

Lift Safety Policy

Date written: September 2020

Date reviewed: September 2023

Purpose: To describe how Bernicia will meet the required statutory, contractual, and regulatory requirements in relation to lift safety. It will also cover how the Board, as Duty Holder, will receive assurance.

Scope: The scope of this policy includes passenger lifts, lifting equipment, stair lifts, vertical (through floor) lifts, ceiling track hoists, mobile hoists, bath lifts and slings.

Definitions: Lifting equipment is any work equipment for lifting and lowering loads and includes any accessories used in doing so. Lifting accessories are pieces of equipment that are used to attach the load to lifting equipment, providing a link between the two.

Date for review: September 2024

Responsibility: Head of Compliance

Policy

1. Introduction

- 1.1 At the time of policy approval Bernicia owns and manages in the region of 14,000 tenanted properties. Passenger lifts within non-domestic properties and other lifts and lifting equipment within flat blocks and in individual dwellings need to be inspected and kept safe for use and be regularly maintained.

This policy explains how Bernicia's commitment to lift safety will be met. It is supported by the Compliance Strategy and a Lift Safety Management Plan which provides detailed guidance and procedures.

2. Policy statements

- 2.1 The key objective of this policy is to describe how Bernicia will meet the required statutory, contractual, and regulatory requirements in relation to lift safety. It will also cover how the Board, as Duty Holder, will receive assurance.

The scope of this policy includes passenger lifts, lifting equipment, stair lifts, vertical (through floor) lifts, ceiling track hoists, mobile hoists, bath lifts and slings.

Bernicia will comply with all current and relevant legislation and specifically as detailed in the following:

- LOLER (Lifting Operation and Lifting Equipment Regulations) 1998.
- PUWER (Provision and Use of Work Equipment Regulations) 1998.

PUWER and LOLER apply in workplaces and in non-workplace communal parts that may be used by workers. They may also apply in properties that contain equipment used by people in a work capacity. Bernicia will assess each situation within individual dwellings and decide if it has become a workplace if support services are being provided.

Bernicia also acknowledges its obligations under the Health and Safety at Work etc. Act 1974 and Landlord Tenant Act 1985.

In addition, as a Landlord and provider of Social Housing Bernicia must meet the requirements of the Regulator for Social Housing's (RSH) Homes Standard.

It is essential to ensure customers, contractors, colleagues, and visitors remain safe in our premises (both individual homes and offices). Failure to properly discharge our legal responsibilities may result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- RSH's serious detriment judgement.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

2.2 In order to comply with regulatory standards and legal obligations, and to ensure the safety of their customers, colleagues, contractors and visitors to their properties, Bernicia will:

Process

- Provide clear lines of responsibility for the management of lift safety supported by written guidance in the Lift Safety Management Plan.
- Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to properties to undertake lift safety checks, which shall include legal action when required.
- Proactively assess available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.).

Delivery

- Ensure a Thorough Examination is undertaken, where applicable, to all lifts and all its associated equipment by a competent person.
- Thorough Examinations will be undertaken throughout the lifetime of the equipment as follows;
 - Before use for the first time.
 - After assembly and before use at each location.
 - Regularly, while in service.
 - Following exceptional circumstances (damage or failure/major changes etc.).
- Ensure the Thorough Examination report contains information compliant with LOLER Schedule1 in accordance with The Lifting Operations and Lifting Equipment Regulations 1998.

- Undertake supplementary testing in accordance with the Safety Assessment Federation (SAFed) guidance if requested by the competent person.
- Undertake six-monthly Thorough Examination to all passenger lifts, lifting equipment, through the floor lifts, ceiling track hoists, mobile hoists, bath lifts and slings to ensure all equipment is maintained for the continued safety of colleagues, customers, contractors, and visitors and that it remains in a state of good repair.
- Undertake an annual Thorough Examination to all domestic Stair Lifts and a six-monthly Thorough Examination to communal stair lifts to ensure all equipment is maintained for the continued safety of colleagues, customers, contractors, and visitors and that it remains in good repair.
- The frequency and nature of servicing will be based on a risk assessment which considers the following;
 - The manufacturer's recommendations.
 - The intensity of use.
 - The operating environment (e.g. the effect of temperature, corrosion, weathering) user knowledge and experience.
 - The risk to health and safety from reasonably foreseeable failure or malfunction.
- New passenger lifts will be installed to BS EN 81-20 and 81-50 and the Equality Act 2010.

Contractors Competency

Bernicia has a responsibility to ensure that contractors are competent, and the following controls will operate to ensure competence can be demonstrated:

- For all Thorough Examinations and supplementary testing, use companies that are UKAS accredited to ISO/IEC17020 standard.
- Ensure that all lifting equipment works will be undertaken by trained and competent contractors with appropriate practical and theoretical knowledge and experience of the lifting equipment and have an element of independence and impartiality.
- Use Lift and Escalator Industry Association (LEIA) affiliated contractors for all repairs, servicing, and new installations.
- Carry out an assessment of all contractor competencies annually or at change of contract/contractor, as detailed within the Lift Safety Management Plan.

Internal Competency

- Maintain a skills/training matrix to ensure that all colleagues undertaking key roles within the scope of this policy have appropriate training.
- Will operate a detailed competence framework including regular appraisals as part of the Lift Safety Management Plan.

Data

- Maintain an up to date Master Database (Keystone) of all properties where they have a responsibility to provide lift safety checks and maintenance.
- For each relevant property record maintain up to date data confirming which lifting systems and appliances within the scope of this policy exist and do not exist and the organisation's associated responsibility.
- Where a requirement exists hold data and certification as defined within the legislation, which is generally for the lifetime of the system /equipment.
- Where a requirement does not exist hold appropriate evidence.

Assurance

- Ensure that all persons involved with lift safety are properly trained and accredited.
- Carry out works-based assurance activity including checks on certification and post-inspection of onsite works to the level stated within the Management Plan.
- Set a timetable for the review of the Lift Safety Policy and the associated Management Plan.

Communication

- Encourage customers, through the provision of publicity information, to allow access to carry lift safety checks and inspections and remedial works.

3. Responsibility for implementation

- 3.1 The policy was implemented on November 2020 following Executive Teams approval and will be reviewed annually.

Colleagues will be made aware of the policy via an agreed training programme. A copy of the policy will be available on the staff intranet and will also be uploaded to the Bernicia website.

4. Actioning the policy

- 4.1 The Head of Compliance will be responsible for the actioning of this policy.

5. Monitoring the policy

- 5.1 A detailed performance management suite is defined within the Lift Safety Management Plan.

Commentary will be provided for any installations out of date to include the date they became overdue, days overdue, and their position within the access legal process to bring them back into a compliant position. Commentary will also be provided if any installations have outstanding overdue actions or are out of use. To provide additional context commentary will also include information on the proportion of activities within the reporting period that were undertaken before and after their due date.

The following assurance activity will be undertaken and reported in line with the Lift Safety Management Plan:

- Internal audit.
- Non-negotiable Compliance Testing.
- Strategic review.
- 3rd Party Assurance.

6. Resources

- 6.1 Within existing resources and external partners

7. Equality and Diversity

- 7.1 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics

The Policy Planning Document (PPD) was undertaken in September 2023. (See the PPD document for further details)

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