

Lift Safety Policy

Housing Assets

April 2022

Document Title	Lift Safety Policy for Housing Assets
Owner	Joint Chief Executives
Consultation EMT Date	23 June 2022
Consultation Members Date (if applicable)	N/A
Consultation Residents Date (if applicable)	N/A
Equality Impact Assessment	N/A
Confidentiality	Low
Revision No.	v2.0
Previous Review Date	April 2022
Review Date	April 2025
Release Date	April 2025
Next Review Date	April 2028
Document Type	Agreed Policy
Approval	Extended Management Team
Approval Date	April 2025

Contents

1	Introduction	3
2	Scope	3
3	Legislation, Approved Codes of Practice and Industry Guidance	3
4	Obligations	4
5	Statement of Intent	5
6	Key Roles and Responsibilities	6
8	Additional Legislation and Industry Guidance	7
9	Approval	8

1 Introduction

- 1.1 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.
- 1.2 Canterbury City Council (hereafter referred to as CCC) 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 CCC has established a policy which meets the requirements of the Health and Safety at Work etc Act 1974. In addition to this, the policy will provide assurance to CCC that measures are in place to ensure compliance with the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and to identify, manage and/or mitigate risks associated with passenger lifts, stair lifts and hoists. CCC must also ensure compliance with lift safety legislation is formally reported to the two Joint Chief Executives and Extended Management Team, including the details of any non-compliance and planned corrective actions, on a regular basis.
- 2.2 The policy is relevant to all CCC 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 CCC 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 of CCC's properties.
- 2.4 The objective of the policy is to set our strategic direction for how CCC will manage lift safety. The detail on how this will be done is set out in the Procedure for Lift Safety, which is a separate document.

3 Legislation, Approved Codes of Practice and Industry Guidance

- 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 etc Act 1974, the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER) and the Provision and Use of Work Equipment Regulations 1998 (PUWER).

- 3.3 Code of Practice – the principal codes of practice applicable to this policy are:
 - 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 (2008).
 - 3.3.4 Sanctions - CCC 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 and Safety Executive under the Health and Safety at Work etc 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).
 - 3.3.5 Tenants and Housing Revenue Account (HRA) stock – CCC will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant, leaseholder or shared owner refuse access to carry out essential lift safety related inspection and remediation works.

4 Obligations

- 4.1 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 etc 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.
- 4.2 Passenger lifts in workplaces (for example, offices and communal blocks), which are primarily used by people at work, are subject to the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and the Provision and Use of Work Equipment Regulations 1998 (PUWER).
- 4.3 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.
- 4.4 Where stair lifts, hoists or through floor lifts have been provided for residents, normally as part of an adaptation, landlords have responsibilities for the safety of all users under Section 3 of the Health and Safety at Work

etc Act 1974. These may be adequately discharged by undertaking maintenance, inspection and a 6-monthly thorough examination. LOLER (thorough examination) and PUWER (maintenance and inspection) apply only to stair lifts provided as work equipment for use by employees.

5 Statement of Intent

- 5.1 CCC acknowledges and accepts its responsibilities with regard to lift safety and the inspection and maintenance of lifts, stair lifts and hoists.
- 5.2 All lift, stair lift or hoist equipment in communal areas and any known equipment in tenants' homes is the responsibility of CCC.
- 5.3 CCC holds accurate records against each property it owns or manages, identifying where there is a lift, stair lift or hoist together with the written examination scheme for each installation.
- 5.4 CCC has competent 'responsible persons' responsible for the operation, condition and compliance with all relevant statutory requirements. This will include taking action (within the advised timescales) to remedy any faults or defects identified through routine inspections or insurer's thorough examinations.
- 5.5 CCC will ensure that it meets all of its legal requirements in regard to lift safety operations via a combination of regular inspections, thorough examinations (in conjunction with the organisation's insurers) and periodic routine maintenance of all lifting equipment within properties it owns and manages.
- 5.6 CCC 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 2004).
- 5.7 CCC will ensure that all lifts and lifting equipment in properties and workplaces it owns and manages will be in full working order at all times. When 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. In the interim, lifts or lifting equipment will be closed and put out of use to avoid their usage until repairs are completed.
- 5.8 CCC has 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.
- 5.10 CCC will ensure that all lifting equipment that is used on sites 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.

- 5.11 CCC will ensure that only suitably competent consultants, and engineers undertake work for the organisation in respect of lifts, stair lifts and hoists.
- 5.12 CCC will ensure that a Thorough Examination is carried out on all known aids and adaptations designed for lifting operations, including platform lifts, stair lifts and hoists, in properties it owns and manages. These checks will take place every six months across all lifting equipment types. These checks may also take place more frequently if required to be in line with manufacturers' recommendations, or following any void works which may impact the installation (provided the lift is not to be removed prior to a new tenancy commencing).
- 5.13 CCC will respond and take remedial action for any defects to aids and adaptations designed for lifting operations identified during regular use in line with the normal provisions for repairs and maintenance. All requests of this nature will be treated as an urgent priority.
- 5.14 CCC has robust processes and controls 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.
- 5.15 CCC has robust processes and controls in place to ensure that any health and safety incident with regard to lift safety is properly reported as required under RIDDOR. These include defects classed as 'immediately dangerous'. These are managed by the Corporate Health and Safety team.

6 Key Roles and Responsibilities

- 6.1 Overall responsibility for health and safety and the policy within Canterbury City Council lies with the Joint Chief Executives, with support from the Service Director, People and Service Director, Place. These four officers make up the Corporate Leadership Team
- 6.2 Responsibility for ensuring this policy is being carried out lies with the Extended Management Team for all areas under their direct control. The Extended Management Team will ensure an appropriate system of communication is in place whereby all significant accidents, incidents, audits, reviews or other documents relating to the management of the organisation are brought to the attention of the Director of Corporate Services at the earliest opportunity.
- 6.3 CCC's Head of Facilities Management as part of the Extended Management Team will have overall governance responsibility for ensuring the Lift Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice.
- 6.4 CCC's Head of Facilities Management as part of the Extended

Management Team will receive regular updates on the implementation of the Lift Safety Policy and lift safety performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.

- 6.5 CCC's Head of Facilities Management will ensure that this policy is saved on the organisations' shared drive/site for corporate health and safety and distributed to all relevant members of staff.
- 6.6 CCC's Lead Compliance and Building Safety Manager has strategic responsibility for the management of lift safety and for ensuring compliance is achieved and maintained. They will also oversee the implementation of the Lift Safety Policy and review it every three years (or sooner if there is a change in regulation, legislation or codes of practice). They will notify the Head of Facilities Management and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review. They will ensure that this review process takes place before the policy expiry date.
- 6.7 A combined group will be responsible for overseeing the operational delivery of the agreed lift safety programme, and the prioritisation and implementation of any works arising from the lift safety inspections. This group will include Contract Managers, Compliance Officers, Technical Locality Officers, Locality Team Leaders, Case Officers and Case Team Leaders.
- 6.8 Various departments under the joint Chief Executives provide key support in gaining access into properties where access is proving difficult, and use standard methods to do so. They will also support in facilitating the legal process to gain access as necessary.

7 Additional Legislation and Industry Standards

- 7.1 This lift safety policy also operates in the context of the following additional legislation:
 - 7.1.1 The Management of Health and Safety at Work Regulations 1999
 - 7.1.2 The Workplace (Health, Safety and Welfare) Regulations 1992
 - 7.1.3 The Building Regulations 2004 – Part M
 - 7.1.4 Construction (Design and Management) Regulations 2015
 - 7.1.5 Equality Act 2010
 - 7.1.6 Housing Act 2004
 - 7.1.7 Landlord and Tenant Act 1985
 - 7.1.8 Data Protection Act 2018

- 7.1.9 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- 7.1.10 Homes (Fitness for Human Habitation) Act 2018
- 7.1.11 Building Safety Act 2022
- 7.1.12 BS 7255:2001 Code of Practice for Safe Working on Lifts
- 7.1.13 BS EN 13015:2001 Maintenance for Lifts and Escalators – Rules for Maintenance Instructions
- 7.1.14 SAFed Supplementary Lift Examination Guidelines

8 Approval

8.1 Signature

8.2	Name	Marie Royle
8.3	Position	Service Director
8.4	Date Signed	23 rd April 2025

-End-