

Housing Lift Safety Policy

Version control

Avoid referring to printed versions of this document. Printed versions may be out of date.

Owner/responsibility for compliance		Head of Housing Technical Services	
Status (draft / approved and live)		Approved & Live	
Version no:	Date approved:	Approved by:	Summary of changes made to each version:
1.1		Cabinet	New policy

1 Introduction

- 1.1 This policy is to support Swindon Borough Council ('the Council') in its function as a landlord to provide safe and effective housing management.
- 1.2 The Council is responsible for repairs and maintenance to our homes, communal blocks and other properties we own and manage, some of which will contain electrical lifting equipment, such as passenger lifts, stairlifts and workplace equipment.
- 1.3 This policy is to ensure our Cabinet, Corporate Management Team, colleagues, partners and tenants are clear on our legal and regulatory lift safety obligations. This policy provides the framework our colleagues and partners will operate to meet these obligations.
- 1.4 In developing this policy residents' and partnering agencies' views and feedback have been considered. An Equalities Impact Assessment has been carried out and there are no adverse implications.
- 1.5 The results of the Equalities Impact Assessment have been considered and there are no adverse implications or if there were these have been considered and mitigated.

2 Equality and diversity statement

- 2.1 Swindon Borough Council is intent on ensuring people or communities do not face discrimination or social exclusion due to socio-economic deprivation or any of the following protected characteristics:
 - Age
 - Disability
 - Sex
 - Marriage & civil partnership

- Race
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy & maternity

Legislation and guidance

- 2.2 The legislation and guidance applicable to this policy includes the following:
- Landlord and Tenant Act 1985.
 - The Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
 - ACoP L113 – Safe use of lifting equipment; Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).
 - Housing Health and Safety Rating System introduced under Part 1 of the Housing Act 2004.
 - Social Housing (Regulation) Act 2023.
 - Awaab’s Law.
 - Regulatory Reform (Fire Safety) Order 2005.
 - The Building Regulations 2010.
 - Construction, Design, and Management (CDM) Regulations 2015.
 - Defective Premises Act 1972.
 - Workplace (Health Safety and Welfare) Regulations 1992.
 - Provision and Use of Work Equipment Regulations 1998.
 - Data Protection Act 2018.
 - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).
 - Equality Act 2010
- 2.3 The following guidance is applicable to this policy:
- 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).

3 Scope

- 3.1 This policy applies to all lifting equipment which Swindon Borough Council has installed in assets owned by the Housing Revenue Account and managed by Swindon Borough Council’s Housing department.
- 3.2 This policy also applies to any property which is leased by or managed as social housing stock or used for the purposes of temporary accommodation for those experiencing homelessness, for which the Council owes a statutory accommodation duty.
- 3.3 This includes domestic dwellings (houses and flats), communal areas of any blocks

containing such properties, sheltered housing, supported housing and temporary housing schemes.

- 3.4 The policy applies to all our colleagues, tenants, contractors, and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities.

4 Roles and responsibilities

- 4.1 The table below highlights the key responsibilities:

Function /Task	Responsibility
Overall duty to ensure the organisation has enough funding, resource and systems in place to achieve and maintain statutory compliance.	Chief Executive Officer
Appoint a responsible person(s) to monitor the lift safety compliance position.	Corporate Directors
Responsible person for monitoring the lift safety compliance position.	Director of Housing
Apply this policy throughout the council and ensure any service delivery partner complies with it.	Relevant Heads of Service & Directors
Provide robust reporting around lift safety compliance to the Council's Corporate Management Team. Reviewing budgets to ensure financial resources available.	Relevant Heads of Service & Directors
Manage the internal systems that provide an accurate programme for service and safety checks to the service delivery function.	Service Manager Compliance
Manage the day-to-day delivery of the policy, lift safety compliance, reviewing policy and procedure regularly for associated teams.	Specialist Compliance Officer – Mechanical and Electrical
Responsibility for the servicing, remedial work and installation of lifting equipment, using a safe method of working in accordance with regulations and standards.	Specialist Compliance Officer – Mechanical and Electrical
Aid the service delivery function in gaining access to properties	Tenancy and other frontline Housing teams
Applications to the Courts to provide access	Enforcement team/Legal team

- 4.2 Residents are responsible for allowing access to their homes for lifting operation and Lifting Equipment Regulations (LOLER) inspections and annual servicing of their stairlifts and any necessary repairs as per the terms and conditions of their tenancy agreement.

5 Approach

- 5.1 The Council will adopt the same principles to the management of lifts within communal blocks and domestic properties as for passenger lifts, goods 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.

- 5.2 The Council will ensure all lifting equipment is subject to a thorough examination before being commissioned into use for the first time.
- 5.3 All lifting equipment will be subject to a periodic thorough examination, routine servicing and maintenance.
- 5.4 All lifts installed in properties owned or managed by the Council 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.
- 5.5 Passenger lifts in Council owned dwellings/workplaces (for example, offices, communal areas) which are used by people during their course of work, fall within the scope of LOLER.
- 5.6 LOLER requires landlords 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).
 - 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.

- 5.7 Thorough examination reports must be kept for at least two years

Breakdowns and entrapment

- 5.8 The Council endeavours to ensure that all lifting equipment will always be in full working order. When we become aware of a breakdown, the Council will endeavor to have a qualified lift contractor attend within four hours.
- 5.9 The Council will operate robust processes to deal with entrapment situations. In the event of any persons becoming trapped in a lift, that the Council is responsible for, a qualified lift contractor will endeavor to attend within one hour.
- 5.10 The Council will operate a robust process to manage and rectify immediately dangerous situations identified during a lift safety check or any other maintenance work.
- 5.11 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 a person's welfare.

Voids

- 5.12 When a void property has a domestic lift, the Council will determine whether it is to be retained for use by the next tenant. If it is not, it will be removed.
- 5.13 If the lift is retained, it will have a service visit when the property is re-let 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. If the thorough examination is due before the new tenancy commences, the Council will also ensure this is carried out.

Health and Safety at Work etc. Act 1974

- 5.14 Section 3 of the Health and Safety at Work etc. 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 tenants).
- 5.15 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).

Provision and Use of Work Equipment Regulations 1998 (PUWER)

- 5.16 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 lifts which are fixed within assets owned and managed by the Council (i.e., passenger/stairlifts/through floor lifts/goods lifts) and not mobile lifting equipment

Insurance

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

6 Contract management

- 6.1 The Council will operate effective contract management arrangements with the contractors responsible for delivering the service, including:
- Ensuring contracts and service level agreements are in place.
 - Conducting client-led performance meetings.
 - Ensuring that contractors' employee and public liability insurances are up to date.

7 Lift safety programmes

Thorough examinations

- 7.1 All lifting equipment, including domestic lifts, will be subject to a thorough examination, including:
- Before being commissioned into use for the first time.
 - Every six months for passenger lifts, communal stairlifts, through floor domestic lifts and ceiling track hoists.

- Every 12 months for domestic stairlifts, ten percent of these stairlifts will receive an additional thorough examination by an independent examiner.
- In accordance with an examination scheme (as prepared by a competent person) where there is one in place; or
- In accordance with our insurer's specification (if more frequent).

Maintenance

7.2 All lifting equipment will be subject to routine servicing and maintenance in line with manufacturers' recommendations and/or any examination scheme.

7.3 The Council will operate a robust process to manage any follow-up works required following the completion of a thorough examination (LOLER) or servicing and maintenance inspection, where the work cannot be completed at the time of the examination or servicing/inspection.

8 Record keeping

8.1 The Council 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.

8.2 The Council will operate a robust process to manage all changes to our assets, including property acquisitions and disposals, to ensure that properties are not omitted from lift safety programmes and the programme remains up to date.

8.3 The Council will maintain accurate records, against each property we own and/or manage, of the following:

- Thorough examination dates and reports.
- Servicing and maintenance dates and reports.
- Any examination schemes in place.
- Evidence of completed remedial works
- Entrapment incidents.

8.4 Where the Council installs any stairlifts or other lifts to Housing Revenue Account owned domestic properties the Council will add them to the thorough examination and servicing programmes.

8.5 The Council will keep all records for at least five years or for the duration that we own and manage the property/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.

9 Competent persons

- 9.1 The Specialist Compliance Officer – Mechanical and Electrical, is the post responsible for managing the servicing, maintenance and installation programmes, and will hold a minimum of the following qualifications:
- Level 2 Safety Awareness in Lifting Equipment in Housing (inc. LOLER/PUWER)
- 9.2 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.
- 9.3 The Council will check that our contractors hold the relevant qualifications and accreditations when their services are procured, and thereafter on an annual basis.

10 Access arrangements

- 10.1 The Council will operate a robust process to gain access to properties to undertake thorough examinations, lift safety/servicing visits and follow-on works.
- 10.2 Please see our access policy – as all tenants with a stairlift will be vulnerable. Residents will be given reasonable notice of lift safety appointments and clear information about:
- Why the survey is required.
 - What the visit will involve.
 - How long it may take.
- 10.3 The Council will take a supportive and proportionate approach to gaining access, recognising its statutory duty to inspect homes while being mindful of residents' circumstances.
- 10.4 For further information about how the Council acts, and escalation routes, where repeated access attempts are unsuccessful, see the Access Policy.

11 Reporting

- 11.1 The following performance indicators are reported to the Compliance Scrutiny and Assurance Group monthly.
- 11.2 The Council will maintain accurate records, against each property we own and/or manage, of the following:

Passenger lifts

- Total number of Passenger Carrying Lifts in Programme.
- Total number of Passenger Carrying Lift Thorough Examinations in date.
- Total number of Passenger Carrying Lift Thorough Examinations Overdue.
- Total number of Passenger Carrying Lift Thorough Examinations Overdue (< 3 months)
- Total number of Passenger Carrying Lift Thorough Examinations Overdue (3-6 months)
- Total number of Passenger Carrying Lift Thorough Examinations Overdue (6-12 months)

months)

- Total number of Passenger Carrying Lift Thorough Examinations Overdue (12+ months).

Through Floor Lifts (domestic)

- Total number of through floor lifts in Programme.
- Total number of through floor lifts Thorough Examinations in date.
- Total number of through floor lifts Thorough Examinations Overdue.
- Total number of through floor lifts Thorough Examinations Overdue (< 3 months)
- Total number of through floor lifts Thorough Examinations Overdue (3-6 months)
- Total number of through floor lifts Thorough Examinations Overdue (6-12 months)
- Total number of through floor lifts Thorough Examinations Overdue (12+ months).

Ceiling track hoist

- Total number of ceiling track hoists in Programme.
- Total number of ceiling track hoists Thorough Examinations in date.
- Total number of ceiling track hoists Thorough Examinations Overdue.
- Total number of ceiling track hoists Thorough Examinations Overdue (< 3 months)
- Total number of ceiling track hoists Thorough Examinations Overdue (3-6 months)
- Total number of ceiling track hoists Thorough Examinations Overdue (6-12 months)
- Total number of ceiling track hoists Thorough Examinations Overdue (12+ months).

- 11.3 In addition, we will calculate compliance for all of the above lifting categories on a monthly basis. This will be presented to various internal management and resident scrutiny meetings as required.

12 Significant non-compliance escalation process

- 12.1 The Council's definition of 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.
- 12.2 All non-compliance issues will be reported and escalated as soon as possible and no later than 24 hours after the incident occurred, or becoming aware of it.
- 12.3 In cases of serious non-compliance, the Corporate Management team and Cabinet will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation.

13 Monitoring and review

- 13.1 This policy will be reviewed every two years or sooner if legislation or regulations change.