors and to ensure legal compliance.

8.3 External Related Documents

HSE Guide – Lifting Operations and Lifting Equipment Regulations 1998. Approved Code of Practice and guidance. [Click here for publication.](#)

HSE Guide - Lifting equipment at work. A brief guide. [Click here for publication.](#)

HSE Guide - Thorough examination of lifting equipment A simple guide for employers. [Click here for publication.](#)

HSE Guide - Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance. [Click here for publication.](#)

HSE Guide - Providing and using work equipment safely. A brief guide. [Click here for publication.](#)

8.4 Legal Framework

Legislation

Main powers and relevance to mechanical and lifting safety

Health and Safety at Work etc. Act 1974

- Principal UK legislation which gives powers of enforcement
- Sets out the requirements to meet standards to achieve legal compliance

Electricity at Work Regulations 1989

- Sets out the legal requirements to manage and maintain electrical installations and equipment

Management of Health and Safety at Work Regulations 1999

- Sets out the legal duties of employers and employees
- States the legal requirement for risk assessments

Provision and Use of Work Equipment Regulations (PUWER)

- Sets out the legal duties of employers in regards to the provision and use of work equipment
- States the legal requirement for risk assessments, inspection and maintenance

Lifting Operations and Lifting Equipment Regulations (LOLER)

- Sets out the legal duties of employers in regards to lifting equipment and lifting tasks
- States the legal requirement for risk assessments, inspection and maintenance

8.5 Definitions

Lifting equipment – Passenger and non-passenger equipment used for the lifting moving and carrying of people and/or goods

EN81 – Safety rules for the construction, maintenance and installation of lifts

ACOPS L113 – Safe use of lifting equipment code of practice

Competent Person – A person with training, knowledge and experience in relation to mechanical or lifting safety

BS7671 – The British Standard relating to requirements for electrical installations, as amended

8.6 Abbreviations

PUWER	Provision and Use of Work Equipment Regulations
LOLER	Lifting Operations and Lifting Equipment Regulations
ACOPS	Approved Code of Practice

8.7 Policy Statement

8.7.1 Introduction

This Policy supports FWH's vision and values by ensuring we manage and maintain mechanical and lifting installations and equipment in a safe manner to reduce the risk of injury or failure to protect colleagues, customers, visitors, members of the public and contractors.

8.7.2 Roles and Responsibilities

FWH Board:

The FWH Board has overall responsibility for health and safety. They are required to ensure that adequate resources and staff are allocated in order to manage and maintain mechanical and lifting equipment, to the required standard. The Board will ensure that it receives assurance regarding adherence to this policy together with relevant reports demonstrating effective control of mechanical and lifting equipment and legal compliance.

All contractors are required to:

- Arrange for lifting and other mechanical equipment to be inspected and maintained by competent persons
- Ensure an operational mechanical procedure is developed and implemented
- Review and monitor performance against set indicators
- Provide or obtain advice regarding mechanical and lift testing, maintenance and inspection requirements

8.7.3 Maintenance and Servicing of Work Equipment

All mechanical and lifting equipment will be serviced and maintained in line with legal requirements, relevant British standards or best practice.

For lifting equipment FWH will ensure its contractors employ the services of a competent inspection contractor and the services of a separate independent maintenance contractor to ensure there is no conflict of interest.

8.7.4 Information for Staff

We will give staff basic mechanical and lifting safety information on induction, if relevant.

8.7.5 Record Keeping

Records of and programmes for mechanical and lifting installation inspections will be maintained.

8.7.6 Review

This policy will be reviewed on an annual basis or following a mechanical or lifting incident or technological or legislative changes.

9 Tree Management

9.1 Introduction and scope

The purpose of this policy is to ensure efficient management of trees located on or around properties owned by FWH and managed by its contractors.

The policy also deals with how we will deal with the need for occasional tree maintenance in individual gardens.

9.2 Aims and Objectives

The key aims and objectives of this policy are to ensure that trees located on properties managed by contractors of FWH:

- Do not present a risk to health and safety;
- Do not cause damage to our or other properties;
- Contribute positively to the quality of the local environment;
- Are protected from unnecessary harm.

9.3 External Related Documents

Homes England Regulatory Framework (Neighbourhood and Community Standard). [Click here for publication.](#)

Well Maintained Highways – Code of Practice. [Click here for publication.](#)

Forestry Commission Practice Guide Hazards from Trees: A General Guide by David Lonsdale (2000) – [click here for publication](#)

9.4 Legal Framework

Legislation

Trees Act 1970

Corporate Manslaughter

Main powers and relevance to Tree Management

Deals with Tree preservation orders

Can be used for prosecutions if an employee is killed and there is evidence that serious management failures resulted in a 'gross breach of relevant duty of care'

9.5 Definitions

Tree management – for the purposes of this policy, FWH defines tree management as the ways in which we will manage and maintain trees on properties managed by contractors of FWH with a view to creating and maintaining safe and attractive neighbourhoods.

9.6 Policy Statement

9.6.1 Introduction

FWH will ensure all its contractors have a risk-based, proactive tree inspection and maintenance programme in place. The aim is to identify issues and deal with them before they escalate into complex problems that require greater attention and expense.

Tree maintenance involves effective management of the risks that trees may pose to properties, residents or the general public. It also involves ensuring estate trees are in good health and continue to thrive. Examples of tree maintenance techniques FWH uses include regular inspections, pruning and where necessary tree removal.

FWH aims to only remove trees that are diseased, dead, causing structural damage to property and any communal tree that poses a risk to health and safety. Trees will only be removed or pruned for reasons stated in 9.6.2 and 9.6.3 and will not be removed or pruned for other reasons, e.g.:

- To reduce leaf fall or sap production
- To reduce activities of birds, animals or insects
- To change natural light levels
- To improve TV or mobile phone signal reception

9.6.2 Tree maintenance – communal

We will ensure our contractors:

- Carry out regular inspections to identify problems early and take preventative action;
- Keep trees unless there are good arboricultural, environmental, or risk-related reasons not to do so, including preventing structural property damage;
- Proactively manage our trees based on a two-year maintenance cycle depending on age, distance from property, species, health and other arboriculture factors;

9.6.3 Tree maintenance – individual gardens

Trees in an individual customer's, private garden are the responsibility of the customer to maintain. However, we recognise that there are occasions where we will need to intervene. These circumstances are as follows:

- Where there are vulnerability issues that mean the customer is unable to carry out the work themselves;
- Where there is a health and safety risk;
- Where not taking action may lead to structural property damage (FWH's or someone else's);
- Where not taking action may lead to reputational damage or an insurance claim. In all the above, we will consider carrying out the work and recharging the customer.

9.6.4 Subsidence

Subsidence is an identified problem across London, due to the “London Clay” soil in which building foundations rest. This type of soil is prone to move when it dries and when it rains. Buildings across the capital can therefore suffer subsidence even with no trees.

Trees take water out of the soil and in some circumstances this can cause the soil to shrink further, causing more soil movement. This can add to subsidence risk.

If FWH’s contractors do not recognise these risks in their maintenance works, this may leave us open to increased claims, charges of negligence and subsequent costs.

When required, FWH, through its contractors, must ensure that the necessary steps are taken to address any subsidence issues. By being proactive, we will be eliminating the risk of claims due to negligence and also minimise cost.

We will:

- Determine the type and frequency of maintenance work based on the potential for subsidence;
- Identify estate trees for removal and/or replacement, where this is thought to be in the best interests of FWH or the Council. Appropriate replacement trees will be planted where necessary.

9.6.5 Environmental Sustainability

To ensure our tree planting recognises the needs and capacities of the environment, our management of estate trees must take into account environmental impact.

When managing and planting estate trees, FWH and its contractors have to consider amongst other things the space available both above and below ground, the nature of existing or proposed buildings, future management of different tree types and the current presumption of an increasingly warmer climate.

We will:

- Consider planting trees which are in keeping with the landscape character, and good arboricultural practice;
- Continue to encourage our arboricultural contractor to re-use, recycle and compost tree clippings waste, old trunks and felled trees; FWH will work with local councils and developers to ensure they are replaced, as appropriate;
- Have regard to Brent Council’s Air Quality Action Plan, ensuring that tree species positively affect air quality when choosing tree species and planting regimes.

9.6.6 Resident Engagement

We will ensure that all council tenants and leaseholders have a reasonable opportunity to have a say in how we manage our tree stock.

We will ensure our contractors:

- Inform tenants and leaseholders before trees are removed, including the reason for the removal, especially where trees may appear to be otherwise healthy;
- Publish our arboriculture maintenance programmes on their websites each year.

9.6.7 Tree Management System

We will ensure that our arboricultural maintenance follows good management practice, and meets Brent Council's certification to the 'ISO14001' environmental management system.

We will:

- Maintain records and will store and maintain an inventory of our estate tree stock, to enable accurate analysis of the tree population for future planning purposes.

10 Policy Review

This policy will be reviewed annually by the FWH Board with interim reviews where a legislative change or other initiatives arise.