



Lift Safety Maintenance Policy

Title:	Lift Safety Maintenance Policy
Person responsible:	Director of Homes
Customer consultation arrangement:	Customers consulted via Tenants' Committee
EIA required:	Yes.
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Approved by:	Board
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Document management

Version	Date amended	Amendments
1.0		

1. Purpose and Scope

Purpose

South Lakes Housing (SLH) is a registered provider (Housing Association) and we own and manage approx. 3300 homes across a wide geography in South Lakeland and Lancashire.

This Policy outlines how SLH will comply with the Regulatory Framework for Social Housing in England as outlined below: Registered Providers must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

This Lift Maintenance Policy outlines how SLH will comply with the Regulatory Framework for Social Housing in England in order that SLH aims to protect the occupiers of its properties, visitors, colleagues, contractors, and the public, from the risks associated with lifts and lifting equipment so far as is reasonably practicable, are achieved. This document sets out our approach to protect customers, colleagues and contractors from harm in respect to lifts within SLHs properties.

To be compliant under these duties, Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) place duties on people and companies who own, operate, or have control over lifting equipment. This includes all businesses and organisations whose employees use lifting equipment, whether owned by them or not. In most cases, lifting equipment is also work equipment so the Provision and Use of Work Equipment Regulations (PUWER) will also apply (including inspection and maintenance).

This policy provides assurance that measures are in place to ensure compliance with the legislation and regulations, and that SLH has adopted a management system to proactively identify, manage and mitigate risks associated with lifts/lifting equipment.

Scope

This Policy applies to all properties owned or managed by SLH including non-residential premises. In some cases, SLH will not hold the landlord's duty of care however specific lease or management agreements for these buildings may define legal responsibility.

Where clear responsibility cannot be defined, the default position for any non-domestic buildings owned or managed is that SLH will actively manage that risk until a time when clearly defined legal responsibility can be evidenced.

The scope of this Policy includes passenger lifts and other lifts/lifting equipment (e.g., hoists, platform lifts, stair lifts) used to lift people as its principal function and "lifts" should be taken to mean.

- All passenger lifts
- Platform lifts
- Fixed hoists (lifting beams)
- Stair lifts

SLH has no responsibility for portable lifting equipment owned by residents.

2. Regulatory and Legislative Requirements

Regulatory

The application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, introduced by the Regulator of Social Housing (RSH).

Legislative

This Policy sets out SLH's responsibilities to comply with the relevant legislation and associated regulatory guidance on the use and maintenance of lifting equipment in properties it owns and controls. The principal legislation in this area is as follows:

- The Lifting Operation and Lifting Equipment Regulations 1998 (LOLER)
- Provision and use of Work Equipment Regulations 1998 (PUWER)
- Management of Health and Safety at Work regulations 1999
- The Landlord and Tenant Act 1985 and 1987
- The Housing Acts 1985, 1988 and 2004D
- The Equality Act 2010
- Safety Assessment Federation Guidelines (LG 2 -Issue 03- 01/02/2018)
- Health and Safety at Work Act 1974 and Landlord Tenant Act 1985 will also be met.

The (LOLER) 1998 Regulations places duties Landlords to ensure that passenger lifts are regularly inspected at least once or twice a year and accurate records are kept
SLH acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and via a serious detriment judgement from the Regulator of Social Housing.

SLH will use the legal remedies available within the terms of the tenancy agreement should any customer refuse access to allow SLH (its consultants and contractors) to carry out lift and lifting equipment related inspection and remediation works.

3. Our Approach

SLH will identify where lifts (including stair lifts) are installed in our dwellings and assume ownership & responsibility until found otherwise.

SLH will ensure:

- That a LOLER Examination will be carried out by a competent inspector at least every six months, to passenger lifts and through floor lifts.
- All stairlifts will be serviced every 6 months.
- All actions identified from the LOLER Thorough Examination are carried out within the identified timescales
- Any Lifts without a valid LOLER certificate are temporarily taken out of service.

The response times for corrective actions identified during a Thorough Examination are set out below.

- SLH will respond to emergency repairs within 24 hours and within 2 hours if there is risk to health and safety to make it safe, if not repairable (this may not be possible to remedy in some circumstances (e.g., where manufactured parts are required). In these circumstances SLH will resolve issues as expediently as possible, keeping customers informed until full working order is resumed.
- SLH will respond to non-emergency repairs within 10 working days of the date, subject to availability of specialist parts. If the remedials are not completed within the timescales, then the lift will be temporarily taken out of service
- Where emergency or non-emergency repairs are required and a person has a disability and needs use of the lift, every reasonable adjustment will be made, including making sure repairs are carried out as a priority.

Where SLH has no responsibility for a lift safety activity described in this policy, but has one or more residents living within a block where one may be required, SLH will write to the responsible person on an annual basis asking for written confirmation that:

- All relevant activity - including but not limited to risk assessment, inspection, testing, remedial works, and maintenance - has been undertaken by a person competent.
- They are in full compliance with all relevant legislation.
- SLH has been informed of any material issues relating to resident health and safety. Where emergency or non-emergency repairs are required and a person has a disability and needs use of the lift, every reasonable adjustment will be made, including making sure repairs are carried out as a priority.
- All relevant information will be considered for translation, Easy Read or Large Print.

Where SLH does not receive an adequate response, it will take reasonable steps to resolve.

No Access

Most customers provide timely access for SLH to carry out routine safety inspections, testing, maintenance and repair but there will be occasions when gaining access can be difficult. In these circumstances SLH will carry out a risk assessment, taking account of the property and occupier and SLH will seek to work with customers to address any issues, taking into account any known or identified vulnerabilities, to facilitate access and ensure the wellbeing of the customer.

In the event of repeated no access SLH will have in place escalation procedures and will take legal action if necessary to gain access. Customers may be recharged for the associated costs.

Protecting Customers

SLH will work with customers to raise awareness of building safety and the steps SLH will take to keep customers safe, including:

- Inform residents of the importance of reporting any issues through the provision of information via the website, newsletters and leaflets.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

SLH will provide information for customers on building compliance issues relating to their property and block.

Customer requests for alterations

SLH will maintain a consent process for any customer commissioned works that involve lifting equipment. Approval will not be unreasonably withheld, although consent may be refused, or conditions imposed where appropriate. Any requests should be submitted to through the Adaptations Process and the Building Safety Team must be informed of all installations.

Conditions may include a requirement for the resident to commission appropriate maintenance and inspection activity and to provide evidence of such to SLH on a predetermined basis. Where unauthorised work with the potential to impact safety is discovered, SLH will take the appropriate action to remove or remedy. The cost of doing so may be recovered from the resident.

Where it's established SLH don't own the equipment (i.e., it's not under our control), and the resident agrees, a signed waiver must be obtained from the customer, and held on file and on Asset Management System as such. The lift will then be removed from the register and no further LOLER Thorough examinations/servicing or repairs will be undertaken.

Competent Persons

SLH will ensure that the colleagues responsible for operational delivery receive appropriate training to be able to manage the service

For all thorough examinations, surveys, and supplementary testing, SLH will use companies that are UKAS Accredited to ISO/IEC17020 standard. This will not be the same person who undertakes routine maintenance of the equipment - as they would then be responsible for assessing their own maintenance work

SLH will ensure that any external contractors who carry out remedial and corrective actions also have the appropriate experience, qualifications, and training to be competent. Training, competence, and insurances of external contractors/consultants will be checked annually by the Building Safety Manager. Contractors/ consultants will be required to report formal

documentation such as inspections and repair details in the SLH format through SLH system portals.

Colleague training

SLH will ensure that the Building Safety Manager is appropriately competent and experienced in relation to Lift safety and management. If the competent person does not have appropriate qualifications or experience already, but has access to network of inhouse/external expertise then suitable training should be obtained as soon as reasonably practicable. And second line assurance provided from a competent person to provide oversight.

Appropriate training will be provided to colleagues on lift safety awareness and this policy and the procedures. This will include team and contractor briefings, e-learning and access to external training.

SLH will establish and maintain electronic records of all lift safety training undertaken by colleagues.

4. Responsibilities

Governance

SLH Board 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. As such, the Board will formally approve the policy and review it periodically.

The Board or its delegated Committee will receive regular updates at each meeting (in the form of KPIs), on the Lift Inspection Regime Programme along with notification of any non-compliance issues identified. This is to provide assurance that the policy is operating effectively in practice.

Executive Leadership Team, Senior Management Team and Audit and Risk Committee will receive reports, at least quarterly, in respect of EICR performance to assure themselves that compliance is being achieved. They will also be notified of any non-compliance issues identified.

All colleagues who have responsibility for visiting properties (tenancy management officers, independent living officers, surveyors, operatives etc.) have a responsibility to notify the Building Safety team where circumstances have changed within a scheme/block/property, which may result in a lift not working, needing repair or revised inspection

The Development Team will have responsibility for ensuring that any newly built or acquired properties are handed over in line with the Building Safety Teams requirements in respect to lift maintenance and repair and that all relevant compliance information is accurately input onto the housing and asset management systems at handover.

Roles and Responsibilities

The list below sets out the delegated hierarchy of responsibility within the organisation according to the requirements of the legislation: -

Duty Holder/Accountable Person

The Accountable Person under this policy will be South Lakes Housing. The Duty Holder is the Director of Homes who will delegate certain tasks to the responsible and competent persons.

The 'Duty Holder' is responsible for Health and Safety and must take the right precautions to reduce the risk of exposure in respect to lifts, their inspection and maintenance. They will appoint a person/s to take day-to-day responsibility as an authorised deputy for controlling/assessing any identified risk as well ensuring operational lift inspection, condition (maintenance) and compliance with the relevant statutory requirements.

Responsible Persons

The Responsible Person(s) for SLH are the Head of Assets and Building Safety and the Building Safety Manager who will ensure the implementation of the policy and procedures across SLH. They will also ensure all operational procedures are carried out in a timely and effective manner. They will ensure all appointed organisations/ individuals have the appropriate levels of training, skills and knowledge to undertake the tasks and monitor training.

They are to make sure that all Lift Safety Inspections are undertaken, (with the remedial works completed) recorded, reviewed, managed, and monitored in a timely manner and by suitably qualified persons. They are to develop, implement, communicate and continually improve SLH lift maintenance safety procedures following discussion and agreement with the Duty Holder and following significant or emergency events/ reviews. They are to ensure the competent person carries out their duties.

Other Teams

Building Safety requires collaboration and effective communication between teams and the Building Safety Team will work in collaboration with teams across SLH to maintain safety.

The Neighbourhood Team who will offer support to gain access where this is proving difficult.

The Repairs/ Voids teams will ensure all required valid certificates are provided or stairlifts are removed before a property is relet or a transfer or mutual exchange is permitted.

All colleagues who have responsibility for or visit properties have a responsibility to notify the Building Safety Team where any safety concerns are raised for stairlifts which may require a safety inspection or remedial works.

6. Monitoring & Review

Records and Management of Data

SLH will hold accurate and up to date records against each property it owns and/or manages, identifying when the lift was last inspected and tested. From this it will identify the next due testing date and ensure a programme of testing is implemented before the test date expires. Types of lifts will also be kept in the "equipment" section of the Asset Management System.

Inspection and re-inspection dates, along with lift inspection records will be held electronically.

SLH will ensure processes and controls are in place to provide and maintain appropriate levels of security for all lift safety related data

Independent Audit/Assurance

SLH will ensure that a sample audit is undertaken annually of a minimum of 10% of all lifts/lifting equipment by an independent third-party consultant to ensure that all activities to manage risk and appropriate repairs/remedial actions are being fully and robustly implemented by the competent person.

An independent audit of lift safety will be included in the 3 year Internal Audit plan

Reporting and non-compliance

Any non-compliance issue identified will be formally reported to the Director of Homes in the first instance as soon as identified. The Director of Homes will agree an appropriate course of corrective action with the Head of Assets and Building Safety to address the non-compliance issue and report details of the same to the Chief Executive within 24 hours.

The Chief Executive or Director of Homes will ensure the Board are made aware of any non-compliance issue so they can consider the implications and act appropriately, including notification to the Health and Safety Executive and Regulator of Social Housing. Formal investigation will be carried out initially by the respective manager of the area within which the breach has occurred and presented in written form on the standard format to the Head of Assets and Building Safety/ Director of Homes within 5 days. The Head of Assets and Building Safety will ensure that all recommendations and/or remedial actions are carried out.

ELT/SMT/ Audit and Risk Committee will receive reports, at least quarterly, in respect of lift Maintenance management performance to assure themselves that compliance is being achieved. They will also be notified of any non-compliance issues identified.

Review

SLH will ensure that the policy is reviewed and if necessary amended, following any significant event or issue as below:

- Any significant changes to the building.
- Independent audit highlighting failings in process or policy
- Change in business risk appetite.
- Change in legislation or Code of Practices
- Accident/entrapment because of incorrect functioning of lift caused by not following policy

KPIs

KPIs will be used to ensure that SLH is compliant with its own policy and is keeping its customers, contractors and the public safe. KPIs will be monitored and recorded on a monthly basis and reported as detailed above.

Equality Impact Assessment

In implementing this policy, we aim to treat all customers fairly. An equality impact assessment has been carried out. Where customers require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household.