

Lift Safety Policy



Name	Lift Safety Policy
Owner	Director of Asset Management & Development
Last Review	February 2024
Next Review	February 2027
Consultation Board	N/a
Consultation ELT	N/a
Consultation Residents (if applicable)	N/a
Equality Impact Assessment	N/a
Confidentiality	Low
Board Approval	2 nd March 2020

Policy: Lift Safety	Version: v3	Lead Officer: Jeanette Matthews
Approved by: ARC	Date Approved: 17 April 2024	Review Date: April 2027

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1 Introduction

- 1.1 BDHT are passionate about providing accessible, safe, and secure housing for communities across Bromsgrove and the surrounding area. They serve their communities and residents as a not-for-profit organisation and so every penny gets put straight back in to improving housing and local facilities.
- 1.2 The Board and Executive Management Team (EMT) set and oversee corporate strategy, including the approval of all compliance policy principles.
- 1.3 Landlords are responsible for maintaining passenger lifts and for carrying out periodic thorough examinations and inspections to ensure those lifts operate safely. In addition to lifts landlords have a responsibility to maintain stair lifts and hoists to ensure the safety of their tenants.
- 1.4 BDHT own and manage properties that have passenger lifts to assist tenants to and from their homes. In addition to these, the ageing population in the UK means that an increasing number of domestic homes are now being adapted with living aids such as stair lifts and hoists to enable tenants to continue to live independently.

2 Scope

- 2.1 BDHT must establish a policy which meets the requirements of the Health and Safety at Work Act 1974. In addition to this, the policy must provide assurance to BDHT that measures are in place to ensure compliance with the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER) and to identify, manage and/or mitigate risks associated with passenger lifts, stair lifts and hoists. BDHT must also ensure compliance with lift safety legislation is formally reported at management and Board level, including the details of any non-compliance, and planned corrective actions.
- 2.2 The policy is relevant to all BDHT employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services. It should be used by all to ensure they understand the obligations placed upon BDHT to maintain a safe environment for tenants and employees within the home of each tenant and within all non-residential premises or areas of buildings.
- 2.3 The policy is also relevant for maintaining a safe environment for all tenants and employees within all BDHT properties.

3 Regulatory Standards, Legislation and Codes of Practice

- 3.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing in April 2012.
- 3.2 **Legislation** - the principal legislation applicable to this policy is The Health and Safety at Work Act 1974 and the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
- 3.3 **Code of Practice** - the principal codes of practice applicable to this policy are:

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3.3.1 **ACoP L113** - Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).

3.3.2 **INDG422** - Thorough examination of lifting equipment: A simple guide for employers (2008).

3.3.3 **INDG339** - Thorough examination and testing of lifts: Simple guidance for lift owners.

3.4 **Sanctions** - BDHT acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and via a serious detriment judgement from the Regulator of Social Housing (RSH).

4 Additional Legislation

4.1 This lift safety policy also operates in the context of the following additional legislation:

4.1.1 The Management of Health and Safety at Work Regulations 1999

4.1.2 The Provision and Use of Work Equipment Regulations 1998 (PUWER)

4.1.3 The Workplace (Health Safety & Welfare) Regulations 1992

4.1.4 The Building Regulations 2010 - Part M

4.1.5 Construction, Design and Management Regulations 2015

4.1.6 Equality Act 2010

4.1.7 Housing Act 2004

4.1.8 Landlord and Tenant Act 1985

4.1.9 Data Protection Act 2018

4.1.10 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

4.1.11 Homes (Fitness for Human Habitation) Act 2018

5 Obligations

5.1 Landlords are responsible for maintaining passenger lifts and for carrying out periodic thorough examinations and inspections to ensure those lifts operate safely. Section 3 of the Health and Safety at Work Act 1974 requires employers, such as landlords, to have responsibility for the health and safety of employees and people using or visiting their premises so far as reasonably practicable.

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- 5.2 Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) do not apply directly to passenger lifts, however, businesses providing this equipment have responsibilities for its safety (i.e., it will require routine maintenance and inspection). In addition, insurers may impose demands for similarly stringent levels of risk management to cover public liability.
- 5.3 Landlords are required to ensure that all lifts, when in use, are thoroughly examined 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 in accordance with an examination scheme) 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.

6 Statement of Intent

- 6.1 BDHT acknowledges and accepts its responsibilities regarding lift safety and the inspection and maintenance of lifting equipment.
- 6.2 BDHT will assume responsibility for all passenger lifts, stair lifts or hoist equipment in communal areas.
- 6.3 BDHT will hold accurate records against each property it owns or manages identifying where there is a passenger lift, stair lift or hoist together with the written examination scheme or servicing regime for each installation.
- 6.4 BDHT will appoint competent 'responsible persons' responsible for the operation, condition, and compliance with all relevant statutory requirements. This will include acting (within the advised timescales) to remedy any faults or defects identified through routine servicing or insurer's thorough examinations.
- 6.5 BDHT will ensure that it meets all its legal requirements regarding lift safety operations via a combination of regular inspections, thorough examinations (in conjunction with the organisation's insurers) within communal areas it owns and manages. All other lifting equipment that bdht has responsibility for will be subject to periodic routine maintenance.
- 6.6 BDHT will ensure that all lifts in properties it owns and manages will be fully accessible for disabled users (as per the requirements of the Equality Act 2010) and to the specifications outlined in Part M of the Building Regulations 2010).
- 6.7 BDHT will endeavour to ensure that all lifts and lifting equipment in properties and workplaces it owns and manages will be always in full working order. Where the organisation becomes aware that lifts or lifting equipment are not operating as they should, emergency repairs orders will be issued to remedy faults as quickly as possible.
- 6.8 BDHT will ensure that there are clear procedures in place and that these procedures are communicated to and understood by all relevant staff, for appropriate action in the event of any persons becoming trapped in lifts the organisation owns or manages. BDHT staff cannot release any persons trapped in lifts as they are not competent to do so safely but will provide reassurance until such time as the relevant lift maintenance contractors and/or emergency services arrive, as appropriate. BDHT will

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have a service level agreement with lift maintenance service providers that ensures a response time of no longer than 1 hour in cases of entrapment.

- 6.9 BDHT will ensure that all passenger lifts have an intercom fitted that dial directly to a dedicated call centre. In cases of entrapment call handlers will follow a scripted risk assessment to determine the medical condition of any persons that may be trapped. If there is an urgent concern for a persons' welfare the emergency services will be called and asked to attend immediately.
- 6.10 BDHT will ensure that all lifting equipment that is used in a communal setting it owns or manages is thoroughly examined by a competent person before it is commissioned into use and is then subject to periodic examinations in accordance with the equipment's examination scheme.
- 6.11 BDHT will ensure that only suitably competent consultants, and engineers undertake works for the organisation in respect of lifting equipment.
- 6.12 BDHT will ensure that a Thorough Examination is carried out on all known Passenger lifts, and other lifting equipment designed for lifting operations, including platform lifts and stair lifts in common areas. Lifting equipment provided within the home will be serviced every 6 months such as hoists, stair lifts, through floor lifts in properties it owns and manages where the tenant has opted to have a service agreement, with BDHT or more frequently if required in line with manufacturers' recommendations.
- 6.13 BDHT will provide an appointment and take remedial action for any defects to aids and adaptations designed for lifting operations reported by the customer and will be treated as an urgent priority unless it is an emergency.
- 6.14 BDHT will ensure that robust processes and controls are in place to ensure that all remedial works identified through routine maintenance inspections and insurer's inspections are completed within a reasonable timescale commensurate with the risk identified.
- 6.15 BDHT will ensure robust processes and controls are in place to ensure that any health and safety incident about lift safety is properly reported as required under RIDDOR. These include defects classed as 'immediately dangerous'.
- 6.16 BDHT will ensure that robust processes and controls are in place to manage works to occupied properties that may affect lifting equipment, including a robust process in place to gain access to properties where tenant vulnerability issues are known or identified, and the tenant has opted to have a service agreement.
- 6.17 BDHT will undertake a review of contractor's and consultants' relevant insurances and competences annually, ensuring that all information is current and up to date.
- 6.18 BDHT will ensure forms of contracts and service level agreements are in place with the contractors and consultants responsible for delivering the compliance service.
- 6.19 BDHT will ensure there are effective contract management arrangements in place, in the form of client-led meetings taking place regularly, with standard agendas and minutes produced, key performance indicators analysed and programmes and performance scrutinised.

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7 Compliance Risk Assessment/Inspection Programmes

- 7.1 BDHT will establish and maintain a risk assessment for lift safety operations. This risk assessment will set out all the organisation's key lift safety risks together with appropriate mitigations.
- 7.2 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all void works, component replacement works and refurbishment projects. This plan will detail any lift installations that may be affected by the works and detail all necessary work required to make safe and reinstate lift installations to ensure that they are safe to use and continue to comply with all relevant legislation and any written examination scheme, including any testing and maintenance.
- 7.3 BDHT will carry out a programme of maintenance visits by competent persons to all properties that have a lift, stair lift or hoist and a written examination scheme in place. These programmes will ensure that all maintenance and testing set out in the written examination scheme is fully completed at the times and intervals stated.
- 7.4 BDHT will oversee a programme of thorough examinations of lifting equipment in communal areas by competent contractors appointed by BDHT's insurers every six months. This is to ensure that the organisation's responsibilities towards lift safety are being discharged and provide their insurers with adequate assurance around the quality of lift safety management.

8 Compliance Follow up Work.

- 8.1 BDHT will ensure there is a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections, or were identified by a competent person, when undertaking required maintenance activities.
- 8.2 BDHT will ensure there is a robust process in place for the management of any follow-up works required following the completion of inspections by the organisation's insurers.
- 8.3 BDHT will ensure that there is a robust process in place to collate and record details of all remedial works completed against individual installations.
- 8.4 BDHT will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued about lift safety.

9 Record Keeping

- 9.1 BDHT will establish and maintain a core asset register (stored in Aareon QL) of all properties that have a lift, stair lift or hoist and written examination scheme in place. This register will also hold data against each property asset of the type of equipment installed. The management of Lift compliance will be managed through C365 compliance software.

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- 9.2 BDHT will establish and maintain accurate records of all servicing and inspections carried out by their insurers, the findings of these thorough examinations including any associated remedial works completed will be retained for a period of not less than 2 years, together with the dates. This will include details about the state of operation and condition of the installation at the time of inspection.
- 9.3 BDHT will ensure that records of all inspections and thorough examinations will be always available to the Competent Person and that hard copies of records can be produced, if required by the local enforcement authority.
- 9.4 BDHT will keep a record of any entrapment incidents and will use these to inform future revisions of Examination Schemes.
- 9.5 BDHT will hold and maintain accurate records on the qualifications of all consultants and engineers undertaking lift inspection and maintenance works for BDHT.
- 9.6 BDHT will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all lift safety related data.

10 Key Roles and Responsibilities

- 10.1 BDHT Board will have overall governance responsibility for ensuring the Lift Safety policy is fully implemented to ensure full compliance with the regulatory standards, legislation, and codes of practice. As such the Compliance Committee, will review this policy and Board will formally approve it following its review every three years (or sooner if there is a change in regulation, legislation, or codes of practice).
- 10.2 The Board will receive regular updates on the implementation of the lift safety policy and performance along with notification of any non-compliance issue which is identified by the Compliance Manager. This is so they have assurance that the policy is operating effectively in practice.
- 10.3 EMT will receive reports in respect of lift safety management performance and ensure compliance is being achieved by the Compliance Manager. They will also be notified of any non-compliance issue identified.
- 10.4 The Director of Asset Management & Development has strategic responsibility for the management of lift safety and ensuring compliance is achieved and maintained. The Director of Asset Management & Development will oversee the implementation of the lift safety policy with operational support from the Head of Asset Management & Development.
- 10.5 The Head of Asset Management & Development will be responsible for overseeing the delivery of the agreed lift servicing and maintenance programmes, and the prioritisation and implementation of any works arising from the inspections. They are also responsible for overseeing the delivery of service, maintenance and repair programmes to all lifts, stair lifts, and hoists within property assets owned or managed by BDHT.
- 10.6 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standards methods to do so. They will also facilitate the legal process to gain access as necessary.

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11 Competent Persons

- 11.1 BDHT will ensure that the 'Responsible Person', and the manager(s) with lead responsibility for operational delivery are appropriately competent; will have undertaken appropriate training and have sufficient experience to meet the criteria of a 'competent person' as stated by the Health and Safety Executive (HSE).
- 11.2 BDHT will ensure that only suitably competent consultants and contractors, registered members of the Lift and Escalator Industry Association (LEIA) or equivalent, are procured and appointed to undertake risk assessments, prepare written examination schemes, and undertake works in respect of lifts, stair lifts and hoists. The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors to ensure that all persons are appropriately qualified for the work that they are carrying out. These checks will be undertaken on an annual basis.

12 Training

- 12.1 This policy and the procedures that support it will be subject to a range of training across BDHT and will involve all relevant stakeholders. The training will be bespoke to the individual stakeholders and refresher training will be provided as appropriate.
- 12.2 Training will include team briefings for those employees who need to have a basic understanding and awareness of lift safety but who may not be actively involved in the delivery of the lift safety policy. This will be basic lift safety awareness training.
- 12.3 On the job training, will be provided to those employees who will be responsible for managing the programme of lift inspections, planned maintenance and repair works as part of their daily job. The manager(s) with lead responsibility for operational delivery will have undertaken appropriate training and have sufficient experience to meet the criteria of a 'competent person' as stated by the Health and Safety Executive (HSE).
- 12.4 Regular toolbox talks will be given to operatives and BDHT contractor partners will be required to do this in the form of appropriate lift safety training and evidence the same.
- 12.5 Monitors briefings will be provided to those employees involved in the monitoring of compliance performance in relation to lift safety.

13 Performance Reporting

- 13.1 Robust key performance indicator (KPI) measures will be established and maintained to ensure BDHT is able to report on performance in relation to lift safety.
- 13.2 KPI measures will be produced and provided at EMT level monthly and Board level on a quarterly basis. As a minimum, these KPI measures will include reporting on:
- Compliance with written examination schemes for lift plant.
 - The number of entrapments within lifts (in month and year to date).

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- The number of current asset numbers with a lift, stair lift or hoist and any changes in this number from the previous month.
- The number of defects identified by insurer's inspections (in month and year to date)..
- The number of outstanding high and medium level risk actions as identified in insurer's inspection reports.
- The number of RIDDOR notices issued with regards to lift safety.

13.3 BDHT will carry out an independent audit of lift safety at least once every two years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

14 Non-Compliance

- 14.1 Any non-compliance issue identified at an operational level will be formally reported to the Director of Asset Management & Development in the first instance.
- 14.2 The Director of Asset Management & Development will agree an appropriate course of corrective action with the operational team to address the non-compliance issue and report details of the same to the EMT and Chief Executive.
- 14.3 The EMT will ensure the Board are made aware of any non-compliance issue so they can consider the implications and act as appropriate.
- 14.4 In cases of a serious non-compliance issue the EMT and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation as part of the Regulatory Framework.

15 Glossary

15.1 This glossary defines the key terms used throughout this electrical safety policy:

- 15.1.1 **LOLER** - Lifting Operations and Lifting Equipment Regulations 1998 - regulations which place duties on people and companies who own, operate, or have control over lifting equipment.
- 15.1.2 **PUWER** - Provision and Use of Work Equipment Regulations 1998 - legislation which places duties on people and companies who own, operate, or have control over work equipment. PUWER also places responsibilities on businesses and organisations whose employees use work equipment whether owned by them or not.

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