

## Homes & Neighbourhoods

### **Lift Safety Management Policy**

**Author:** Alison Clark-Williams

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## **1. Introduction**

- 1.1. The aim of this document is to define the policy for Lift Safety Management in compliance with statutory legislation within all properties managed by Homes and Neighbourhoods (H&N) department of Kirklees Council.
- 1.2 This document outlines the standards required for lift safety, installation, maintenance and testing to ensure that risks are suitably assessed and effectively eliminated to minimise the likelihood of an incident occurring e.g. injury or death. This includes the identification and implementation of appropriate control measures and to make sure that lifting equipment is maintained through servicing and periodic examination to ensure that they continue to operate safely.
- 1.3 Applicable legislation and ACoP guidance includes, but not exhaustive to, the:
  - Health and Safety at Work etc. Act 1974
  - Management of Health and Safety at Work Regulations 1999
  - The Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
  - The Provision and Use of Work Equipment Regulations 1998 (PUWER).
  - The Workplace (Health Safety and Welfare) Regulations 1992
  - The Building Regulations 2004 – Part M
  - Construction (Design and Management) Regulations 2015
  - Disability and Discrimination Act 2005
  - Equality Act 2010
  - Housing Act 2004
  - Landlord and Tenant Act 1985
  - Data Protection Act 2018
  - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
  - Homes (Fitness for Human Habitation) Act 2018
  - LG1 – SaFed – Guidelines on the supplementary tests of in-service lifts
  - INDG422 - Thorough examination of lifting equipment: A simple guide for employers (2008)
  - INDG339 - Thorough examination and testing of lifts: Simple guidance for lift owners (2008)

## **2. Policy Scope**

- 2.1. This policy is aimed at all H&N employees, including any temporary or agency workers, apprentices and contractors who have responsibility for or may come into contact with lifting equipment in communal spaces during their normal work activities. It should be read and understood by all parties who have responsibilities relating to Lift Safety within H&N and have a duty of care under the Health & Safety at Work Act 1974, the Lifting Operation and Lifting
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Equipment Regulations 1998 (LOLER) and Provision and Use of Work Equipment Regulations 1998 (PUWER).

### 3. Policy Statement

- 3.1 Homes and Neighbourhoods is responsible for the maintenance and repair of circa 22,500 domestic and non-domestic premises owned and managed by Kirklees Council. As a responsible social landlord, H&N is committed to minimise the risks associated with lift safety and ensure that all communal lifting equipment in premises managed by H&N is maintained in good working order. Whilst the contract management responsibility of lifting equipment servicing and Thorough Examinations are undertaken by the Corporate Land & Property Department, H&N will support to ensure that all works, including installation, maintenance and testing, are carried out in compliance with the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER), Provision and Use of Work Equipment Regulations 1998 (PUWER) and other regulatory and industry body requirements.
- 3.2 This policy aims to ensure that we meet our obligations as a landlord, and seeks to provide assurance that lifting equipment safety is effectively managed to ensure the safety of our employees, contractors, tenants, leaseholders and members of the general public.
- 3.3 To ensure the safety of relevant persons by means of suitable management of Lifting Equipment safety, H&N will:
- Invest in replacing communal lifting equipment based on their life-cycle and repairs history.
  - Ensure that Thorough Examinations are carried out:
    - Before use for the first time in conjunction with external consultants;
    - After substantial and significant changes have been made;
    - At least every six months if the lift is used at any time to carry people or every 12 months if the lift is only carrying loads (or in accordance with an examination scheme as prepared by a competent person), or in accordance with our insurer's specification; and
    - Following exceptional circumstances such as damage to, or failure of, the lift, long periods out of use, or a major change in operating conditions which is likely to affect the integrity of the equipment.
  - For the purpose of this policy, the competent person is our Insurer.
  - All lifts that we install in properties owned or managed by H&N will be fully accessible for disabled users, as per the requirements of the Disability Discrimination Act 2005, the Equality Act 2010, and to the specifications outlined in Part M of the Building Regulations 2004, and if relevant, taking into account the relevant EN81 standards.
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- H&N will endeavour to ensure that all lifting equipment will be in full working order at all times. Where we become aware of a breakdown we will ensure our lift contractor attends within 2 hours.
  - H&N will operate robust processes to deal with entrapment situations. In the event of any persons becoming trapped in a lift we are responsible for we will ensure our lift contractor attends within 30 minutes dependent on travel conditions.
  - H&N will support the Corporate Land and Property Team in operating a robust process to manage and rectify immediately dangerous situations identified during a lift safety check or any other maintenance work.
  - Remedial actions identified during routine servicing or Thorough Examination which cannot be remediated during the visit will be resolved at the nearest opportunity, and within timeframes agreed with the Corporate Land and Property Team.
  - All passenger lifts will have an intercom that dials directly to a dedicated call centre. Call handlers will contact emergency services if there is an urgent concern for a person's welfare. For Platform Lifts, emergency call buttons are in place which link to the Remote Warden call system which is linked to Civic 3 and is subject to 24 hour monitoring.
  - H&N will support the Corporate Landlord and Property Team in operating effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
  - H&N and the Corporate Landlord and Property Team will establish and maintain a risk register for lift safety management and operations, setting out the key lift safety risks and appropriate mitigations.
  - To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM), a Construction Phase Plan will be in place for all component replacement works and refurbishment projects (at the start of the contract and reviewed annually thereafter). This plan will detail what is required to reinstate lifts affected by the works, to ensure they are safe to use and continue to comply with relevant legislation.
  - H&N will support the Corporate Land and Property Team in ensuring there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to lift safety.
  - H&N will maintain a core asset register of all properties we own or manage. The register will also record which properties have lifts which require ongoing servicing and maintenance. This register will also hold
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data against each property asset of the type, age and condition of lifting equipment in place.

- H&N will operate a robust process to manage all changes to stock, including property acquisitions and disposals, and share this information with the Corporate Land and Property Team to ensure that properties are not omitted from lift safety programmes and the programme remains up-to-date.
- H&N will support the Corporate Land and Property Team in maintaining records of the following against all properties on each programme:
  - Thorough examination dates and reports;
  - Servicing and maintenance dates and reports;
  - Any examination schemes in place;
  - Evidence of completed remedial works; and
  - Entrapment incidents.
- H&N will support the Corporate Land and Property Team in keeping all records for at least five years and have robust processes and controls in place to maintain appropriate levels of security for all lift safety related data and records.
- The Corporate Land and Property Team will inform H&N of all occurrences of non-compliance. This includes any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred or becoming aware of it.
- All incidents of non-compliance identified at an operational level will be formally reported to the General Manager – Compliance & Quality (or nominated deputy) in the first instance, who will agree an appropriate course of corrective action with the Head of Building Safety and the Service Director for Homes & Neighbourhoods who in turn will report details of the same to the SMT.
- In cases of serious non-compliance, the H&N SMT and Corporate SLT will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

#### **4. Roles and Responsibilities – To be discussed in BSAB**

- 4.1. The Director of Homes and Neighbourhoods has strategic responsibility for the management of lift safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
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- 4.2 The Housing Advisory Board [HAB] has overall governance responsibility for ensuring this policy is fully implemented in order to ensure full compliance with legislation and regulatory standards. This oversight will be supported by the Building Safety Assurance Board (BSAB) – an officer Board of compliance and building safety officers. As such, the HAB will formally approve this policy and review it every year (or sooner if there is a change in legislation or regulation).
- 4.3 For assurance that this policy is operating effectively in practice, the Building Safety Assurance Board will receive regular updates on its implementation.
- 4.4 The Housing Advisory Board will receive quarterly performance reports in respect of lift safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 4.5 The Head of Building Safety has operational responsibility for the management of lift safety and will be responsible for overseeing the delivery of these programmes. The Head of Building Safety will fulfil the role of the appointed Duty Holder and will be the overall Responsible Person on behalf of H&N.
- 4.6 Housing teams will provide support where gaining access to properties is difficult, as part of the no access process and will engage with Legal Services and/or Environmental Services where appropriate to enforce access where necessary.

## **5. Monitoring and Review**

- 5.1 This policy will be reviewed annually or following any legal or regulatory changes.
  - 5.2 Monitoring lift safety and updating risk assessments are an integral part of the Lift Safety Management System.
  - 5.3 A system of formal audit (internal and / or external) of the Lift Safety Management System must be in place to ensure that both Policy and Procedures are being implemented.
  - 5.4 The Health and Safety Group will maintain an on-going audit plan to address the management of lift safety, reporting key findings to the Service Director and the Building Safety Assurance Board.
  - 5.5 Where the Head of Building Safety or appointed competent person(s) have reason to believe that the Lift Safety Management System is not achieving the aims of this Policy, the Service Director for Homes and Neighbourhoods and the SHE Manager shall be notified, and a review of the System shall be carried out. If the review identifies deficiencies, the Head of Building Safety shall take action to amend the System as required.
  - 5.6 Communicate and consult employee and contractors by bringing the Policy, and any subsequent amendments, to their attention through induction and training. This may be in alternate formats / languages as and when necessary.
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- 5.7 Lift Safety Guidance information and the Lift Safety Management Policy are available on the H&N website for tenants, Elected Members and the wider public. The information may be in alternate formats / languages as and when necessary.
- 5.8 Regular communications on Lift Safety, including the responsibilities of H&N, tenants and leaseholders, will be included in the Communication Strategy (in development).

## **6. REFERENCED DOCUMENTS AND FURTHER READING**

- The H&N Lift Safety Management System
    - Health and Safety at Work etc. Act 1974
    - Management of Health and Safety at Work Regulations 1999
    - The Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
    - The Provision and Use of Work Equipment Regulations 1998 (PUWER).
    - The Workplace (Health Safety and Welfare) Regulations 1992
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