

GWENT POLICE

HEALTH AND SAFETY POLICY



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1.0 Policy Identification Page

Policy Title: Health and Safety

Reference: 517/5a issue 2

Historical Reference: Health and Safety April 1999 issue 1 policy and procedure, previously Health and Safety Policy Statement Standing Order 517 dated 4/93

Underlying Documents: Health and Safety at Work Act 1974
Gwent Police Health and Safety Strategy

Protective marking: Not protectively marked

Policy Ownership: Head of Human Resources

Portfolio/Business Area Owner: ACPO Support

Policy Written By: Health and Safety Advisor

Department Responsible: Human Resources

Policy Lead: Health and Safety Advisor

Links to other Policies: Control of Infections, Control of Contractors, Fire Safety, Personal Safety

Policy Implementation Date: 23 February 2005, STCG

Policy Review Date: Three years from date of implementation

2.0 Policy Statement & Intentions

2.1 Principle & Scope of Policy:

The principle of this policy is to ensure that within the organisations activities that health safety and welfare at work are maintained.

Gwent Police seek to ensure so far as is reasonably practicable the provision and maintenance of: -

- Safe and healthy working conditions, equipment and systems of work for all Gwent Police Personnel;
- Such resources, information, training and supervision as is needed for this purpose.

Gwent Police also accepts its responsibility for the health and safety of other people who may be affected by its activities.

The Chief Constable and the Police Authority expect all members of the service, police officers, support staff and members of the special constabulary, and all contractors working on behalf of the service, to play their parts in the achievement of this policy.

The allocation of responsibilities for health and safety matters and the particular arrangements made to implement this policy are set out in the Health and Safety procedure. The persons allocated to fulfil these responsibilities will ensure that the decision making process is recorded and documented through the risk assessment process using approved force forms. Advice on these matters if needed should be sought from the Health and Safety Advisor.

The procedure to this policy outlines the process to be adopted and is available from the Health and Safety Advisor or from Divisional Administration and Finance Managers.

CHIEF CONSTABLE

This Policy Statement has been adopted by Gwent Police

The policy will make provision for procedures that support the following:-

Part 1 Organisation

Part 2 Health and Safety Arrangements

2.2 Aims of Policy

- To ensure Gwent Police meets its legally obligations, so far as is reasonably practicable, to ensure health, safety and welfare at work and to comply fully with the requirements of the Health and Safety at Work Act 1974 and all other relevant statutory provisions and recognised codes of practice.
- To provide appropriate measures to cater for public safety and the protection of health safety and welfare at work.
- To ensure that all managers, supervisors and staff are aware and use ill health, accident and incident information in a proactive manner to target areas of concern.

3.0 Introduction

3.1 Origins/Background Information

This Policy has been drafted in order to ensure compliance with current legislation. The Health and Safety Executive operates and enforces legislation designed to ensure that risks to people's health and safety from work activities are properly controlled.

3.2 Motivators/Driving Forces

To ensure health, safety and welfare at work for all persons working for and having contact with Gwent Police.

3.3 The Legal Basis and Legitimate Aims

- Police Act 1996
- The Health and Safety at Work etc. Act 1974.
- The Management of Health and Safety at Work Regulations 1999.
- The Display Screen Equipment Regulations 1992 (amended 2002).
- Provision and Use of Work Equipment Regulations 1998.
- Manual Handling Operations Regulations 1992.
- Personal Protective Equipment Regulations 1992.
- Workplaces (Health and Safety and Welfare) Regulations 1992.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- Control of Substances Hazardous to Health Regulations 1999.

3.4 The Appendices

None

3.5 Definitions

None

4.0 Implications of the Policy

4.1 Financial Implications/Best Value

There should be no additional financial implications over and above those currently budgeted for within the Health and Safety budget. This is however a recurring cost year on year.

4.2 Human Resources/Training

These instructions and procedures should be reinforced through appropriate induction, training and education. Training needs are assessed through the risk assessment process. The Force Health and Safety Adviser will arrange any training requirements by an appropriate training provider. A record of those who are trained is held on the Force Delphi system and is maintained by the Human Resources Department. Refresher training is provided at appropriate intervals.

4.3 Strategic Plan Links

This procedure supports and is consistent with the Gwent Police/Human Resources Plan and Government Health and Safety Targets and Plans.

4.4 Partnership Links

Health and Safety Executive.

4.5 Diversity

In the application of this policy consideration must be given to the possible social impact of this policy on the community. A social impact assessment is a requirement to ensure all issues are considered. This is also a requirement of the Gwent Police Race Equality Scheme. Social impact assessments must be undertaken before and after the application of this policy.

Under the Race Relations (Amendment) Act 2000 Gwent Police is required to undertake proactive work to meet the General Duty of :

- Eliminating unlawful racial discrimination;
- Promoting equality of opportunity;
- Promoting good relations between people of different ethnic groups.

The General Duty is outlined in Section 71 (1) of the Act, and must be met **in its entirety**.

Monitoring must be undertaken to ensure that there is no adverse impact either positive or negative upon any one particular social group or individual. The results of monitoring must be analysed and be available for publication, and appropriate changes made.

All individuals using this procedure must be aware of the potential impact that this procedure has on the individuals to whom it is applied. The following strands of diversity and their corresponding pieces of legislation must be considered when answering these questions.

- Welsh Language Act 1993
- Race – Race Relations Act and Amendment Act
- Disability - Disability Discrimination Act
- Gender – Sexual Discrimination
- Equal Pay Act
- Age – Article 13 Treaty of Amsterdam (2006)
- Sexual Orientation – Article 13 Treaty of Amsterdam (2003)
- Religion – Article 13 Treaty of Amsterdam (2004)
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003

4.6 Links to Other Policy/Procedures

Health and Safety Strategy

4.7 Consultation

Police Authority
ACPO
Divisional and Departmental Heads
Staff Associations
Force Solicitor
Freedom of Information Officer
Gwent Women Police Association
Gwent Black Police Association
Gwent Disability Network
Data Protection Officer

4.8 Sustainable development

N/A

5.0 Human Rights Consideration Certification

5.1 Auditing for potential interference and discrimination

Q1. What articles of the Human Rights Act 1998 may be engaged?

Article 2 right to life

Article 3 right not to be subject to inhuman or degrading treatment

Article 6 right to a fair trial

Article 8 respect for family life

Article 9 right to freedom of thought, conscience or religion

Article 10 right to freedom of expression

Article 11 right to freedom of association and assembly

Article 14 right not to be discriminated against.

Q2. Where individual rights are engaged what is the potential to discriminate

" In the application of this procedure the Force will not discriminate against any persons regardless of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status as defined under article 14 of the European Convention on Human Rights ".

5.2 Key Human Rights Principles

Q1. What is the legal basis for your policy?

See Section 3.3

Q2. Does the policy provide details of what could be considered as a legitimate aim for the potential interference with an individual's rights, through the exercising of this policy? Restrictions on the rights protected in articles 8 - 11 in the Human Rights Act will be compatible with the convention only if they are aimed at protecting one of the interests listed in articles 8(2), 9(2), 10(2) and 11(2) respectively. The interest protected are broadly the same and generally include:

1. National Security
2. Public Safety
3. The protection of health or morals
4. The prevention of disorder or crime; and
5. The protection of the rights of others.

5.3 Rights, Publication, Audit and Inspection

Q1. What rights to make representation and appeal process are available?

Persons who wish to make representations regarding the operation of this policy will have recourse to both civil and criminal law. There is also the right to use both formal, informal and organisational complaints procedures in respect to the operation of this policy.

Q2. Apart from the Gwent Police Publication Scheme how is the policy made available to the public?

This policy can be disclosed to the public.
Where copies of this policy are requested they can be made available from the Health and Safety Advisor.

Q3. What internal review and audit process is in place or is proposed?

This policy has been drafted in accordance with the principles and rights contained within the Human Rights Act 1998. It will be reviewed and continuously assessed in the light of any relevant changes and developments in the application of the Act.

Q4. What external independent scrutiny is recommended?

Independent scrutiny can be where required conducted by Her Majesty's Inspector of Constabulary and The Health and Safety Executive.

5.4 Certification of Compliance

A member of the Policy and Planning Team will complete this section following a Human Rights audit.

Consideration has been given to the compatibility of this policy and related procedures with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making processes and outcomes of actions.

5.5 Legal Vetting

There are no issues in this policy under ECHR which cannot be resolved.

This policy has been vetted.

5.6 Policy Review Date

Three years from date of implementation

6.0 Promotion and Distribution

This policy will be promoted by Force General Orders, inclusion on the Force intranet policies and procedures web site and on the force internet site through the publication scheme.

Promotional Strategy – Posters will be displayed for internal staff in all large police stations raising awareness of Health and Safety Issues. Also through the Divisional Health and Safety Committees.

7.0 Monitoring / Review

7.1 Monitoring

The monitoring of the aims of this policy will be the responsibility of the Human Resources Department. The Health and Safety procedure and related procedures will outline the measures required to monitor and review standards within the organisation.

The principles of the Race Relations Amendment Act must be adhered to in that any recognisable adverse impact should be identified and appropriate action taken.

The policy can be reviewed every two years or as otherwise determined.