

Stevenage Borough Council

Lift Safety Policy

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01. Table of Definitions / Glossary

SBC	Stevenage Borough Council
LOLER	Lifting Operation & Lifting Equipment Regulations 1998

02. Introduction and Objectives

- 2.1 As a landlord, Stevenage Borough Council (SBC) is responsible for maintenance and repairs to our homes, communal blocks, and other properties we own and manage, some of which will contain domestic lifts, passenger lifts and other lifting equipment. We are responsible for maintaining these lifts and carrying out periodic thorough examinations to ensure they continue to operate safely.
- 2.2 The key objective of this policy is to ensure that the Council, Senior Leadership Team, employees, partners, and residents are clear on our legal and regulatory lift safety obligations. This policy provides the framework our staff and partners will operate within in order to meet these obligations.
- 2.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.
- 2.4 This policy supports compliance with the Building Safety Act 2022 and the Regulator of Social Housing Consumer Standards.

03. Scope

- 3.1 This policy is relevant to all our employees, residents, contractors, stakeholders, and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services.
- 3.2 The policy should be used by all to ensure they understand the obligations placed upon SBC to maintain a safe environment for residents and employees within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory.
- 3.3 SBC manages domestic properties which have been adapted with living aids such as stair lifts, through floor lifts and hoists to enable residents to continue to live independently. We take responsibility for the lifts which have been installed within our domestic properties which we have been made aware of.

04 Roles and Responsibilities

- 4.1 The Senior Leadership Team (SLT) of SBC has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, SLT will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 4.2 For assurance that this policy is operating effectively in practice, SLT will receive regular updates on its implementation, lift safety performance and non-compliance.
- 4.3 The Senior Leadership Team (SLT) will receive monthly performance reports in respect of lift safety and ensure compliance is **achieved**. They will also be notified of any non-compliance issues identified.
- 4.4 The Head of Building Safety has strategic responsibility for the management of lift safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.

- 4.5 The Building Services Manager has operational responsibility for the management of lift safety and will be responsible for overseeing the delivery of these programmes. The Building Services Manager will also fulfil the role of Responsible Person on behalf of SBC.
- 4.6 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal processes, as necessary

05. Legislation & Guidance

SBC have given regard to the following legislation and guidance in preparing this policy.

- Health & Safety at Work etc. Act 1974
- Lifting Operation and Lifting Equipment Regulations 1998 (LOLER)
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Workplace (Health, Safety and Welfare) Regulations 1992
- Defective Premises Act 1972
- Building Safety Act 2022
- Building Regulations 2010 (as amended), including Part M – Access to and Use of Buildings
- BS EN 81 Series (Safety Rules for the Construction and Installation of Lifts)
- BS 7255 (Code of Practice for Safe Working on Lifts)
- BS EN 13015 (Maintenance for Lifts and Escalators – Rules for Maintenance Instructions)
- ACoP L113 - Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).
- 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).
- Defective Premises Act 1972
- Homes (Fitness for Human Habitation) Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

5.1 Regulatory Standards

Failure to discharge the Council's responsibilities and statutory obligations under this policy may result in enforcement action, including investigation or prosecution by the Health and Safety Executive (HSE) under the Health and Safety at Work etc. Act 1974, the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), the Provision and Use of Work Equipment Regulations 1998 (PUWER), the Corporate Manslaughter and Corporate Homicide Act 2007, or other applicable legislation referenced within Section 5.1 of this policy.

Failure to comply with regulatory requirements may also result in intervention by the Regulator of Social Housing, including regulatory engagement, statutory enforcement action, or the issuance of regulatory notices where there is evidence of non-compliance with the Consumer Standards, particularly the Safety and Quality Standard.

5.2 **Sanctions**

Social Housing and the applicable Consumer Standards for registered providers of social housing in England.

In particular, the Council will ensure compliance with the Safety and Quality Standard, which requires landlords to provide safe, well-maintained homes and to meet all applicable statutory requirements relating to health and safety, including the safe management, inspection, maintenance and operation of lifts and lifting equipment.

This policy has been developed with due regard to the Social Housing (Regulation) Act 2023 and will be reviewed periodically to reflect any future changes to legislation, regulation, statutory guidance, or best practice.

06. **Supporting Documents & Policies**

- Stevenage Borough Council Lift Safety Procedure
- Stevenage Borough Council – Tenancy Agreement

07. **Obligations**

7.1 **LOLER**

Passenger lifts in workplaces (for example, offices) which are used by people during their course of work, fall within the scope of LOLER. Although domestic lifting equipment installed within dwellings is generally outside the statutory scope of LOLER, SBC adopts equivalent inspection and maintenance arrangements as recognised industry good practice. Maintenance does not replace a Thorough Examination.

LOLER requirements are to maintain lifts and ensure that they have thorough examinations:

- Before use for the first time
- 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); 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.
- Thorough examination reports must be kept for at least two years.

7.2 **Health and Safety at Work Act etc. 1974**

Section 3 of the Health and Safety at Work Act makes employers, such as landlords, responsible for the health and safety of employees and people using or visiting their premises, so far as reasonably practicable (including residents).

For passenger lifts in communal blocks and for tenanted properties with domestic lifts, duties may be adequately discharged by adopting the same provisions as applies to all other lifting equipment covered by LOLER (carrying out regular maintenance and a six-monthly thorough examination).

7.3 **Provision and Use of Work Equipment Regulations 1998 (PUWER)**

There is some overlap between LOLER and PUWER, which applies to all work equipment, including lifting equipment (such as hoists, lift trucks, elevating work platforms and lifting slings). The scope of this policy includes for lifts which are fixed within properties owned by Stevenage Council and managed by SBC (i.e., passenger/stairlifts/through floor lifts) and not mobile lifting equipment.

7.4 **Insurance**

Insurers may impose demands for similarly stringent levels of risk management to cover public liability.

08. Statement of Intent

- 8.1 SBC acknowledge and accept our responsibilities under the legislation outlined in Section 5.
- 8.2 SBC will adopt the same principles to the management of lifts within communal blocks and domestic properties as for passenger lifts and any other lifts provided as work equipment. We will therefore carry out a programme of periodic servicing and maintenance and thorough examinations to lifts within domestic properties where these have been installed by us, or where our tenant has installed one and made us aware of it.
- 8.3 SBC will ensure all lifting equipment is subject to a thorough examination before being commissioned into use for the first time.
- 8.4 All lifting equipment will be subject to a periodic thorough examination and routine servicing and maintenance.
- 8.5 All lifts that we install in properties we owned or managed by the council will, where reasonably practicable and applicable, be designed and installed to provide safe and accessible use for disabled people. Lift installations will comply with the requirements of the Equality Act 2010 and the Building Regulations 2010(as amended), including Approved Document M – Access to and Use of Buildings, together with any other relevant statutory requirements and recognised industry standards.
- 8.6 SBC will endeavor to ensure that all lifting equipment will always be in full working order. When we become aware of a breakdown, we will ensure our lift contractor attends within six hours.
- 8.7 SBC will operate robust processes to deal with entrapment situations. In the event of any persons becoming trapped in a lift we are responsible for SBC will maintain contractual response times appropriate to the risk presented by lift entrapment.
- 8.8 We will operate a robust process to manage and rectify immediately dangerous situations identified during a lift safety check or any other maintenance work.
- 8.9 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 person's welfare.
- 8.10 All domestic stair lifts will have a thorough examination/service visit before the property is re-let in order to ensure it is safe and working correctly at the point the new tenancy commences. The new tenant will also be shown how to operate the lift safely. We will also consider the suitability of prospective residents to ensure the property is appropriate if lifting equipment has been installed.

- 8.11 We will operate a robust process to gain access to properties to undertake thorough examinations, lift safety/servicing visits and follow-on works. Where resident vulnerability issues are known or identified we will ensure we safeguard the wellbeing of the resident, whilst ensuring the organisation can gain timely access to any property to be compliant with this policy.
- 8.12 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including; ensuring contracts/service level agreements 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.
- 8.13 We will establish and maintain a risk assessment for lift safety management and operations, setting out our key lift safety risks and appropriate mitigations.
- 8.14 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM), a Construction Phase Plan (CPP) will be prepared and implemented for all applicable construction projects, including component replacement works, refurbishment project, and repair works to void and tenanted properties where the requirement of CDM apply.

The Construction Phase Plan will be in place before works commence and will set out the arrangements for managing health, safety, welfare, and environmental risks throughout the construction phase. The CPP will be reviewed regularly throughout the duration of the works and updated where there are significant changes to the scope, risks, or working arrangements.

- 8.1 The CPP 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.
- 8.1 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to lift safety, and we will take action to ensure any issues identified and lessons we have learned to prevent a similar incident occurring again.

09. Programmes of Work

- 9.1 Thorough examinations – all lifting equipment, other than domestic lifts (Stairlifts) will be subject to a thorough examination:
- Before being commissioned into use for the first time.
 - Every six months if the lift is being used to carry people
 - Every twelve months if the lift only carries loads.
 - In accordance with an examination scheme (as prepared by a competent person) where there is one in place
 - In accordance with our insurers' specification
- 9.2 All domestic lifts will be subject to a thorough examination before a void property is re-let in order to ensure it is safe for the next resident.
- 9.3 All lifting equipment will be subject to routine servicing and maintenance in line with manufacturers' recommendations and/or any examination scheme.

10. Remedial Actions

- 10.1 SBC will ensure there is a robust process in place for the management of any follow-up works required following the completion of a thorough examination or servicing and maintenance inspection (where the work cannot be completed at the time of the examination or servicing/inspection).

11. Quality Assurance

- 11.1 SBC will ensure there is programme of annual third-party quality assurance audits of lifts that are not included on the thorough examination programme.
- 11.2 The council will carry out an independent audit of lift safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

12. Data and Records

- 12.1 SBC will maintain a core asset register of all properties we own or manage, setting out which properties have lifts which require a thorough examination. We will also set out which properties have lifts which require ongoing servicing and maintenance. This register will also hold data against each property asset of the type, age, and condition of lifting equipment in place.
- 12.2 SBC will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from lift safety programmes and the programme remains up to date.
- 12.3 SBC will hold records of the following against all properties on each programme:
- Thorough examination dates and reports
 - Servicing and maintenance dates and reports
 - Any examination scheme in place
 - Evidence of completed remedial works
 - Entrapment Reports
- 12.4 All thorough examination and servicing dates will be stored in Northgate / NEC and the documentation stored on the central server.
- 12.5 Where we install any stairlifts or other lifts to domestic properties or give approval for or become aware of any installation of such lifts, we will add them to the thorough examination and servicing programmes.
- 12.6 SBC will keep all records in line with our document retention policy and have robust processes and controls in place to maintain appropriate levels of security for all lift safety related data and records.

13. Resident Engagement

- 13.1 SBC consider good communication essential in the effective delivery of lift safety programmes, therefore we will establish a resident engagement strategy and communication programme to support residents in their understanding of lift safety.

- 13.2 This will assist us in maximising access to carry out periodic servicing and thorough examinations, encourage residents to report any lift safety concerns, and help us to engage with vulnerable and hard to reach residents.
- 13.3 We will share information clearly and transparently and will ensure that information is available to residents.

14. Competent Persons

- 14.1 The Building Services Manager is appointed by SBC as the Responsible Person for Lift Safety. They should be trained, instructed, and will be responsible for the delivery of Lift Safety.

The operational lead will undertake appropriate training, such as the Lift and Escalator Industry Association (LEIA) Practical Management of a Lift/Escalator Contract, IOSH Managing Safely course.

Responsible Person / Officer – Building Services Manager

- 14.2 The Approved Code of Practice for LOLER states:
- "You should ensure that the person carrying out a thorough examination has such appropriate practical and theoretical knowledge and experience of the lifting equipment to be thoroughly examined as will enable them to detect defects or weaknesses and to assess their importance in relation to the safety and continued use of the lifting equipment."*
- 14.3 Therefore, only suitably competent lift consultants and contractors, registered with the Lift and Escalator Industry Association (or equivalent), will be appointed to undertake thorough examinations, risk assessments, prepare examination schemes and undertake lifting equipment works.
- 14.4 SBC will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

15. Training

- 15.1 SBC will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic lift safety awareness training; and on the job training for those delivering the programme of lift inspections, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded. Training requirements will be reviewed periodically and refresher training delivered where appropriate.

16. Performance Reporting

- 16.1 We will report robust key performance indicator (KPI) measures for lift safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came in to force 01 April 2023. Performance must be reported to the Regulator on an annual basis; however, we will report internally on a monthly basis to EMT and Board. The relevant TSM for Lift Safety is defined as follows:

BS05 – Lift Safety Checks:

Proportion of homes for which all required communal passenger lift safety checks have been carried out.

16.2 This measure ensures that all individual dwellings that may be at risk as a result of any non-compliance are identified. The completion of remedial works is not included.

16.3 SBC will also report the following

Data – The total number of:

- Properties – Split by category (Domestic & Passenger Lifts)
- Properties – On the thorough examination programme
- Properties – With a valid and in date thorough examination
- Properties – Without a valid and in date thorough examination
- Properties – Properties due to be examined within the next 30 days
- Properties – Overdue follow up works / actions arising from the programme - Split by Risk Priority

Narrative – An explanation of:

- Current position
- Corrective action required
- Anticipated impact of corrective actions

Additional

- The number of entrapments within lifts (in month and year to date)
- The number of RIDDOR notifications to the HSE with regards to lift safety
- Domestic Lift Servicing Programme

17. Significant Non-Compliance and Escalation

17.1 Our definition of significant non-compliance is 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 of a SBC employee becoming aware of it.

17.2 Any non-compliance issue identified at an operational level will be formally reported to the Building Services Manager in the first instance, who will agree an appropriate course of corrective action with the Assistant Director and report details of the same to SLT.

17.3 In cases of serious non-compliance, SLT will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by their regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

18. Policy Review Frequency

18.1 This policy will be reviewed every two years, or earlier if there is a planned change in legislation or regulation.