

Health & Safety in Residential Homes



Safer Business - Better Health

Issue date - August 2011

Introduction

<p>Introduction</p>	<p>Owners, Managers and Carers all have responsibilities under Health & Safety Law, not just for themselves but also for those they care for. This section has been written for all types of residential homes and the topics have been</p>	<p>kept brief, if you require further information please refer to the relevant section in the pack. At the back of the section is a check sheet to help establish any areas which may require review.</p>
<p>The Health & Safety at Work etc. Act 1974</p>	<p>The Health & Safety at Work etc. Act 1974 places a legal duty on every employer and self-employed person etc. to ensure, as far as is reasonably practicable, the safety and health of their employees and those not in their employment. The law also states employers must consider those who may be</p>	<p>affected by the undertaking of the business (i.e. the residents & their visitors). If the home employs more than 5 people, they are required to produce and publish their health and safety policy which states responsibilities, arrangements etc.</p>
<p>The Management of Health & Safety at Work Regulations</p>	<p>The Management of Health & Safety at Work Regulations states you are legally required to carry out risk assessments for all tasks you ask your employees to carry out. The law also states employers need to consider things within the home that may pose a risk to those who live within it. If the home employs more that 5 employees, you are legally required to record the</p>	<p>significant findings of these assessments.</p> <p>The majority of homes do carry out risk assessments but these are more resident-based located within their care plans. It is not adequate just to assess these risks, you must look at ALL tasks ALL employees carry out including handymen, gardeners, kitchen staff etc.</p> <p>cont'd</p>

The Management of Health & Safety at Work Regulations (cont'd)

The Regulations require every business to appoint one or more competent persons to assist and provide guidance in complying with the law. A competent person can be an employee or from an external agency. The home must ensure that the person however is

competent. Competency is not just about having a qualification but also having knowledge of the activities that are carried out within the home, the law that applies to them and knowing when their own knowledge ends and they need expert advice.

Workplace, Health Safety & Welfare Regulations

The Workplace (Health, Safety & Welfare) Regulations cover a range of subjects from temperature, ventilation, slips & trips etc.

- **Ventilation**

Workplaces need to be adequately ventilated. Fresh, clean air should be drawn from a source outside. Windows or other openings may provide sufficient ventilation but where necessary, mechanical ventilation systems should be provided and regularly maintained.

When using windows for ventilation etc. it is essential that a 'falls from height' risk assessment is carried out. One of the main hazards covered in the assessment should be the potential for someone to fall from the window. A number of controls may be put in place which could include window restrictors. If restrictors are used, homes must ensure that the restrictors do not open wider than 10cms and there is suitable system of maintenance in place to ensure they are working effectively.

- **Cleanliness and Waste Materials**

Every workplace and the furniture, furnishings and fittings should be kept clean. It should be possible to keep all surfaces clean. Cleaning and the removal of waste should be carried out as necessary by an effective method. Waste should be stored in suitable receptacles.

- **Slips & Trips**

Slips & trip risks can be measured through effective policies and procedures that are understood by all and fully implemented. The home has to ensure it has an appropriate floor cleaning regime for the kitchen and other high risk slip areas such as bathrooms etc.

- **Water Temperature**

The home must have an effective system for monitoring water temperature; too low may pose a risk to Legionella, too high may pose a scalding risk to residents and carers. Regular monitoring and recording of water temperatures is required but it is essential to ensure that the probe used is regularly calibrated.

Legionella

Legionnaire's disease is potentially fatal pneumonia caused by Legionella bacteria. Everyone is potentially susceptible to infection but some people are at higher risk e.g. those over 45 years of age, smokers, heavy drinkers, those suffering from chronic respiratory or kidney disease and people whose immune system is impaired. As the care home population is predominantly elderly, this means they are often more susceptible to the risks of Legionnaire's disease. Undertaking a full risk assessment of the homes hot and cold water system is essential.

Legionella bacteria survive at low temperatures and thrive at temperatures between 20°C and 45°C. High temperatures of 60°C and above will kill them.

The home needs to ensure there is a written scheme documenting the control measures where risk has been identified. This should ideally include an up-to-date plan or schematic diagram of the system, procedures for monitoring the temperature of the pipe work (where temperature control is the chosen method of managing the risk).

Lifting Equipment Regulations

The Lifting Operations and Lifting Equipment Regulations require all lifting equipment to be maintained and thoroughly examined. A thorough examination is in addition to maintenance checks. The frequency of the examination depends on what the equipment is being used for e.g. if it is lifting people every 6 months, goods

every 12 months or it may be dictated by the written scheme of examination. Many people in homes believe when talking about thorough examinations it is having a service / maintenance but this is not the case. Examples of lifting equipment that may be found in homes are hoists, chair lifts etc.

Control of Substances Hazardous to Health (COSHH)

Using chemicals or being exposed to other hazardous substances (such as blood, urine) at work can put people's health at risk, so the law requires employers to control exposure to hazardous substances to prevent ill health. Under the Regulations, you are required to assess the risks of

exposure for employees and others affected by work. When the risk is known, you need to take suitable precautions to protect their health. You must also give employees adequate information, instruction and training on any risks to their health which they may face at work.

Electrical Safety

The Electricity at Work Regulations require employers to have a system of maintenance for the fixed installation (hard Wired system) and the portable appliances attached to it.

As with all health and safety, you have to carry out a risk assessment. The risk of injury from electricity is strongly linked to where and how it is used, for example extension leads are

particularly liable to damage to their plugs, electrical connections and to the cable itself.

As a residential home with residents bringing in their own appliances, it is strongly recommended that the home has a policy stating whether all portable appliances brought into the home are required to be tested before use.

Manual Handling

The Manual Handling Operations Regulations require employers to assess all manual handling tasks which pose a significant risk to employees. Employers must look at all lifting, pushing, pulling tasks (including those carried out by the gardener, handyman, kitchen staff etc.) and provide suitable and sufficient training to all employees.

Manual handling training can be in a range of forms. It is essential that the home ensures it is suitable and sufficient and be specific to the tasks that are being carried out; for example is it relevant to show an employee how to lift an empty box from floor to table when the majority of the time they are aiding residents?

Working Time

Under the Working Time Regulations, workers can not be forced to work over 48 hours a week which is averaged over a 17 week period. Young workers can not work more than 8 hours a day or 40 hours a week if they are between 15-18 years of age.

Balancing an employee's work and private life within care homes can be difficult due to continuity of care. Many homes believe that

because they have to ensure this continuity, they don't have to comply with the Working Time Regulations; this is not the case. If you believe the home is in breach of this legislation, it is strongly recommended that you discuss this further with your Enforcing Authority who will be able to guide you through the legislation.

Violence & Abuse

The type of residents within the home dictates the level of violence and abuse that may be posed. For example, if the home has dementia residents there is a higher risk of violence and abuse. It is essential that the home tries

to reduce exposure through assessing the residents on an individual basis. Employees must be trained on how to deal with situations and there must be supporting procedures in place in case an incident occurs.

Young Persons

When employing or offering work experience for young persons, it is essential for an individual risk assessment to be carried out. The assessment must take into

account the age, knowledge, lack of experience and the training that will be required and the level of supervision that is required whilst the young person is working.

Fire Safety

As part of your legal duties, you must carry out a fire risk assessment. Guidance can be

found in the Fire Safety section of the business pack.

Asbestos Management

Many homes are of the age where they may contain asbestos. Arrangements must be in place to ensure that all asbestos has been identified including an assessment of its condition. If the asbestos is

in good condition, you are not required to remove it, merely manage it. For further information on asbestos management, please see the relevant section in the business pack.

Migrant Workers

A significant proportion of the care sector workforces are migrant workers. Managers have to ensure that migrant/vulnerable workers are considered within health and safety management

systems and that the relevant health and safety information is communicated to workers where English may not be the first language or there are reading and writing difficulties.

On the following pages is a organisation health check form, using this form will help establish what documents and systems you have in place and those that need to be implemented.

This health check has been designed as an aid to help you in assessing your systems and controls for health & safety some points will be relevant to your organization some will not.

Name of business:	
Nature of business:	
Address:	
Name of person completing:	Date:

1-7 (of 14)		Yes	No
1	Does the home have a health and safety policy?		
2	Does the home have a competent person who advises them on health & safety matters?		
3	Have you completed risk assessments for all tasks that all employees carry out?		
3a	Have you documented the significant findings of the assessments and brought these to the attention of the employees?		
4	Do you have a system in place to ensure there is adequate communication between employees and you?		
5	Has a workplace risk assessment been carried out, taking into account ventilation, cleanliness & waste materials, slips & trips, water temperature etc.?		
6	Has a Legionella risk assessment been carried out? Do you... <ul style="list-style-type: none"> • Regularly monitor water temperatures (including cold water) from the tap the furthest away from the boiler and one that does not have a thermostatically controlled tap (usually the kitchen)? • Do you have an up to date plan or schematic diagram of the water system? 		
7	Do you have any lifting equipment on the premise (stair lifts, bath hoists, general hoists etc.)?		
7a	Do you have them regularly maintained?		
7b	Do you have them thoroughly examined by a competent person every 6 months? (the competent person usually is someone from an insurance company etc.)		

8-14 (of 14)		Yes	No
8	Do you have a system for maintaining portable appliances?		
8a	Do you have a system for maintaining all portable appliances that are brought in by residents / their families?		
8b	Do you have fixed installation testing carried out?		
9	Have you completed manual handlings for all tasks that pose a significant risk to employees?		
9a	Do those assessments include tasks carried out by Handymen, Gardeners, Kitchen Staff, and House Keepers etc.?		
9b	Have you provided suitable manual handling training for employees?		
10	When planning staff rotas, do you monitor employees' hours, ensuring they have adequate breaks between shifts etc?		
11	Within the care plan of each resident, do you assess the potential of abuse & violence to employees?		
12	Do you offer work experience or employ 16-18 year olds? Have you carried out a risk assessment of all the activities that they carry out and put controls in place, taking into account their lack of maturity, bone development, level of supervision required?		
13	Have you completed a Fire Risk Assessment?		
14	Do you employ migrant workers or individuals with disabilities?		
14a	Do you have systems in place to ensure that they understand health and safety information and the significant hazards for their jobs?		

NOTE: This checklist is purely produced to start you thinking of what hazards / controls you have at the premise.

The lists are NOT exhaustive and there maybe hazards / controls that have not been covered.

If you require further guidance please contact South Holland District Council, Safety & Environment Team to arrange an advisory visit with an officer.