

Operational Policy

Title: Lift & Hoist Safety Policy
Originator: Director of Safety & Compliance
Approval body and date approved: Executive Leadership Sponsor – April 2024
Date for review: April 2026

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2. Introduction

- 2.1 This policy forms part of Magenta Livings (ML) suite of compliance policies which explain our commitment in meeting our statutory/ regulatory and best practice standards in relation to lift and hoist safety.
- 2.2 This policy should be read in conjunction with its Management Plan (MP) and other cross cutting compliance policies for completeness.
- 2.3 This policy applies to all workplace and work situations where the Health & Safety at Work etc. Act 1974 applies, including all domestic, commercial, and communal installations.
- 2.4 Please Note:
- The statutory obligation in providing lifting equipment to customers domestic homes lies with the Local Authority and as such ML will not install any domestic type lifting equipment as part of this policy unless agreed and installed by ML.
 - Where domestic equipment is beyond reasonable repair or parts are no longer available, the equipment will be removed, and the customer signposted to the Local Authority to seek replacement via the Disability Facilities Grant (DFG) scheme.
 - New lifts funded by ML will be 'gifted' to customers who will own and be responsible for the insurance and maintenance of the equipment. ML customers requesting lifts will be advised to apply directly to the local authority for a DFG. If the application is accepted, formal consent must be given by ML and the customer will be responsible for repair and maintenance of the lift.
 - Unless there is an express written agreement to the contrary, ML do not accept any responsibility for, nor have any obligations in relation to, lifting equipment installed in properties it owns or manages where it does not own or manage such equipment and / or has not provided that equipment for use by its customer/s. This includes circumstances where customer' install lifting equipment without the knowledge of ML.

Workstreams

- 2.5 This policy covers all elements as listed below which are contained within the MP. Please refer to the MP for specific details.
- Commercial Passenger lifts – (in offices and schemes)
 - Domestic lifts (stair lift, vertical through floor lift)
 - Lifting platforms
 - Lifting hoists and associated accessories incl. slings
 - Ceiling track hoists
 - Mobile hoists & slings
 - Bathing lifts

Key Activities

- 2.6 The MP has been developed in line with the list of key operational activities as detailed below. Please refer to the MP for further detail:

- Whole Organisational Approach
- Key Roles & Responsibilities
- Key Activities which incl.
 - Data Quality
 - Record Keeping
 - Data reconciliation
 - Additions/ Reductions to Stock
 - Programme of Inspection, Test & Maintenance/ Repair
 - Thorough Examination (Independent Inspection), programme & Report
 - SAFed Tests
 - Lift Servicing, Programme & Reports
 - Routine Inspections
 - Cyclical Checks
 - New Lift systems & Upgrades
 - New Build, Empty Dwellings, New Tenancies, Mutual Exchange
 - General Information & Communication
 - Quality Control
 - Approach to Works
 - Competency
 - Control of Contractors
 - Access & Enforcement
- Monitoring, reporting & Assurance
- Changes to Regulations & Legislation
- Communication, Information & Leaflets

Development of Policy

2.7 In developing this policy, information, guidance, and references have been taken from the following:

- LOLER (Lifting Operation and Lifting Equipment Regulations) 1998.
- PUWER (Provision and Use of Work Equipment Regulations) 1998.
- Health & Safety at work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Housing Act 2004
- Supply of Machinery (Safety) Regulations 2008
- Lift Regulations 2016
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- The Building Regulations 2010: Approved Document M
- Electrical Equipment (Safety) Regulations 2016
- Construction, Design and Management Regulations 2015
- Data Protection Act 2018 and GDPR (General Data Protection Regulation)
- RIDDOR 2013
- Homes (Fitness for Human Habitation) Act 2018
- Consumer standards – Safety & Quality Home Standard

- PM26 Safety at Lift Landings
- SAFed Guidelines on the supplementary tests of in-service lifts 2006
- Disability and Discrimination Act 2005
- Equality Act 2010

3. **Statement of Intent**

- 3.1 ML is responsible for the safety of our customers in our homes and as such this policy and associated MP outlines our approach to lift and hoist safety whilst safeguarding our customers/tenants, organisation, colleagues, contractors, and the public in and around our homes and properties.
- 3.2 ML is responsible for the assessment, inspection, maintenance, and repair of any such lift and hoist systems/ equipment, we own or have a management responsibility for.
- 3.3 This policy and its associated MP outline our approach to lift and hoist safety as well as detailing the roles and responsibilities of those involved in the successful implementation, delivery, and management of this policy.
- 3.4 The principal legislation in the development of this policy includes:
- LOLER (Lifting Operation and Lifting Equipment Regulations) 1998.
 - PUWER (Provision and Use of Work Equipment Regulations 1998.
 - Health & Safety at Work Act 1974.
- 3.5 PUWER and LOLER only apply in workplaces and in non-workplace communal parts that may be used by workers. They may also apply in properties that contain equipment used by people in a work capacity.
- 3.6 ML will assess each situation within individual dwellings and decide if it has become a workplace if support services are being provided. However, where LOLER and PUWER obligations may not exist regarding domestic type premises, the HSW Act require ML to ensure such equipment is safe for users.
- 3.7 ML is regulated by the Regulator of Social Housing. Our Board, Chief Executive, and our Executive Leadership Team set and oversee our corporate strategy. Our Executive Sponsor/Team in adherence with the Governance Handbook will approve all compliance related policies and associated documents.
- 3.8 By adopting a wholly owned organisation approach, ML will ensure that all statutory/regulatory and best practice standards are met, and that robust programmes of inspection, testing and maintenance are implemented, monitored, and reported against.
- 3.9 We acknowledge that failure to discharge our responsibilities adequately and responsibly may lead to a range of sanctions including, but not limited to:
- Intervention by the Regulator of Social Housing.
 - Prosecution under the Health & Safety at Work Act 1974.
 - Prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007.

- Reputational damage.
- Loss of confidence by customers/tenants and stakeholders in the organisation.

3.10 Failure to follow the formal Policy and Procedures for Lift & Hoist Safety, in addition to wider Policies developed to form the 'Big 7' i.e., Asbestos, Building Safety, Gas, Electrical, Fire and Legionella) can also compromise ML's compliance with the Building Safety Act 2022. This is of utmost importance for all ML stock, however, includes increased concern for in-scope High Risk Buildings due to the additional obligations of the Act and formal reporting requirements established by the Building Safety Regulator.

4. Our Policy

Background

- 4.1 Magenta Living (ML), formally Wirral Partnership Homes was established in February 2005 following a stock transfer from Wirral Borough Council. We provide just under 13,000 homes and accommodation across Merseyside and Cheshire which include the likes of homes for rent, low-cost home ownership options, sheltered accommodation, extra care, and commercial assets.
- 4.2 We recognise the changing regulatory/ compliance environment further to the Grenfell Tower tragedy. The failure to adopt, implement and follow our formal policy and procedures in addition to the wider suite of compliance policies compromise our ability to meet the standards required.
- 4.3 Our belief is that our customers, whether tenants, employees, contractors, or the public, come first in our approach to managing lift and hoist safety.
- 4.4 Our aim is to deliver great services in a way that reflects our purpose, vision, and values in addition to being honest, positive, and ambitious whilst including our customers in the development of our services.
- Purpose: Empowering people is our purpose.
 - Vision: We believe in opening doors to homes full of love, communities full of life, and a world full of possibilities.
 - Values: By working together and doing the right thing, we will transform our culture, improve the customer experience, and build communities.
- 4.5 Our focus remains on keeping customers' safe and secure in their homes and environment whilst building inclusive and supported communities.

Who and what does this policy apply to?

- 4.6 This policy applies to all of ML including:
- Board Members
 - Chief Executive

- Executive Leadership Team
- Senior Leadership Group
- Middle Leadership Team
- Managers
- Employees
- Customers/ tenants & leaseholders
- Contractors and other persons/ stakeholders who may work for, occupy, visit, or use its premises, or who may be affected by its activities or services.

Management Plan

- 4.7 ML will produce and maintain a Lift & Hoist Safety Management Plan (MP) which shall:
- Provide clear lines of responsibility.
 - Provide additional guidance on how the commitments outlined within this policy will be implemented.
- 4.8 All colleagues who have roles identified within the MP will receive appropriate training via our People Team to ensure they are able to meet their roles and responsibilities.
- 4.9 [Lift & Hoist Safety Management Plan](#)

Property Portfolio

- 4.10 The following assets/ premises fall within this policy. Our Housing Management system, NEC will contain the relevant properties/ assets by which appropriate work programmes will be developed from.
- Domestic type properties/ assets.
 - Sheltered, specialist, extra care type accommodation.
 - Commercial/ communal assets including the likes of workplaces, offices, community centres, depots, and shops owned and managed by us.
 - Any other asset which ML owns, leases, or has a management responsibility for.

Standards

- 4.11 Our primary point of reference will be:
- LOLER (Lifting Operation and Lifting Equipment Regulations) 1998.
 - PUWER (Provision and Use of Work Equipment Regulations) 1998.
- 4.12 We will also adhere to:
- Approved Code of Practice L113 (Second Edition 2014, amended 2018) Safe Use of Lifting Equipment
 - Approved Code of Practice L22 (Fourth Edition 2014, amended 2018) Safe Use of Work Equipment
 - Building Regulations 2010 and as amended Parts M and B

- Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.
- Landlord Tenant Act 1985.

4.13 We will Implement and maintain an effective operational lift and hoist management procedure which identifies how we will:

- Keep up to date asset information where we have lifting equipment
- Undertake appropriate inspection, test and certification of all equipment which falls within the scope of this policy and MP.
- Identify and assess risks.
- Implement a scheme to prevent and control risks.
- Ensure that suitable, robust, and fit for purpose training is undertaken within the organisation so that lift and hoist management become an organisation responsibility.
- Ensure that certified/ accredited competent personnel are engaged where necessary to undertake and meet the requirements of this policy.
- Keep up to date records (including electronically and using logbooks on site)
- Providing guidance and support to ensure that customers are aware of and address their responsibilities.

5 Implementation

5.1 This policy will be effective from April 2024

5.2 This policy and MP, once approved, will be uploaded to ML's intranet, and communicated/ promoted on the likes of Viva Engage, Insite etc.

5.1 The overarching Compliance and Building Safety Strategy will be placed on the Magenta Living website. This associated policy will be available to our customers upon request.

5.3 This policy should be read in conjunction with other cross cutting compliance policies and associated documents including:

- Asbestos
- Building Safety
- Electrical safety
- Fire Safety
- Gas & Heating Safety
- Water Safety

6 Consultation

6.1 Due to the nature of the legislation being prescriptive in what we need to undertake as an organisation, any deviation is not permissible. Therefore, limited consultation has been undertaken.

6.2 However, this policy and associated MP has been shared for review with key stakeholders including:

- Executive Leadership Team
- Senior Leadership Group
- Middle Leadership Team
- Health & Safety Team
- Key Operational Colleagues
- External review via our Compliance Consultant Savills

7 Equality Analysis (EA)

- 7.1 Magenta Living is committed as an employer and provider of housing services to equality of opportunity for all. In addition to this statutory duty under the Equality Act 2010, it is further committed to developing a culture which recognises wider social diversity in its communities and therefore respects and recognises the values and needs of individuals regardless of whether they belong to a particular section of society or group provided for by legislation.
- 7.2 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.
- 7.3 The ability to consider the impact this policy and its associated Management plan may have on our customers and/or protected groups, whilst adhering and implement prescriptive legal obligations, will always pose a challenge and be open to different interpretations. Our policy and MP focus is on our legal responsibilities in providing clarity of our undertakings. Therefore, the provision of an EA is not deemed a prerequisite for the approval of this policy.

8 Data Protection

- 8.1 All parties referred to in this policy must abide by the principles of the General Data Protection Regulations as detailed below:
- Lawfulness, fairness, and transparency
 - Purpose limitations
 - Data minimisation
 - Accuracy
 - Storage limitations
 - Integrity and confidentiality (Security)
 - Accountability
- 8.2 In addition, data sharing agreements/ arrangements shall be entered into with appropriate providers in line with the General Data Protection Regulation.

9 Monitoring Performance

9.1 This policy’s effectiveness will be measured using the following key performance indicators which will be reported monthly:

Table 1 – Key Performance Indicators

Ref	Element	KPI
1	Commercial passenger lifts	% of Passenger Lift LOLER Inspections completed
2	Commercial passenger lifts	% of Passenger Lift Service Inspections completed
3	Domestic lifts & hoists	% of Stair, Hoists and Vertical Lift Service Inspections completed.

9.2 In addition, we will also:

- Undertake an internal audit of which one of the current seven compliance areas will be reviewed annually. The findings of the report will be shared with the Audit & Risk Committee.
- A monthly Property Compliance Report of which lift and hoist safety forms part of will be presented to the relevant Board, committees, and leadership teams at the agreed frequency to provide assurance, updates, and any areas of concern/non-compliance.
- On a monthly basis our Performance & Data Team will lead on a Property Compliance Asset Audit which will validate and ensure our asset register is accurate. In addition, the audit will also look at any changes in compliance data from the previous month. Any anomalies will be reviewed by the Contracts Manager who will correct if found to be inaccurate.
- The Performance & Data team will from time to time review the KPI’s to ensure they are appropriate and fit for purpose.
- Where a customer is dissatisfied with any aspect of ML’s service or implementation of this policy, they will have the right to have their complaint addressed under our Complaints Policy. Where learning has taken place and would improve the policy, updates will be made as appropriate.

Quality Assurance

9.3 The Contract Manager and their team will undertake a minimum of 5% desktop checks to ensure that our certification is to the standard required.

9.4 A third party, external, independent specialist will be engaged to regularly inspect, monitor, and report on the technical performance and quality of work/ quality of certification for all systems and equipment. The independent specialist shall inspect a minimum of 10% across all workstreams and report their findings each month.

9.5 Where appropriate, our Health & Safety Team may undertake on site audits utilising the recording and reporting mechanism within the E20 system.

10 Scheme of Delegation

10.1 The responsible authority for approving this policy is our Executive Leadership Sponsor/ team and was approved on 23/4/2024

10.2 The Responsible Director for formulating this policy and ensuring its effective implementation is the Director of Safety & Compliance.

11 Policy Review

11.1 The policy will be reviewed every 24 months or earlier if in the event of a change in legislation.

Strategic review

11.2 Lift and hoist safety is a high-risk specialised area and as such it is imperative that ML has in place a fit for purpose policy and management plan. Therefore, if suitable changes to legislation take place which changes the way ML manage this compliance responsibility, an independent, third-party specialist will be engaged to review and provide assurance that any revision meets the needs of the business and legislation.

12 Amendment Log

Date of revision:	Record of amendments:	Reason for revision:
March 2019	Rewritten	Compliance Review
<i>March 2020</i>	<i>None</i>	<i>Annual Review</i>
<i>April 2021</i>	<i>Removed June 2021 date from delivery, as this has now been met since last year. Added in HSG107 into PAT testing section. Amended date in section 4 and 8 to May 2021.</i>	<i>Annual Review</i>
<i>March – Jan 2024</i>	<i>Refined list of legislation. Updated list of Roles & Responsibilities and</i>	<i>Building Safety agenda triggered review of Big 6 Policies</i>

	<p><i>moved to Management Plan.</i></p> <p><i>Data section expanded and moved to Management Plan.</i></p> <p><i>Revised Assurance section.</i></p> <p><i>Competence section moved to Management Plan</i></p> <p><i>Included new section on “Key Activities to Manage Risk” – cross refers to MP. .</i></p>	
<i>Mar- April 2024</i>	<i>Review by ELT, SLG, MLT, H&S & Operational Managers.</i>	<i>Internal review of policy & MP</i>