

PORTCHESTER CREMATORIUM JOINT COMMITTEE

HEALTH AND SAFETY POLICY 2010/11

INTRODUCTION

1. The crematorium located at Portchester, Fareham is managed by a Joint Committee comprising councillors from the following constituent local authorities:

- Portsmouth City Council
- Fareham Borough Council
- Gosport Borough Council, and
- Havant Borough Council

2. The Portchester Crematorium Joint Committee is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

3. So far as health and safety law is concerned each Council is separately responsible for the formation of a written health and safety policy aimed at maintaining the health, safety and welfare of their own employees in their capacity as individual employers.

4. The four local authorities have delegated to the Joint Committee all the powers of the constituent authorities with respect to the provision and maintenance of the crematorium.

5. However, as the Joint Committee is responsible for the direction and decision making that is likely to impact on crematorium employees, the Joint Committee acknowledges that whilst it may not be responsible for managing health and safety on a day-to-day basis it may, in law, be classed as the employer for the purposes of the Health and Safety at Work etc Act 1974.

6. With this in mind, the Joint Committee accepts that collectively it retains the duty to ensure, so far as is reasonably practicable, the health, safety and welfare of crematorium employees and any other persons likely to be affected by the crematorium's activities.

7. Section 2(3) of the Health & Safety at Work etc Act 1974 imposes a duty on the Joint Committee in its capacity as the employer to prepare, and bring to the notice of crematorium employees, a written statement of general policy with respect to their health and safety whilst they are at work. This policy seeks to comply with this requirement.

STATEMENT OF INTENT

8. It is the aim of the Joint Committee that on a daily basis everyone seeks to protect not only themselves but anyone else who may be affected by the crematorium undertakings by having appropriate safety management systems and practices in place that ensure risks are dealt with sensibly, responsibly and proportionately.

9. Notwithstanding our overall responsibility the Joint Committee expects the Crematorium Manager and Registrar in conjunction with the full co-operation and commitment of the entire crematorium workforce to support us in meeting our obligations by effectively managing and promoting health and safety in the workplace so that high standards will be maintained.

10. This Health & Safety Policy, approved by the Portchester Crematorium Joint Committee and signed below to that effect, is subject to annual review unless otherwise necessary to take account of legislative or other changes.

Signed:

Councillor

Chairman of the Joint Committee

Dated: September 2010

PRINCIPAL DUTIES

11. The Health & Safety at Work etc Act 1974 (HSWA) places a statutory duty on the Joint Committee to provide and maintain workplaces, equipment and systems of work that are safe and without risk to health and safety. This general duty is supported by other legislation (Statutory Instruments) many of which are accompanied by approved Codes of Practice (ACOPS) and guidance notes.

12. Equally, employees of the crematorium are under a statutory duty (S7 & 8 HSWA) to take reasonable care of their own safety and that of others who may be affected by their acts or oversights.

CRIMINAL LIABILITY

13. The wide ranging requirements of the HSWA are implemented principally through the Management of Health & Safety at Work Regulations 1999 (MHSW). These must be followed to ensure that there are suitable and sufficient safe systems in place for carrying out crematorium activities, many of which by their very nature must be regarded as hazardous.

14. The MHSW regulations require effective management systems to be in place for the planning, organisation, control and review of safe working practices (identified through the risk assessment). Failure to take the necessary actions to protect people from avoidable dangers in the workplace is in itself a criminal offence and charges may be brought against both the Joint Committee (as the employer), the Manager and Registrar or individuals for non-compliance with health and safety acts or regulations.

15. Under the Corporate Manslaughter & Corporate Homicide Act 2007 an offence will be committed where failings by senior management are a substantial element in any gross breach of the duty of care owed to employees or other persons which results in death. 'Senior' management in this case may also include councillors forming the Joint Committee.

16. If a health and safety offence is committed with the consent or connivance of, or is attributable to any neglect on the part of any Joint Committee member, Crematorium Manager and Registrar, or other similar officer, then that person as well as the Joint Committee can be prosecuted under section 37 HSWA.

ORGANISATIONAL RESPONSIBILITIES

17. As with any area of management the allocation of responsibilities is crucial and the management of health and safety is no exception. The Joint Committee has overall responsibility for health and safety in its capacity as the employer but the practicalities of the local government structure and the nature of the Joint Committee in particular, prevent operational management of health and safety by elected members forming the Joint Committee on a day-to-day basis.

18. However, the Joint Committee is well aware of this and has allocated health and safety functions and authority to members and employees as follows.

Councillors (the Joint Committee)

19. The way in which the crematorium services are delivered can affect the health and safety of both users and providers, therefore it is important to ensure that every part of the work is carried out safely. This means more than just aiming to comply with minimum legislative requirements - it requires commitment from all levels of the crematorium organisation.

20. The Joint Committee has an important role with both individual and collective responsibilities for providing leadership and direction to assist in ensuring that the crematorium management implements and maintains effective health and safety standards. The Joint Committee members are responsible for:

- Ensuring the necessary physical, financial and human resources required to effectively implement the health and safety policy and associated procedures are available.

- Ensuring that they consider and address any potential health and safety implications of all their decisions before they are taken.
- Ensuring health and safety is recognised as a core business function and fully integrated into the business activities of the crematorium.
- Keeping themselves informed of any significant health and safety failures, and of the outcome of the investigation into their causes.
- Receiving and considering an annual report on health and safety performance against set objectives.
- Ensuring that they undertake an appropriate level of health and safety training relevant to their position.

Crematorium Manager and Registrar

21. The Crematorium Manager and Registrar is accountable to the Joint Committee for ensuring the implementation of the Joint Committee's health and safety policy, in particular:

- In conjunction with the Joint Committee, the development and continual improvement of health and safety performance by ensuring that health and safety management systems are implemented and maintained.
- Ensuring effective planning, organisation, control, measuring, monitoring, reviewing and auditing of the health and safety management system and associated policies and procedures.
- Undertaking the role of health and safety 'champion' within the crematorium.
- Ensuring health and safety is recognised as a core business function and fully integrated into the business activities of the crematorium with health and safety objectives being an integral component of service delivery plans.
- Keeping up to date with any significant health and safety failures and investigation into their causes.
- Authorising new or revised health and safety systems, procedures or guidance.
- Ensuring that each employee has the appropriate level of competency in health and safety to enable them to effectively undertake their role.
- Producing an annual action plan, ensuring that health and safety is fully integrated into business activities with health and safety objectives being an integral component of service delivery plans.
- Ensuring that the health and safety policy and associated procedures are brought to the attention of all employees and others as appropriate.
- Keeping up to date with changes to health and safety legislation, standards and good practice relevant to crematoria activities.
- Ensuring risk assessments for activities are undertaken, control measures identified and implemented, and the outcomes communicated to employees and others as appropriate.
- Ensuring there are effective arrangements to receive, collate, and disseminate health and safety information.
- Ensuring all accidents and incidents are reported, documented, appropriately

investigated and preventative measures put in place to avoid reoccurrences.

- Ensuring employees receive health and safety training (including induction) required to carry out their work safely.
- Ensuring health and safety is appropriately considered at the planning and design stages (for example during the development or introduction of new methods of work, equipment, buildings etc).

22. In the absence of the Manager and Registrar, the Deputy Manager and Registrar will be expected to undertake the functions described above.

Crematorium Senior Technician

23. The Senior Crematorium Technician is part of the health and safety management structure and his/her function is to observe and direct the execution of a task or activity including the work of employees. Of all the individual contributions to accident prevention, that of the supervisor is probably the most vital.

24. The need for regular monitoring for unsafe practices during the course of the working week is not to be regarded as a superimposed burden, but as a vital part of the efficient running of the crematorium operation.

25. Those directly employed (or temporarily authorised) in a supervisory capacity are to assist the Crematorium Manager and Registrar fulfil the health and safety responsibilities by ensuring that safe systems of work/instructions are adhered to by all employees.

Employees

26. The reference made to employees is a reference to all employed individuals and therefore includes fixed term workers, trainees, volunteers, work placements and casual workers. It is the responsibility of every employee to:

- Fully familiarise themselves with the Crematorium health and safety policy and associated procedures, seeking clarification from the Crematorium Manager where necessary.
- Take reasonable care for the health and safety of themselves and other persons (i.e. members of the public, contractors, customers etc) who may be affected by their acts or omissions at work.
- NOT intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety and welfare.
- Report any defects in plant or equipment to their line management.
- Notify the Crematorium Manager or if not available another appropriate person of any work situation having the potential for serious and imminent danger to health and safety.
- Notify the Crematorium Manager of any matters/shortcomings relating to existing practices, procedures or protective measures which might give rise to risks to health and safety.

- Report all accidents and incidents to the Crematorium Manager as soon as possible, whether or not the accident or incident involved personal injury.
 - Wear protective clothing and safety equipment as required reporting any defect to management.
 - Suggest possible amendments to existing practices or procedures which could improve health and safety.
 - Use machinery, equipment, substances, transport, or safety devices in conformity with relevant training/instruction.
 - Co-operate with the Joint Committee, management and other appropriate persons to enable them to conform and comply with any health and safety duties or requirements imposed upon them.
 - Inform transferred and new employees of any hazards involved in the activities of the service.
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THE RISK ASSESSMENT PROCESS

What is a Risk Assessment?

Risk assessment is an important step in protecting employees and the crematorium business, as well as complying with the law. It helps focus attention on the risks that really matter in the workplace – the ones with the potential to cause real harm. In many instances, straightforward measures can readily control risks, for example ensuring spillages are cleaned up promptly so people do not slip, or cupboard drawers are kept closed to ensure people do not trip. For most, that means simple, cheap and effective measures to ensure the most valuable asset – the workforce – is protected. The law does not expect you to eliminate all risk, but you are required to protect people as far as ‘reasonably practicable’.

A risk assessment is quite simply a “careful examination of what activity carried out within the crematorium could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm”.

Why do you need to do Risk Assessments?

The short answer is to stop people from being killed, injured or becoming ill through a work related activity. However, there are other good reasons for carrying them out:

- We all have a moral duty to ensure that our actions are not responsible for harming the health or safety of other people
- Recording significant risks is required by law. Failure to comply could involve the Health and Safety Executive which could lead to criminal action.
- It makes good business sense. For example, lower accident rates mean less downtime, improved productivity, lower insurance premiums.

What does a Risk Assessment Involve?

Risk assessment involves:

- Taking a close look at the work you do and deciding whether the way you carry out that work could affect anyone’s health or safety and, if you do consider that someone could be harmed...
- Introducing safeguards to ensure that the chances of it happening are either eliminated or reduced to an acceptable level.

In practice, it is something that you may already do automatically to one level or another without thinking of it as a risk assessment or writing anything down. Many things that we do outside work involve assessing the risks and then taking the necessary actions to ensure that we do not come to harm.

When crossing a busy road for example, rather than just walking into the road, we take into account such factors as:

- The speed and frequency of the traffic
- How wide the road is
- How fast we can get from one side to the other
- How much of a hurry we are in.

If we don't like what we see, we don't cross, but instead take actions (control measures) to ensure that we are not knocked down. We could either wait for a quiet spell or better still walk to a pedestrian crossing. In doing so, we have reduced the risk of being knocked down to a level that we are satisfied with. Of course if you could take away the hazard altogether you would eliminate all chances of coming to harm from that particular hazard.

For risk assessments at work it is simply a case of applying the same basic principles:

- Identify the dangers (hazards),
- Decide who might be harmed and how,
- Evaluate the existing control measures and then, if necessary,
- Introduce new or revised control measures to reduce the likelihood of harm to an acceptable level – preferably to zero by eliminating the hazard.

It should also be remembered that depending on the nature of the operation and the tasks being carried out, it may be necessary to carry out a number of risk assessments.

How do I carry out a Risk Assessment?

A risk assessment is broken down into five stages:

Stage 1: Identify the hazards

Stage 2: Decide who might be harmed and how

Stage 3: Evaluate the risks and decide whether the existing precautions are adequate or whether more should be done

Stage 4: Record your findings

Stage 5: Review your assessment and revise it if necessary

An explanation of terms you will come across.

- Hazard – something with the potential to cause harm
- Risk – the likelihood of harm being caused

- Likelihood – the odds that something will happen
- Severity – how serious the consequences are likely to be

The Five Stages of a Risk Assessment

Stage 1 - Identify the Hazards. (Things with the potential to cause harm) Some typical examples are:

- wet floors
- chemicals
- electrical equipment
- working at heights
- waste materials
- lifting loads

Stage 2 - Decide who could be harmed and how. When you carry out your risk assessments you should consider the safety and health of some or all of the following people:

- yourself;
- colleagues (particularly anyone young or inexperienced);
- colleagues with disabilities
- colleagues who are pregnant or nursing
- contractors and their workers
- visitors, e.g. delivery drivers, maintenance staff, clients, etc.
- members of the public
- anyone else who might be affected by your work, e.g. neighbours, passers-by.

NOTE. If you include young people (under the age of 18), pregnant or nursing mothers, a separate risk assessment is available and must be completed to specifically outline how they will be protected from the hazards to be found in the workplace.

Stage 3 - Having decided what hazards arise out of the work you are doing, you should consider whether the measures that are in place to control the risk are adequate. Even when control measures have been put in place there will usually be a remaining (residual) risk which will need to be addressed. In evaluating the risks you should take account of the likelihood that an accident will occur and the severity (seriousness) if it does.

- **Likelihood** - What is the likelihood that an accident will occur? Consider this example. You could say that the likelihood of someone falling from a cradle whilst cleaning windows is 'tolerable' because the cradle guard has rails and the operator has been fully trained in its use, and is wearing a harness. On the other hand, if the operator had received no training, you might assess likelihood at 'moderate' or possibly even 'substantial' or 'intolerable'. It would then be up to you to put more controls in place to

reduce the level of risk. Obviously an ideal solution is to get rid of the hazard altogether. If there is no hazard (the thing with the potential to cause harm), there can be no risk of accident.

- **Severity** - What will be the severity of any incident that arises from the hazard? For example, at one extreme, an untrained window cleaner falling from height could be killed, whereas at the other end of the scale, the result of someone not using a cleaning agent correctly or not wearing gloves might suffer a slight rash for a few minutes.

Your risk assessment has to show how you have dealt with all the obvious hazards; that you have provided information about the controls that exist and those you propose to put in place to minimise the risk of harm.

Where it is more convenient to do so, your risk assessment can identify where relevant information can be found, e.g. your health and safety policy, rather than including masses of information in the risk assessment itself.

Finally, you will have to make the judgment as to whether these precautions are adequate or whether the remaining level of risk (residual risk) is too high. If it is too high, more control measures must be introduced.

Stage 4 - Record your findings

Risk assessments must be recorded but more importantly made available to those who are involved in the work. There are occasional specific risk assessments that have to be recorded on separate assessments as required for example by the Noise at Work Regulations, Manual Handling Operations Regulations, Pregnant Workers Regulations and Control of Substances Hazardous to Health Regulations.

Stage 5 - Review your assessment and revise if necessary

Your risk assessment will need to be reviewed from time to time to ensure the controls are still appropriate and effective. If there is a major change in any aspect of the way the job has to be carried out, e.g. change of process, new piece of machinery, new members of staff, etc., a new risk assessment may be needed to take account of new hazards or increased levels of risk. All should be reviewed at least annually.

I have done my Risk Assessment - what now?

It is most important that the findings of risk assessments are communicated to anyone who is likely to be affected, e.g. your employees. Don't just file them away!

- Ensure that a copy is available of each and subsequently updated Risk Assessments in your file
- Ensure that your Health and Safety Policy clearly states your intention and how you will complete your Risk Assessments

- All Risk Assessments should have the name of the person completing the Risk Assessment & dated.

CREMATORIUM SIGNIFICANT RISKS

Operational risks

1. Explosion in cremator
2. Charge door jammed
3. Gas leakage
4. Electricity failure
5. Contractors on site
6. Removal of hip joints prior to cremulation
7. Raking down remains
8. Operation of compactor
9. Motorised blower
10. Wicker coffins
11. Cremator charging
12. Moving coffins
13. Body fluids
14. Confined space
15. Hazardous substances
16. Lone working
17. Driving
18. Electrical appliances
19. Excavations
20. Hand tools
21. Working at height
22. Office work
23. Violence
24. Window cleaning
25. Young persons

Property Risks

- 1 Water systems
- 2 Gas systems
- 3 Fire arrangements
- 4 Asbestos materials
- 5 Electricity
- 6 Disability
- 7 Structure
- 8 Unauthorised access
- 9 External/internal Maintenance

JH/me
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