

# Lifts and Lifting Equipment Safety Policy

<b>Summary</b>	This policy sets out how we ensure that our lifting equipment is kept and maintained to a safe standard for use. Lifting equipment includes passenger (communal) lifts, hoists, stair lifts, and through floor lifts.
<b>Who to Contact</b>	Head of Customer Safety
<b>Effective from</b>	17 June 2020
<b>Planned review date</b>	Annually (or more frequently if legislation changes)
<b>Version Number</b>	1.0

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## 1. Summary

- 1.1 Southern Housing Group (the Group) owns and manages properties which contain lifts and lifting equipment installations. These include passenger (communal) lifts, hoists, stair lifts and through floor lifts. The Group has a duty of care to ensure all lifting equipment is kept and maintained to a safe standard for use by our residents and employees, the general public and lift maintenance personnel.
- 1.2 The aim of this policy is to support the Group to ensure so far as reasonably practicable that residents, employees and visitors to our properties are not exposed to any risks to their health, safety or wellbeing in accordance with legislative requirements.
- 1.3 This policy applies to all residential and commercial buildings owned and managed by the Group.
- 1.4 When we use the terms 'we', 'our' and 'us' we mean the Group.

## 2. Background

- 2.1 The Group has an obligation under the Health and Safety at Work etc Act, 1974, to ensure all lifts and lifting equipment is maintained to a safe standard to protect our employees and anyone visiting or using our properties from risks to their health and safety. The Group will comply with this responsibility by undertaking maintenance repairs, inspections, and thorough examinations in line with legislation.
- 2.2 Lifts or lifting equipment in our properties which have been provided for use at work (as defined by the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)), must be thoroughly examined by a competent person to ensure that they are safe for use in line with regulation 9 of LOLER. This includes thorough examination:
  - when the equipment is first installed, on initial use;
  - periodically, at reasonable intervals, through the life of the equipment in line with the regulations governing each type of equipment; and
  - each time exceptional circumstances liable to jeopardise the safety of the lifting equipment have occurred.
- 2.3 LOLER only apply to lifting equipment provided by the Group for use by an employee.

## 3. Policy Statement

- 3.1 We are committed to meeting our obligations as a responsible person under all current and relevant legislation including LOLER, the Provision and Use of Work Equipment Regulations 1998 and our responsibilities under the Health and Safety at Work Act 1974. A full list of legal requirements and associated guidance is detailed in Appendix 1.
- 3.2 We will discharge our health and safety duties by:
  - the provision of suitable, sufficient and risk appropriate precautions;
  - ongoing and continuous risk assessment activities; and
  - monitoring and challenging our own performance.

## 4. Our commitments

### 4.1 We will:

- comply with all relevant legislation including the Health and Safety at Work Act 1974 and the Housing Act 2004;
- maintain and service our lifts and lifting equipment;
- commission a 'competent person' (insurance inspector) to undertake LOLER inspections and/or insurance inspections as required;
- carry out remedial works and supplementary testing as required by the 'competent person';
- where others manage and operate our properties, we will check their level of compliance and ensure they are complying with all relevant legislation;
- maintain accurate asset information;
- use skilled, experienced and well-trained staff;
- seek independent assurance and challenge on our performance;
- report to Board on our performance about lift management.

4.2 Further details on how we will do this is provided in the Lift Safety Management Plan.

4.3 We know how essential a lift is to everyday life. When a communal lift is out of service, we will endeavour to dispatch our lift contractor within 24 hours.

### 4.4 Lifts and Lifting equipment in the home

4.4.1 We will independently inspect disability lifts and lifting equipment in our homes (through-floor lifts, stair lifts, bath hoists and lifting equipment). in accordance with the examination schedule below.

4.4.2 Residents must allow us, or our contractors, into their homes to carry our inspections of equipment. If we need to access to a resident's home, we will make all reasonable attempts to contact them. If they do not allow us access, the resident may be in breach of their tenancy, and we may take legal action.

### 4.5 Examination Schedule

Activity	Role	Frequency	Responsible party
<b>Inspection</b> of all lifting equipment (including testing if required)	Visual and functional checks including non-lifting parts (e.g. checks that alarm equipment is operating correctly)	Passenger = monthly In the home lifts = either 1,2 or monthly visits dependent on type	Carried out by SHG appointed contractors
<b>Thorough Examination</b> of all lifting equipment	A detailed and systematic examination of the lifting equipment to detect any defects	Both passenger and in-home lifts=every 6 months	Carried out by independent contractors of the servicing and maintenance of the

	that are or might become dangerous		lifts; appointed by SHG
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## 5. Reporting of defects

- 5.1 If the competent person discovers a defect that involves a present or imminent risk of personal injury, then this must be reported immediately to the maintenance and servicing – mechanical team. The Group will take action to rectify any defect it is informed about and where it is a serious or significant defect, the lifting equipment will be taken out of service until the defect has been rectified

## 6. Roles and Responsibilities

- 6.1 The Chief Executive retains the overall responsibility for the implementation of this policy.
- 6.2 The Executive Director Customer Services is responsible for ensuring that adequate resources are made available to enable the objectives of the policy to be met.
- 6.3 The Building Safety Director is responsible for the operational delivery of the policy and ensuring this policy is reviewed and kept up to date.
- 6.4 The Head of Customer Safety is responsible for ensuring that any associated procedures are up to date and that the policy and associated procedures are implemented, as well as responsibility for monitoring and review, staff awareness and training and policy development.
- 6.5 The Customer Safety Team organises, manages and monitors the maintenance and servicing contracts which includes the servicing programme.
- 6.6 There are numerous operational roles with responsibility for property and tenancy management, whose titles vary. These teams support resident liaison and manage the response or completion as appropriate of lift servicing, inspection and repair relevant to the management of our properties or tenancies. This includes managing issues relating to access, ASB and repair resolution.

## 7. Measuring compliance

- 7.1 The Head of Customer Safety will regularly report to the Executive Management Team and Customer Safety Committee on the progress and performance of the programme, in accordance with approved Key Performance Indicators (KPIs) which shall include:
- The LOLER inspection Program
  - The Service and Maintenance Program
  - Lift remediation outstanding actions against an action plan for completion
  - Lift remediation actions that are overdue against an action plan for completion.

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<b>Approval date</b>	11 February 2020
<b>Approved by</b>	Customer Safety Committee
<b>Policy Owner</b>	Property Maintenance and Investment Director

## Appendix 1 - Legislation, regulation and guidance

Relevant law	Regulatory Guidance	Requirement
Machinery Directive/Supply of Machinery (Safety) Regulations 2008	Further guidance from the HSE on the Regulations can be found <a href="#">here</a>	New lifts (post 2005) should have CE marking, a declaration of conformity from the manufacturer, and a user guide in English.  The Group should hold details of the declaration as an attachment to our asset data
Lifting Operations and Lifting Equipment Regulations 1998	The LOLER Approved Code of Practice (ACOP) can be found <a href="#">here</a> , and only applies to workplace lifts.  In Summary: All equipment must be safe and suitable for purpose. All equipment must be maintained in a safe condition. Regulation 9 of LOLER outlines specific requirements for the formal inspection of lifting equipment at mandatory intervals. These inspections are to be performed by a competent person and the findings of the inspection recorded. The person carrying out the Thorough Examination must be independent, impartial and competent	Required to carry out thorough examination and inspection on lifts in workplaces through a competent person (Reg 9)  We are legally required to ensure that reports of thorough Examinations are kept available for at least two years the management plan outlines the planned lift service and inspection frequency, which is contained in Schedule 1 of LOLER
Provision of use and Work Equipment Regulations 1998 (PUWER)	Only applies to equipment used by a worker while at work. This Policy is only concerned with lifting equipment such as elevating work platforms.  Passenger lifts in the workplace are covered by LOLER	Equipment suitable for the purpose and conditions in which it is to be used Maintained in a safe condition Inspected by a competent person and records kept until next inspection. Take appropriate measures to reduce risks, such as carry out risk assessments, provide training and instruction to users.
Section 3 of the Health and safety at Work etc Act 1974	"It shall be the duty of every employer to 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"	Covers lifts in domestic and communal areas, including stair lifts and through lifts, as well as passenger lifts. This duty to non-workers (i.e. Residents) may be adequately discharged by undertaking maintenance, inspection, and thorough examinations.

Relevant law	Regulatory Guidance	Requirement
The Management of Health and Safety at Work Regulations 1999	A duty to assess and manage risks to their employees and others arising from work activities.	To carry out risk assessments and always apply and adhere to the General Principles of Prevention
Regulator of Social Housing's - Home Standard	Requires registered providers to comply with its Regulatory Standard. Lift safety is covered by the Home Standard that requires meeting all regulatory requirements for health and safety of occupants	By undertaking safety inspections of lift equipment, the Group could be seen to be adequately meeting this Health & Safety requirement
Case law – UTJ Turnbull approved the conclusion in CIS/1459/1995 at (17)	That 'the question of connection with the provision of adequate accommodation under paragraph 1(g) should not be confined to the character of the accommodation but should take account of the personal needs of the residents'	In this case the lift is deemed as part of the resident's adequate accommodation and therefore inspection, lift servicing and maintenance is required.
Lift Regulations 1997 and 2016  ISO 9386:2000 and BS 81-40-2008	UK installers, manufacturers and importers of lifts and safety components for lifts must comply with the Lifts Regulations, as amended by the UK Supply of Machinery (Safety) Regulations 2008.  An installer must ensure that it has been designed, manufactured, installed and tested in accordance with the essential health and safety requirements and that they have had have a relevant conformity assessment procedure carried out and technical documentation drawn up.	The Group's Property Team should ensure stair lifts meet these standards when permission is granted. Insurance inspections should also pick up on these standards