



Leicestershire Police

Health and Safety Procedure

This procedure supports the following policy:
Health and Safety Policy

Procedure Owner:	Head of Safety, Sustainability and Risk
Department Responsible:	Specialist Support Directorate
Chief Officer Approval:	Deputy Chief Constable
Protective Marking:	Not Officially Marked
Date of Next Review:	February 2025

This procedure has been reviewed against APP.

Moved to APP:	<input type="text" value="Choose an item."/>
Rationale:	<input type="text" value="Choose an item."/>

This document has been produced in conjunction with the Leicestershire Police Legislative Compliance Pack

Review log

Date	Minor / Major / No change	Section	Author
Dec 2017	Minor		Peter Coogan
July 2018	Minor	General updates following release of NPCC h&s guidance to chief officers	Peter Coogan
August 2018	Minor	General explanatory notes	Adam Streets / Peter Coogan
January 2020	Minor	Chief Officer Director of health and safety changed	Peter Coogan
February 2021	Minor	Most sections	Peter Coogan
February 2023	Minor	Director of health and safety and managers' duties	Peter Coogan
June 2023	Minor	Health and safety unit. Chief Officer approving the procedure has changed.	Peter Coogan

1. Introduction

Leicestershire Police has a health and safety policy which details a number of aims we want to achieve to ensure our police officers, police staff, special constables and volunteers, as well as the public are protected from risk.

This health and safety procedure identifies the duties that our managers and staff have in order to achieve the aims set out in the health and safety policy. It also identifies how the health and safety unit will help managers to carry out their legal duties.

2. Legal Responsibilities of the Chief Constable and Police and Crime Commissioner

The Office of Police and Crime Commissioner (OPCC) and the Office of Chief Constable share strategic responsibility for managing health and safety as employers.

The Office of Police and Crime Commissioner is responsible for health and safety management for OPCC staff, volunteers and visitors to the OPCC. The OPCC delegates day to day management responsibility to the Chief Executive (Head of paid staff).

The Office of Chief Constable is responsible for Leicestershire Police staff, police officers, volunteers and visitors. The Office of Chief Constable delegates day to day responsibility to the Deputy Chief Constable. The Chief Constable delegates day to day management responsibility for the estate to the Assistant Chief Officer (Finance and Resources).

The Office of Police and Crime Commissioner must ensure that clear agreements and procedures are in place detailing how health and safety will be managed for organisations which work in partnership with the OPCC.

3. Responsibilities

3.1 Duties of the Office of Police and Crime Commissioner

The Chief Executive of the Office of Police and Crime Commissioner will ensure that:-

- The Police and Crime Commissioner is fully engaged with the Chief Constable in setting the strategic direction for health and safety,
- fixed assets such as land and buildings that they hold are maintained to a safe and appropriate standard,
- the health and Safety policy, related procedures, strategic action plans and any action plans that are identified through the Executive Health and Safety Committee and workplace inspections are actively implemented, monitored and reviewed,
- health and safety planning and budgetary requirements are prioritised and addressed in an appropriate manner,

- the Chief Constable has sufficient resources made available to effectively manage the health and safety requirements of Leicestershire Police,
- health and safety risks to OPCC staff are managed and legal duties under the health and safety at work act are discharged,
- A representative of the OPCC attends meetings of the Executive Health and Safety Committee,
- OPCC staff (collectively or individually) have sufficient knowledge of health and safety requirements to discharge their duties effectively.

3.2 Duties of the Deputy Chief Constable/Director of Health and Safety

The Deputy Chief Constable, as Director of Health and Safety, is responsible for making sure that our managers and staff comply with their duties as set out in this and other health and safety procedures. They will hold managers and staff to account if they fail to do this.

In order to achieve these objectives, the Director of health and safety will:-

- Engage with the Chief Officer Team (COT) to ensure that Health and Safety is embedded across the organisation,
- Integrate health and safety management within the general management system within the force,
- Respond to any areas of improvement to our health and safety management system which have been identified by inspections, audits or new and emerging best practice, taking appropriate action to resolve these,
- Ensure the safety, sustainability and risk unit is appropriately resourced,
- Support a positive health and safety culture,
- Ensure policies, procedures and standard operating procedures contain appropriate consideration of health and safety issues, and
- Ensure sufficient and effective consultation with safety representatives and safety committees takes place.

3.3 Duties of the Chief Officer Team

Individual Chief Officers are responsible for promoting a positive health and safety culture across their respective portfolio areas. They must hold the managers that report to them accountable for complying with the health and safety procedure and other health and safety procedures.

They are responsible for compliance with related policy and for ensuring their leadership teams utilise effective procedures for identifying and mitigating risk. They are required to have robust processes for responding to incidents and accidents and should demonstrate how they are supporting the health of their workforce.

3.5 Functions of the Safety, Sustainability and Risk Unit

The safety, sustainability and risk unit is a facilitative team which supports managers to discharge their legal duties. While the unit can assist managers to manage health and

safety risks the unit cannot and does not take on the legal responsibilities of the force nor its managers. The organisation retains the duties within health and safety legislation as do its managers.

The unit has the following functions.

Policies and procedures

The unit will develop Force policy and procedure under the leadership of the Deputy Chief Constable and related governance boards,

Risk assessment

The unit will undertake certain technical risk assessments. The majority of force risk assessments must be undertaken by managers and staff as they have the knowledge of their roles and the legal responsibility to carry out these assessments. This ensures that the risk assessments are more likely to be suitable and sufficient.

The unit will support the generation and review of risk assessments by offering advice and quality checking. Quality checking does not constitute 'signing off' or 'agreeing' risk assessments, this is something the unit cannot and will not do. The quality assurance process will check to see whether the risk assessments meet good practice standards in relation to how they are set out and provide support to risk assessors while they are undertaking or reviewing assessments.

Building safety

The unit will support building commanders to discharge their duties by offering advice and training as well as fire risk assessments and assistance with evacuation plans. Building commanders retain their duties to ensure that their buildings are safe. The unit will also undertake building surveys in support of building commanders to identify where further action needs to be taken.

Accident, assault and near miss investigation

The unit will:-

- provide advice and quality assure accident and incident investigations, especially those which are of a higher level of significance for the force,
- share depersonalised accident and near miss information with other organisations if this is necessary for us, or the other organisation to discharge their health and safety duties,
- share accident and near miss information with the appropriate union or staff association, including personal details where the individual has provided their consent on the
- inform the unions and staff associations when an individual withdraws consent for their details to be shared, having previously given consent,
- inform the Health and Safety Executive of reportable accidents and dangerous occurrences that have taken place subject to the Reporting of Injuries, Diseases and Dangerous Occurrences regulations.

Training

The unit will provide training to managers and staff to support them to discharge their duties.

Performance monitoring

The unit will create and monitor the force health and safety plan, reporting progress to the Executive Health and Safety Committee. The unit will also provide performance information to departmental and directorate health and safety committees to allow them to identify where managers need to take further action.

The unit will audit whether the relevant policies and procedures are being implemented within the force and undertake walkthrough inspections to identify hazards and monitor workplace conditions. The unit will proactively monitor the health and safety management system to identify gaps in compliance.

3.6 Duties of Heads of Directorates, Departments and Regional units

The actions needed to discharge the legal responsibility for compliance with Health and Safety legislation are delegated directly to heads of directorates, departments and regional units. They are responsible for:-

- embedding safe working practices, as detailed within risk assessments, health and safety procedures or within other communications,
- ensuring that their managers are competent through attending the Duties and Responsibilities course at least every 5 years,
- ensuring that risk assessments are in place for the activities carried out by police officers, police staff, special constables and volunteers in accordance with the risk assessment procedure,
- taking action to resolve problems and non-compliances found during audits and monitoring through tasking the appropriate managers, and
- promoting the health of their officers and staff in consultation with the unions and staff associations.

Their duties in relation to staff consultation and health and safety committees are set out in the consultation procedure.

Regional units are required to have support managers in place to co-ordinate health and safety within their unit.

3.7 Duties of Building Commanders

The risks associated with buildings such as fire, first aid, security, the use of vehicles and management of visitors must be robustly managed in police forces, particularly as so many buildings are used by different directorates and departments as well as members of different forces. To make sure these issues are robustly managed health and safety committees must appoint building commanders.

Building commanders must ensure that:-

- workplace inspections are undertaken on an annual basis,
- risk assessments are in place for site related activities and risks associated with the premises are controlled,
- they undertake the duties assigned to them other procedures such as the Provision of First Aid within Buildings and the Management of Fire Safety procedures,
- the tasks assigned to them by the health and safety committee are completed.

3.8 Duties of Managers

Our attempts to manage health and safety and protect our staff and others will always fail without the active participation of managers. Managers have the primary responsibility for managing risks to the health and safety of their staff and HSE enforcement action will concentrate on those responsible for risks and those in the best place to control them. HSE enforcement guidance includes specific sections on the prosecution of individuals who are unable to demonstrate how they have protected staff and others

The HSE's enforcement approach will consider the role that individuals played in the commission of an offence, especially those responsible for the risk and those in the best place to control. As managers fall into these categories, then enforcement action may be considered against them especially if they have not discharged their duties within this and other health and safety procedures.

Managers must consult the relevant trade union or staff association if they are planning to do something that will significantly change the health and safety risks that their staff face or the way in which these are managed. Health and safety committees are in place to facilitate this as detailed in the consultation procedure.

3.9 Managers' risk assessment duties

A risk assessment, in itself, is of little use unless it reflects the activities it relates to and it drives action. Managers are key, therefore, in identifying the correct control measures to protect their staff and others and to ensure that these controls are implemented and monitored.

Managers have legal responsibility for managing the risks to their staff, therefore, they must ensure:-

- there is an up-to-date risk assessment in place for the tasks undertaken by their staff members,
- risk assessments that have been created or reviewed are discussed at their departmental or directorate health and safety committee - the manager is responsible for adding these to the agenda and presenting these,
- action is being taken to resolve any additional control measures identified on the form,
- they have discussed the risk assessment with their staff,
- they actively monitor whether their staff are complying with the risk assessment,
- their staff understand and follow the emergency procedures for the building, and

- a personal risk assessment is in place for staff returning to work following absence, those who have a physical or mental health condition or new and expectant mothers, this should be reviewed regularly with the individual involved.

3.10 Managers' accident reporting and investigation duties

Managers must make sure their staff report any injuries or near misses to the health and safety unit using the accident reporting and investigation form.

Managers must undertake an accident investigation and provide the information required by the accident reporting and investigation form. The health and safety unit will provide support as necessary especially for accident investigations of a higher significance in terms of potential learning.

Managers are responsible for taking action identified within the accident investigation where applicable as well as ensuring risk assessments are reviewed.

This process will be overseen by the Assaults Working Group in relation to reports of violence.

3.11 Managers' training and communication duties

Managers must attend the duties and responsibilities course at least every five years. They must ensure their staff have attended the appropriate training for their role and understand how to work safely in relation to their workplace, their tasks and the equipment that they are required to use. This training needs to take place when staff change role, location or the equipment they use.

3.12 Individual responsibilities

All employees and volunteers of Leicestershire Police must take reasonable care of themselves and others and co-operate with the force by complying with the health and safety procedures in place.

3.12.1 Individuals' responsibilities for accident reporting and investigation

Accident and near miss reporting is crucial as it helps the force to better manage risks to its staff, volunteers and the people that it comes into contact with, thus preventing these and similar accidents from happening again. Decisions regarding managing risks to the health and safety of other staff and others are often based on the previous accident and near miss history.

Individuals who have suffered an accident or near miss (which is an unplanned and uncontrolled event that might have resulted in injury of property damage but, purely by chance, did not), or are involved in a dangerous occurrence must complete the accident reporting and investigation form on the health and safety website.

Individuals may give consent for the details reported on this form to be shared with the relevant staff association or trade union. If they give consent these details will be shared so that these bodies can provide assistance to the individual as necessary and/or undertake their own accident or near miss investigation.

Police officers, police staff and special constables, contract or agency staff, volunteers and all individuals acting under the consent and delegation of Leicestershire Police and/or the Office of the Police and Crime Commissioner have a legal duty to take reasonable care of themselves and others who may be affected by their acts or omissions. All individuals also have a duty to comply with the Leicestershire Police health and safety management arrangements. The duty to others extends in particular to:-

- Members of the public who are visiting police premises,
- Persons in police custody from the point of arrest,
- Contractors, sub-contractors and their employees or others with a legitimate right to be working on police premises,
- Members of the public, who as a result of police activity, may be affected by an incident or actions.

4. Scope

This health and safety procedure will be relevant for the risks created and faced by all police officers, police staff, volunteers and special constables.

5. Monitoring

Ongoing monitoring and performance reporting in respect of Health and Safety will be completed by the safety, sustainability and risk unit in support of the Executive and other health and safety committees.