



Tenant & Resident Health & Safety Policy

September 2024

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1. Purpose

- 1.1 To define the Tenant & Resident Health & Safety policy of Govanhill Housing Association (GHHA) in relation to its responsibilities as a Landlord and to demonstrate the commitment of the Management Committee and personnel to implement this policy.
- 1.2 To set out the policy upon which the full Landlord Facilities Health Safety & Welfare (LFHS&W) Management System is based.
- 1.3 In line with GHHA's strategic and operational risk management, the Association recognises its regulatory obligations in relation to Tenant & Resident Health & Safety and the importance of ensuring its policies and procedures meeting legislative & regulatory requirements.
- 1.4 The Scottish Housing Regulator (SHR) has identified seven priority areas to be managed by Housing Associations, these are:
 - Asbestos
 - Damp & Mould
 - Electrical Safety
 - Fire Safety
 - Gas Safety
 - Lift Safety
 - Water Hygiene
- 1.5 This Policy Statement sets out the commitment of the Management Committee and staff to achieving high standards of Tenant & Resident Safety in relation to the Association's activities as a Landlord. Reference should be made to the full LFHS&W Control Manual and its associated documentation and records for the comprehensive arrangements in place to implement the commitments of this Statement.

2. Tenant & Resident H&S Policy Statement

- 2.1 The Director holds overall executive control and is, therefore, responsible for the conduct of the Association from a Tenant & Resident Health & Safety perspective.
- 2.2 GHHA shall ensure that accountability and responsibility for the implementation and operation of facilities related Health & Safety arrangements is discharged by formally appointed personnel of appropriate seniority and competence and that adequate resources are allocated to these roles.
- 2.3 A range of topic specific legislation imposes statutory duties on Landlords in relation to the protection of the Health & Safety of tenants and residents who may be affected by GHHA's undertaking as a Landlord. To enable these statutory duties to be carried out, it is the policy of the Association, so far as is reasonably practicable, to ensure that responsibilities for Health, Safety and Welfare are assigned, accepted and fulfilled at all levels of the Association; that all practicable steps are taken to manage the Health, Safety tenants and residents; and to conduct the business in such a way that the health and safety of tenants, service users, visitors, contractors and the public is not put at risk.
- 2.4 It is the Policy of the Association, so far as is reasonably practicable, to prevent injuries, incidents and ill-health that may be associated with its property portfolio and to ensure that-
 - a) The living environment of all tenants is safe and without risks to health or safety and that adequate provisions are made with regard to the safety of premises and facilities.

- b) Plant, machinery and equipment are safe and without risks to the health or safety of tenants, service users, contractors and any other person who may be affected with regard to any premises or operations under the Association's control.
- c) All Statutory inspection regimes are maintained so far as reasonably practicable to comply with legislation, codes of practice and best practice.
- d) Adequate information is made available to tenants and others in relation to facilities and premises related hazards and risks.
- e) Employees are provided with such instruction, information, training and supervision as is necessary to ensure the Landlord's Health & Safety responsibilities may be adequately discharged.
- f) This Policy Statement, and all supporting Policies, Procedures and Arrangements shall be reviewed and updated as and when it is necessary or appropriate and at least annually. Communication of any such changes shall be made to all employees.

2.5 To enable the Association to meet its statutory duties and commitments set out above, a comprehensive Management System shall be operated, which shall include written Policies, Procedures and Arrangements for all relevant areas of H&S Management relevant to the role of a Landlord. These shall be set out in a Control Manual, which shall be adopted by the Management Committee and the Director. All relevant employees shall be provided with adequate information, instruction and training in the contents of the Manual and in risk management issues relevant to their work.

2.6 This Policy Statement shall be presented on the Association's web site to ensure that all interested parties can view this commitment to Tenant & Resident Health & Safety and issued to all staff to read & sign off via People HR. Parties requiring further, more detailed information on the system shall be provided with all such reasonable information by the Association's Health & Safety Officer (HSO).

2.7 It shall be the duty of all **employees** with defined responsibilities under this system to:

- a) Co-operate with the Association so far as is necessary to ensure compliance with any duty or requirement imposed on the Association, or any other person, under any relevant statutory duties.
- b) Comply with any safe working procedures, practices or 'rules' set out by the Association and with the information, instruction and training provided.

2.8 All accidents, incidents, ill health and near misses associated with a potential breach of Landlord's duties shall be reported to via the online accident, incident & near miss reporting system within 48 hours and shall be appropriately investigated and reported to external Authorities/Bodies where appropriate.

Director	John Quinn	Signature		Date	
Chairperson	Keith Kintrea	Signature		Date	
				Review	October 2025

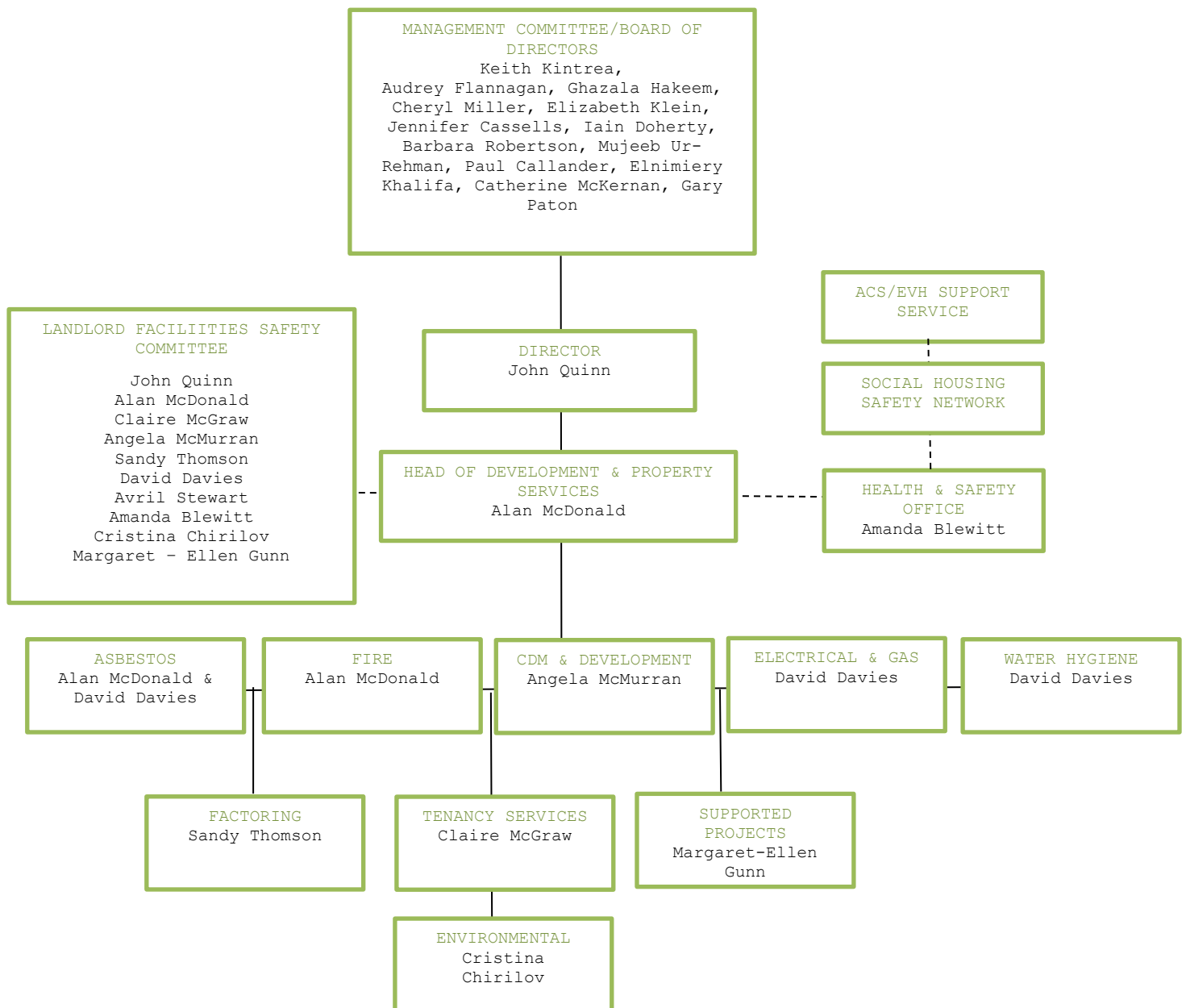
1. Responsibilities – Overview

- 1.1 It is recognised that the successful management of Tenant & Resident HS&W across the Association's property portfolio and tenancies requires the commitment of Senior Management and all persons with responsibility for delivering the Landlord's duties.
- 1.2 All employees have a responsibility to diligently discharge their duties in relation to the provision of health, safety and welfare requirements across tenancies. This will include the delivery of processes and procedures to comply with specific Regulations on safety related issues. Those in positions of responsibility have additional obligations, by virtue of their 'managerial' functions. Indeed, the Health & Safety Executive (HSE) document *Enforcement Policy Statement*, HSE41(rev1), notes the following on 'Prosecution of individuals':

"... enforcing authorities should identify and prosecute or recommend prosecution of individuals if they consider that a prosecution is warranted. In particular, they should consider the management chain and the role played by individual directors and managers, and should take action against them where the inspection or investigation reveals that the offence was committed with their consent or connivance or to have been attributable to neglect on their part and where it would be appropriate to do so in accordance with this policy. Where appropriate, enforcing authorities should seek disqualification of directors under the Company Directors Disqualification Act 1986."

- 1.1 The following sections set out the principal Landlord related Health & Safety responsibilities of individuals within the Association. These duties shall be in addition to the general duty on all employees to ensure the Health, Safety and Welfare of themselves and all others who may be affected by their undertakings as set out in the Health & Safety at Work Policy.
- 1.2 In addition to the *individual* liability of senior staff, the *Corporate Manslaughter and Corporate Homicide Act 2007* allow *companies* and *corporations* to be prosecuted for corporate manslaughter (in England, Wales & N. Ireland) and, corporate homicide (in Scotland) where serious management failures result in death. Under this Act there is no longer the need to identify a 'controlling mind' (i.e. one individual whose negligence or recklessness caused the death) to convict an organisation of homicide, thus making it easier to prosecute organisations.
- 1.3 The management responsibilities defined within this Policy should ensure that adequate and appropriate managerial control is exercised over Tenant & Resident Health & Safety duties to protect against prosecution.

2. Landlord H&S Organisation Chart



3. Responsibilities – Management Committee

- 3.1 The Management Committee, headed by a Chairperson acts as a body to oversee the operations of Govanhill Housing Association.
- 3.2 It is recognised that the Management Committee, whilst not actively involved in the day to day running of GHHA, is collectively responsible for providing leadership and direction on ensuring the Landlord's responsibilities are discharged. The Director with overall responsibility & Head of Development & Property Services shall be responsible for implementing the Management Committee's vision for LFHS&W.
- 3.3 The Committee will endorse the Tenant & Resident Health & Safety Policy and LFHS&W Manual, and the Chairperson will sign the Policy Statement along with the Director. Where there is a change of personnel, the incoming Chairperson will sign the Policy to ensure the commitment on behalf of the Committee remains current.
- 3.4 **The Operations Sub Committee will place Tenant & Resident Health & Safety as a standing item on the Agenda of all its meetings.** This will allow the Head of Development & Property Services to report on performance, funding requirements, failures and other H&S related issues. The Committee will give all such issues due consideration and will make available all reasonable funding and support as may be required. Any larger spend or more serious incidents will be referred by the Head of Development & Property Services to the full Management Committee and a **Report from Operations Sub Committee meetings will pass to the Management Committee for noting/approval.**
- 3.5 The Committee will review the findings of all internal and external H&S audits carried out within GHHA and will authorise the use of all reasonable support required to rectify any significant non-compliances identified by the audits.
- 3.6 The Committee will take an active interest in the investigation of any significant safety failure, making available all reasonable resources for a full investigation and for the taking of adequate measures to rectify any deficiencies in the existing arrangements.
- 3.7 All Committee members will undergo training in 'Landlords Health & Safety Awareness' and in their management responsibilities. This will ensure that all members have a working knowledge of the topic, which will assist in the discussion of Tenant & Resident H&S at all pertinent meetings. This should also assist the Committee in determining whether the Director and Head of Development & Property Services are managing Tenant & Resident H&S adequately within the Association.
- 3.8 The Committee shall accept their responsibilities noted above and review their responsibilities at least annually.

4. Responsibilities - Director

- 4.1 The Director is responsible for the general day to day running of Govanhill Housing Association and is supported by the Senior Management Team. It is recognised that this function incurs the overall responsibility for Tenant & Resident Health & Safety Management within the Association and the requirements of the LFHS&W Manual will be adopted to ensure adequate provisions are made and maintained.
- 4.2 The Director will appoint a competent Senior Manager who shall be responsible for taking executive control of the implementation of the LFHS&W systems and for implementing the Management Committee's vision/plan for Tenant & Resident Health & Safety.
- 4.3 The Director will endorse the Tenant & Resident Health & Safety Policy and the LFHS&W Manual and will sign the Policy Statement along with the Chairperson of the Management Committee. Where there is a change of personnel, the incoming Director will sign the Policy to demonstrate commitment and acceptance of responsibilities.
- 4.4 The Director will hold *ultimate responsibility* for the implementation of Govanhill Housing Association's policy, procedures and arrangements, although the Senior Manager Responsible for LFHS&W Manual will have executive control of this function. To this end, they will appoint an adequate number of competent persons to achieve and maintain legal compliance. This will include a Health & Safety Officer (HSO). The Director will also take all appropriate action to reduce the risks to tenants and others arising from the business undertaking and to improve the health and safety performance of premises. The Director may be held liable where offences are committed with their consent or connivance or as a result of his/her negligence (Health & Safety at Work etc. Act 1974, Section 37(1)).
- 4.5 The Senior Manager will report on Tenant & Resident H&S performance, funding requirements, safety failures and other related issues at each Operations Sub Committee meeting, as well as make available all internal and external audit reports relevant to this function. Fully justified requests will be made to Committee for any resources, support or funding required for Tenant & Resident H&S purposes.
- 4.6 The Director will ensure that Tenant & Resident H&S considerations are taken into account for all new investment opportunities and in GHHA's estates/property development policy. The objective will be to design out risks so far as is reasonably practicable.
- 4.7 The Director will be responsible for allocating duties, resources and funds as appropriate to implement and maintain the LFHS&W system and as may be reasonably requested by the Senior Manager responsible for LFHS&W.
- 4.8 The Director will ensure that adequate communication channels exist throughout the entire Association to allow Tenant & Resident H&S issues to be dealt with timeously and effectively.
- 4.9 The Director will ensure that all significant safety failures are fully investigated and reported to the Operations Sub Committee or/and Management Committee. They will also ensure that all necessary support is sought to adequately investigate the situation and develop suitable remedial measures to reduce the likelihood of a similar incident recurring.
- 4.10 The Director and relevant senior staff will undergo training in 'Landlord's Facilities Health & Safety Awareness'.
- 4.11 The Director shall accept their responsibilities by providing their electronic signature via People HR and review these responsibilities at least annually.

5. Responsibilities – Head of Development & Property Services - Responsible for LFHS&W

- 5.1 The Head of Development & Property Services has delegated responsibility from the Director for Tenant & Resident H&S and shall be responsible for taking executive control of the implementation of the LFHS&W management system and for implementing the Management Committee's vision/plan for Tenant & Resident H&S. This role will be regarded as one of 'senior management representation' for technical compliance with the Landlord's H&S duties.
- 5.2 The Head of Development & Property Services will provide operational support to the Director and discharge many of the day-to-day management tasks required in the running of the Associations LFHS&W management system. It is, therefore, recognised that this function incurs some significant responsibility in terms of the Landlord's H&S duties. In particular, the Head of Development & Property Services may be held liable where Health & Safety offences are committed with his/her consent or connivance or as a result of his/her negligence.
- 5.3 The Head of Development & Property Services will be responsible for ensuring the maintenance of an adequate programme of technical assessments and remedial action, allocating duties and resources as appropriate to keep assessments and control measures current. The Head of Development & Property Services will also ensure that any remedial measures agreed with the Director are effectively actioned.
- 5.4 The Head of Development & Property Services will be responsible for maintaining an adequate programme of staff training and competence, ensuring that all staff are given appropriate instruction, information and training to ensure their roles may be discharged effectively.
- 5.5 The Head of Development & Property Services will give due consideration to all Tenant & Resident H&S related requests from the HSO, technical staff and tenants, taking appropriate action, responding timeously to ensure adherence to legislation & good practice where necessary and requesting support / approval from the Director where required.
- 5.6 The Head of Development & Property Services will take an active participation in the Tenant & Resident H&S Safety Committee. This will involve the raising of pertinent issues for consideration by the Committee and the reporting of Committee concerns to the Director and other staff as may be appropriate.
- 5.7 The Head of Development & Property Services will be supported by the Director and other Head of Departments in ensuring compliance with Tenant & Resident H&S.
- 5.8 The Head of Development & Property Services will accept their responsibilities by providing an electronic signature to confirm they understand and adhere to this policy on an annual basis via People HR.

6. Responsibilities – Tenant & Resident H&S (TRHS) Committee

- 6.1 The TRHS Committee will provide an open forum for the discussion of all health, safety and welfare and risk compliance issues which come under the scope of the Association's duties as a Landlord. The Committee will be Chaired by the Head of Development & Property Services who is responsible for Tenant & Resident HS and members will be drawn from the technical functions delivering compliance support.
- 6.2 All Committee members will undergo suitable training, which will include, as a minimum, 'Landlord's Health & Safety Awareness'. This will ensure that all members have a working knowledge of the range of topics under discussion, commensurate with their role in the Committee and within the Association as a whole.
- 6.3 The Committee will suggest solutions and initiatives for issues arising, which will be minuted and presented to all TRHS Committee members following each meeting, without undue delay. Minutes will also be presented to Operations Sub Committee.
- 6.4 Where appropriate, the Committee will draft proposed revisions to policy, procedures and arrangements, for ultimate approval by the Director and Management Committee.
- 6.5 The Committee will review the Tenant & Resident H&S performance of the Association, analysing findings from technical assessments, reports on compliance issues, common challenges and data from other information gathering exercises. Recommendations on options to improve Tenant & Resident H&S performance will be made to the Director without undue delay.
- 6.6 The TRHS Committee will follow a standing agenda, including SHR top seven Tenant & Resident H&S topics:
- Outstanding from Previous Minutes
 - Accidents, Incidents & Near Misses
 - Regulator Top 7:
 - Asbestos Management
 - Damp & Mould
 - Electrical Safety
 - Fire Safety
 - Gas Safety
 - Lift Safety
 - Water Management
 - Environmental Issues/Concerns
 - AOB
- 6.7 Committee Members will acknowledge this policy on an annual basis. This policy will be issued to Committee members via their People HR accounts for them to provide their electronic signature.

7. Responsibilities – Employees with technical compliance duties

- 7.1 While the duties of management staff have been made clear in previous sections, it is recognised that technical compliance issues will be controlled by individual staff members. Technical staff will be provided with all appropriate instruction, training, information and support to ensure their duties may be effectively discharged. This may require specific training on technical compliance issues.
- 7.2 Employees will comply with the relevant policies, procedures and arrangements set out in the LFHS&W Control Manual and with any information, instruction and training provided.
- 7.3 Employees will report to their Head Of Department (HOD) or Senior Manager responsible for Tenant & Resident H&S, any identified breaches of H&S procedures, any accidents or safety related incidents or near misses and any aspect which appears to them to give rise to a significant risk to the health, safety or welfare of tenants, residents or other persons. Such reports will be made without undue delay.
- 7.4 Employees will inform their HOD or Senior Manager responsible for Tenant & Resident H&S, without undue delay, where they believe that further training or other risk control measures would be beneficial.
- 7.5 Employees will co-operate in all safety programmes, training and other initiatives that are intended to reduce risk or improve their competencies and will actively implement any control measures identified as being required.
- 7.6 Employees' defined roles and areas of responsibility in relation to LFHS&W will be recorded below.

Name	Job Title	Role/Area of Responsibility
Alan McDonald	Head of Development & Property Services	Asbestos, Fire
Angela McMurran	Asset Manager	CDM & Development
David Davies	Senior Maintenance Officer	Legionella, Gas Safety, Electrical Safety, Damp & Mould
Margaret – Ellen Gunn	Supported Projects Co-ordinator	HMOs & Care Units
Sandy Thomson	Factoring Manager	Factoring
Claire McGraw	Head of Tenancy Services	Tenancy Services
Cristina Chirilov	Environmental Assistant	Environment
Amanda Blewitt	Health & Safety Officer	Tenant & Resident Safety

8. Responsibilities – Health & Safety Officer (HSO)

- 8.1 The function of the HSO is, by definition, one of '**administration**' as opposed to '**management**'. The HSO will carry out regular inspections on properties, organise fire risk assessments and carry out internal audits on Health & Safety matters and ensure records are maintained and up to date will be fully supported by the Director and Head of Development & Property Services responsible for Tenant & Resident H&S.
- 8.2 The HSO will undergo suitable training, which will include as a minimum 'Landlord's Facilities Health & Safety Awareness' and instruction in the administration duties expected of him/her by the Head of Development & Property Services who is Responsible for LFHS&W Management System.
- 8.3 The HSO will maintain the Master LFHS&W Control Manual and the record keeping system in an up to date and tidy condition. This will include the dissemination of all Manual updates to Manual holders and the filing of appropriate records.
- 8.4 The function of the Health and Safety Officer (HSO) is primarily to provide competent advice and assistance to the Management Committee, Director and Senior Management team at GHHA in the preparation, development, implementation and reviewing of policies and procedures on all matters pertaining to health and safety within the Association.
- 8.5 The HSO will be responsible for communicating relevant Tenant & Resident H&S information throughout the Association and to tenants, where appropriate.
- 8.6 The HSO will acknowledge this policy on an annual basis, by providing their electronic signature via People HR.