



# Health and Safety Policy

This policy has been produced to enable Cafcass to comply with its legal duties and responsibilities under the Health and Safety at Work etc Act 1974 and relevant statutory provisions, including the Regulatory Reform (Fire Safety) Order 2005.

This policy provides an overarching framework for managing health and safety, including fire safety, across all Cafcass premises and activities and is divided into three distinct parts

- 1 The statement of intent - signed by Cafcass' Chief Executive Officer
- 2 Organisation - that outlines the governance structure for managing health and safety; the duties, responsibilities and accountabilities of Cafcass managers and staff and the general process for managing health and safety.
- 3 Arrangements – systems, provisions and procedures to help achieve the aim of this policy as stated above.

In addition to the documents that comprise this policy there is a suite of guidance documents, risk assessments and training modules that are available separately.

This policy is provided online to ensure that it is available for all staff; a hard copy of the text is available to download to share with external agencies and others who do not have access to the intranet but require sight of this policy.

The policy will be reviewed annually or as and when any significant changes occur – the latest review date will be stated in the footer and displayed on the intranet page.

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## 1 Statement of Intent

As Chief Executive Officer I am accountable for the health and safety of staff, service users and others affected by our undertaking as imposed by the Health and Safety at Work etc Act 1974 and all supporting legislation, including the Regulatory Reform (Fire Safety) Order 2005.

The Cafcass Board and Corporate Management Team (CMT) recognise their responsibility to provide positive health and safety leadership and to work co-operatively with the Health, Safety and Wellbeing Steering Group (HSWSG), the legally constituted national decision making body for Cafcass in respect of Health and Safety issues. Our approach to managing health and safety is to use the 'plan, do, check, act' approach espoused by the Health and Safety Executive that will enable Cafcass managers to implement suitable, sufficient, robust and proportionate health, safety and wellbeing requirements to minimise the risk of injury or harm, to those for whom we have a duty of care, in order to be able to maintain our commitment to support the child to the best of our ability from the beginning to the end of each case, being unequivocally for the child and what concerns them. To achieve this, we aim to:

- Comply with all relevant legal and best practice requirements.
- Provide sufficient resources, including training, to ensure the development and maintenance of an effective health and safety management system.
- Review potential hazards, assess the risks associated with our activities and take the most appropriate action to manage those risks.
- Advise service users, staff and contractors of any significant health and safety concerns that might affect them.
- Monitor and audit as appropriate our health and safety performance, including the provision of information to our sponsor department as required under their policies

We expect our managers to develop and promote a positive health and safety culture, and expect each individual staff member to be actively committed to their own and others' safety and well – being.

Cafcass also seeks the co-operation of our stakeholders, in achieving our health and safety standards and objectives.

Anthony Douglas CBE  
Cafcass Chief Executive Officer

Date

23 May 2017

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## 2 Organisation

### 2.1 Responsibilities and accountability

2.1.1 Within the UK, health and safety legislation requires both employers and employees to meet various general duties.

2.1.2 Under health and safety legislation, in addition to the duties placed upon Cafcass as an employer, all managers and staff have a shared responsibility for their own and other people's health and safety wherever they happen to be carrying out their duties.

2.1.3 An outline of management and staff responsibilities follows.

### 2.2 Requirements of the Ministry of Justice Corporate Health and Safety Policy

2.2.1 Cafcass is required to have in place a local health and safety policy signed by the Chief Executive Officer that includes the organisation and arrangements for delivering occupational health and safety within Cafcass. Management structures and responsibilities should be aligned to the MoJ's framework which includes implementing the following principles -

### 2.3 Accounting Officers - CMT, Directors and Senior managers

2.3.1 Ultimately responsible for

- local policy and its implementation within Cafcass;
- provision of policies and/or arrangements for their business areas of responsibility;
- appointing competent persons;
- providing assurance to the Permanent secretary via the annual Governance Statement providing a supplementary health and safety return to MoJ Corporate Fire and Health and Safety for corporate oversight
- informing staff of the health and safety policy and arrangements
- managing risks within their business areas
- discharging statutory occupational health and safety obligations

### 2.4 Line Managers – all management grades

2.4.1 Ensure

- risks are managed effectively in line with risk assessment and trade union engagement.
- staff and themselves are adequately trained to deal with health and safety risks.
- adequate arrangements are in place to safeguard the health and safety of staff and others

### 2.5 Managing Health and Safety

2.5.1 All managers are responsible for ensuring , as far as is reasonably practicable-

- Compliance with local policy and/or local arrangements on health and safety issues;
- creation and maintenance of a positive health and safety culture, leading by example and creating an environment where all can actively participate and take ownership of appropriate health and safety standards for all;

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- control of risks under their business area, dealing with them sensibly, responsibly and proportionately in accordance with risk assessment, which should involve local Trade Union Safety Representatives in the risk assessment process;
- accidents, incidents, assaults and near misses within their business area are reported and investigated, and taking proportionate measures in accordance with risk assessment as are necessary to prevent recurrence of incidents reported;
- staff receive suitable and sufficient training, including induction training, to an appropriate level of competence to control health and safety risks;
- escalation of health and safety issues they are unable to resolve locally;
- periodic workplace health and safety inspections, proportionate to the risk, are carried out within their business area, and that Trade Union Representatives are invited to attend;
- where appropriate, that all plant, equipment, substances and material are safe and suitable for their intended use, and are adequately maintained and controlled;
- adequate arrangements are in place to safeguard the health, safety and well-being of employees and others at all times – this may include
  - Nominating fire marshalls and first aiders for their areas of responsibility;
  - Drawing the attention of staff to the arrangements outlined in this policy with particular reference to fire safety requirements;
  - Identifying staff whose personal circumstances or duties involve particular significant health and safety risks and ensuring required risk assessments are in place.

2.5.2 Health and safety matters should be included on the agenda for all team meetings; any issues arising that cannot be resolved at team meeting level should be forwarded to the appropriate senior management meeting and/or the Health Safety and Wellbeing Steering Group via the National Health and Safety Adviser or Trade Union Health and Safety Representative

**2.6 All staff**

2.6.1 Have

- responsibility to take care of their own health and safety and that of others by ensuring that their actions or failures to act do not place themselves or others at risk of harm or injury;
- a duty to co-operate with the reasonable requests of their manager in respect of health and safety matters, and
- a duty to notify their line manager, or other responsible person, of any shortcomings in health and safety arrangements.

**2.7 Information, instruction and Training**

2.7.1 A suite of e-learning courses and associated guidance documents is available. Staff are required to complete each mandatory course and undertake the refresher sessions at least once annually.

**2.8 Consultation**

2.8.1 The Health Safety and Wellbeing Steering Group (HSWSG) fulfils the role of Safety Committee as outlined within the Safety Representatives and Safety Committees Regulations 1977, for Cafcass nationally.

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### 3 Arrangements

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### 3.1 Health

#### 3.1.1 Health and Wellbeing

- i) People are our greatest asset at Cafcass and we are committed to creating an environment which empowers and enables employees to achieve physical and mental wellbeing. This is only possible by ensuring that the health and wellbeing of all our staff remains one of our key priorities.
- ii) The Health and Wellbeing pages on the intranet provide links to information and resources on a variety of subjects to help in improving and maintaining wellbeing and health including
  - Wellbeing Strategy
  - Cycle to Work Scheme
  - Occupational Health
  - Employee Assistance Programme (EAP)
  - Medicash Health Plan
  - Retirement Planning
  - Wellbeing Seminars
  - Mindfulness
  - Debt Management
- iii) and Wellbeing Resources that include
  - Stress management and exercise interactive guides;
  - Resilience;
  - Stress awareness;
  - Alcohol Cessation;
  - Help to stop smoking;
  - Cancer support;
  - Food and drink diaries;
  - Guides on optimising mentally & physically, nutrition and sleep;
  - Podcasts and webinars;
  - TED talks;
  - Blogs;
  - Wellbeing apps and tools.

#### 3.1.2 Stress

- i) The Health and Safety Executive define stress as

*“the adverse reaction people have to excessive pressure or other types of demand placed on them”.*
- ii) If a member of staff feels that they are under stress they should raise this with their manager immediately. HR have also produced a guide which staff may find helpful.
- iii) The HSE Management Standards provide guidance on identifying and reducing work-related stress, along with tools that help to assess stress both for teams and individuals. This should be considered alongside Cafcass’ stress policy

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- iv) To enable managers to self-assess their ability to deal with and manage stress. HSE have produced an indicator tool.
- v) The keys to successfully manage stress include
  - Use of emotional intelligence to understand the impact of stress on individuals
  - Entering into serious, professional and supportive dialogue about managing demands and stress
  - Knowing when staff are exhibiting signs of stress
  - Effective management of change
- vi) Cafcass provides a telephone helpline service for staff who feel under pressure either due to work or non-work activities

**3.1.3 Display Screen Equipment**

- i) The majority of Cafcass staff are Display Screen Equipment (DSE) users. A generic DSE assessment provides a standard assessment of DSE workstations across Cafcass, which are provided in accordance with the standards outlined in the DSE Regulations.
- ii) Staff new to Cafcass should undertake the MySkills DSE e-learning package and refer to Cafcass guidance as part of induction to enable them to carry out a DSE assessment. Staff should inform their line manager if further advice or support is required.
- iii) Staff working flexibly should follow the guidance outlined above when setting up a workstation at their home or other location, including completing a self assessment of their workstation, and should inform their manager if they are unable to meet the basic requirements for a safe workspace. Staff working from home should ensure that they follow good practice guidance in setting up their workstation and using their laptop.
- iv) Anyone who has any particular needs to enable them to use their DSE should raise this with their manager who will organise a specific DSE assessment for them. Equipment and furniture for staff with particular needs will be provided in accordance with Cafcass' guidance.

**3.1.4 Portable DSE**

- i) Laptops are a form of DSE that attract special consideration. When working in an office the laptop should be attached to a port replicator, which sets up the laptop as though it were a desktop.
- ii) Where laptops are used away from an office, depending on the length of time and frequency of use, a laptop riser, separate keyboard and mouse may be required; otherwise staff should maintain a good posture and have regular postural movement.

**3.1.5 Eye tests and optical care**

- i) Optical care is available through the health and wellbeing plan. Claims can be made up to the maximum outlined in the plan every two years. Anyone who opts out from the plan will be reimbursed up to an agreed total for an eye test and cost

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for basic corrective appliance lens and frames if these are required for DSE use. A form is available that must be used when claiming back the cost of the eye test and corrective appliances.

**3.1.6 First Aid**

- i) HSE guidance indicates the number and type of first aiders that an office should have. Cafcass offices are designated as low risk.
- ii) Irrespective of what type and number of first aiders are in place Business Services Managers will ensure that each office has a readily available first aid kit in place that is routinely checked and re –stocked as and when necessary.

**3.1.7 New or expectant mothers**

- i) The HSE provide guidance on assessing risks to new and expectant mothers. Cafcass has produced a generic risk assessment that can be used with a member of staff who becomes pregnant. Further advice is available from the National Health and Safety and Adviser or from HR.

**3.1.8 Provision of Reasonable Adjustments**

- i) Reasonable adjustment(s) should be provided to any member of Staff who is classed under the Equality Act 2010 as having a disability and for whom that disability provides a constraint to their ability to carry out their work.
- ii) HR should be informed of any member of staff presenting with a disability or particular need that requires assistive equipment.
- iii) A reasonable adjustment may include (this list is not exhaustive)
  - Change in working practice
  - Provision of equipment and/or technology
  - Change in physical environment
  - Change in working hours

**3.1.9 Manual handling**

- i) Managers should assess any manual handling risks to staff to either eliminate or reduce them to a reasonable level.
- ii) A generic manual handling risk assessment is available on the intranet.
- iii) A manual handling eLearning package on MySkills provides information and instruction on safe handling.

**3.1.10 Chemical and physical hazards**

- i) Chemical and physical hazards comprise both substances and physical phenomenon.

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- ii) Due to the nature of Cafcass' business it is very unlikely that anyone will be affected by a physical hazard, such as noise or vibration, however there is the potential to come into contact with a hazardous substance.
- iii) As such Cafcass will, where required, provide substance risk assessments for chemical products accessible to employees on Cafcass premises and ensure required controls such as issue and use of protective equipment and provision of lockable storage are in place.

**3.1.11 Infectious diseases and other microbiological hazards.**

- i) Microbiological hazards are organisms that have potential to cause harm if they come into contact with the human body. As Cafcass staff work with members of the public and use public spaces and transport there is a general risk that staff may be exposed to microbiological hazards and infectious diseases although this could occur at any time and is not confined just to periods when staff are at work.
- ii) Any employee who has contracted an infectious disease or who is, is likely to be, or has been, in contact with someone who has an infectious disease must report it to their manager as soon as they become aware. Staff are also advised to discuss any such occurrence with their GP.
- iii) Cafcass staff should be alert to the risks of infectious diseases when dealing with service users and take action when noting warning signs of potential diseases
- iv) Some groups of workers are at increased risk of contracting infectious diseases due to factors such as lowered immune systems or pregnancy. Employees should inform their manager if they have a vulnerability that may cause them to be at higher risk of contracting a disease.

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## 3.2 Safety

### 3.2.1 Violence, aggression, harassment and personal safety

- i) Cafcass is committed to providing and/or ensuring a safe working environment for its staff, who carry out difficult front-line work and who need to work in an atmosphere and environment that is respectful (to and by all concerned) and free from any form of unacceptable behaviour such as harassment, abuse or violence made in person, via email and online (social media and websites).
- ii) The nature of Cafcass' work means that we have a number of individuals and groups who may be dissatisfied with our service. While the majority of these will not go beyond expressing dissatisfaction to their practitioner or via our complaints procedure a small number may take more extreme and/or direct action, such as threatening staff or becoming abusive. Guidance on the management of unacceptable behaviour is intended to both help staff to deal with any such instances and know what to do after an incident has occurred.
- iii) Managers are required to ensure their staff do not place themselves at significant risk from harm and should routinely discuss risks to their health and safety during supervision, team meetings or other specific opportunities. A generic risk assessment is available to record the outcomes of such discussions.
- iv) Any member of staff exposed to any form of abuse, violence or aggression should report it to their manager. The member of staff should take any steps they feel necessary to ensure their immediate safety and discuss the incident with an appropriate manager (who if not their line manager, should ensure their line manager is informed) to enable an appropriate risk assessment to be undertaken.
- v) The Protection from Harassment Act 1997 (PFH1997) offers criminal and civil remedies against anyone who is determined by the court to be pursuing a course of conduct that amounts to harassment. If any member of staff feels that they are subject to harassment they should bring it to the attention of a manager who can seek advice from Cafcass Legal and Communications. Actions under the PFH1997 cannot be taken by Cafcass on behalf of a member of staff, however managers will support staff as far as they are able to. Such support may include reporting incidents to the police, informing telephone providers, writing to social media/web owners to request removal of any entries that cause distress or which may contravene other UK legislation such as the Children Act 1989.

### 3.2.2 Personal Safety

- i) A brief guide has been produced to provide advice to staff in regard to their personal safety and these websites provide general guidance in regard to personal safety at work and home:

<http://www.personalsafetyadvice.co.uk> / and <http://www.suzylamplugh.org/>

- ii) Further guidance is available on the Cafcass intranet.

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**3.2.3 Lone and remote working**

- i) Managers should ensure that any member of staff who is a lone or remote worker is not at risk of harm. Staff have a duty to follow procedures and systems designed for their safety.
- ii) HSE Guidance is available that provides advice in regard to working alone.
- iii) Managers should refer to the Cafcass generic risk assessment for lone and remote working when discussing lone working issues with staff.

**3.2.4 Driving**

- i) The Royal Society for the Prevention of Accidents (Rospa) provides a range of resources to help everyone drive safely. The Safermotoring website also provides a wealth of guidance and advice.
- ii) Staff who use their own vehicle for business purposes must ensure that
  - they maintain their vehicle in good working order
  - the vehicle is suitable for everyday use in the course of their duties.
  - their vehicle receives an annual MOT (where required) and
  - their vehicle is serviced in accordance with the manufacturer’s recommendations.
  - the vehicle has necessary Road Fund Licence and
  - the driver is appropriately insured to use the vehicle for business purposes.
- iii) Use of a vehicle is in accordance with road traffic legislation, compliance with which requires the driver to be familiar with and follow the Highway code.
- iv) The ‘Use of own or leased vehicle for Cafcass business’ document outlines Cafcass’ policy in regard to carrying children and adult passengers.

**3.2.5 Premises Safety & Welfare provision**

- i) Cafcass will ensure that all statutory estates requirements, such as electrical systems, gas installations, asbestos, water systems, lifts, fire warning and protection are managed through external competent contractors and internal routine monitoring. This will include staff welfare facilities such as toilets, drinking water, hearing loops.

**3.2.6 Emergency Provisions**

- i) All premises will have at least two emergency evacuation procedures
  - fire
  - other emergencies such as bomb alerts or gas escapes.
- ii) These will be held within each office’s electronic health and safety premises file and posted on relevant notice boards. The file will be maintained by the Business Services Manager of the premises to which it relates.

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- iii) Business Services Managers will complete and routinely review the business continuity plans in place for each office.
- iv) Cafcass' Business Continuity Steering Group ensures that arrangements are in place to deal with emergency incidents.

**3.2.7 Evacuation of people with a disability**

- i) A Home Office guide provides information and advice in regard to the means of escape for people with a disability.
- ii) Line managers should ensure that a Personal Emergency Evacuation Plan (PEEP) is produced for any member of staff with a disability within their office which should always be put together in consultation with the individual. Business Services Managers should produce a generic plan for members of the public and visitors.

**3.2.8 Fire Safety**

- i) Fire safety requirements are outlined in the Regulatory Reform (Fire Safety) Order 2005, further details of which can be found on Gov.uk and the HSE website.
- ii) Business Services Managers are responsible persons for the offices they manage and together with the Estates and Health and Safety Team will ensure that each office has an up to date Fire Risk Assessment in place and that fire safety services are provided and maintained.
- iii) At least once per year all staff must read through the fire safety e-Learning that is available on Myskills

**3.2.9 Management and Prevention of slips, trips and falls**

- i) Managers should remind staff to take sensible everyday precautions such as keeping the office tidy, wiping up spillages, preventing trailing cables, blocking access routes etc.
- iii) Staff should
  - Wear suitable footwear that is appropriate for the weather conditions at the time.
  - Use handrails when ascending or descending staircases
  - Be aware of hazard warnings and proceed accordingly with caution
  - Not climb on any furniture or equipment to reach anything at height
  - Use suitable and appropriate steps if necessary to access items stored at height
  - Report or immediately clean up spillages
  - Not leave items in circulation routes that could cause a person to slip or trip
  - Dispose of waste in the appropriate container.
- iv) Further guidance can be found on the HSE Website.

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### 3.2.10 Use of electrical equipment

- i) Electrical equipment, including portable electrical items fitted with plugs, fixed wired items such as plug sockets, lighting and equipment such as wall mounted hand dryers will be maintained in safe working order.
- ii) Staff should carry out a visual check of any portable electrical appliance prior to using it – guidance is available on MySkills and the intranet.
- iii) Staff should ensure all portable electrical appliances provided for use at work are made available for testing at least once every two years as reasonably requested.
- ii) Further guidance on electrical safety can be found on the HSE Website.

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**3.3 Health & Safety Risk Assessment**

- i) Managers must ensure that any potential risks to the health and safety of their staff, contractors and visitors are assessed using the principles outlined in the HSE booklet ‘Five steps to Risk Assessment’. The competent<sup>1</sup> member of staff carrying out the assessment should record their assessment on the Cafcass record of risk assessment form. The assessment should be signed off by the manager of the working arrangements / task / individual being assessed.
- ii) Managers should assess the risk presented by any new activity, task or the introduction of any new equipment or working arrangements;
- iii) Managers should re-assess the risk from any existing activity, task, equipment or working arrangement where there is reason to believe that the likelihood or severity of the risk of harm have increased.
- iv) The extent of a record of the assessments required above will depend upon the risk presented. Tasks , activities, equipment etc, that present a low or no risk will not require the completion of a full risk assessment record.
- v) Control measures, safe systems or other actions to maintain the risk from a task, activity, working arrangement or work equipment at a low level should be recorded.
- vi) Risk assessment tools are available for health and safety issues and violent incidents
- vii) A guide that provides a comparison between safeguarding and domestic abuse risk assessment and health and safety risk assessment is available on the Cafcass intranet.
- viii) Staff are required to follow any management instruction issued as a result of a completed risk assessment unless the individual believes this will place them at harm or imminent danger. If an individual refuses an instruction because they believe they will be placed at risk of harm or imminent danger they should discuss this with their line manager or with their manager’s manager.

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<sup>1</sup> Competency as defined in the Management of Health and Safety at Work Regulations 1999

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### 3.4 Incident and accidents

#### 3.4.1 Incident and accident reporting

- i) Any member of staff who has an accident or near miss, or experiences a violent, threatening or abusive incident whilst at work or associated with their work, must report it as soon as possible to their line manager, who should enter the details directly onto i-Trent. If this is not practicable the member of staff should record the accident, incident or near miss as soon as possible using the Cafcass Incident and Accident report form and provide this to their manager, with a copy, if they wish, to their trade union representative.
- ii) Until the incident is recorded within i-Trent, the original incident report should be held in a secure folder. Once recorded in i-Trent the form can be attached to the i-Trent record and the original copy securely destroyed.
- iii) The Business Services Manager or line manager of support services should report to the HSE any accident or incident that is reportable to the HSE under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR), and inform the Estates & Health and Safety Helpdesk at [cafcass.estates@cafcass.gsi.gov.uk](mailto:cafcass.estates@cafcass.gsi.gov.uk) Further advice is available from the National Health and Safety Adviser.

#### 3.4.2 Accident Investigation

- i) Managers should ensure the Incident and Accident report form that will be attached to the i-Trent record includes details of actions taken. This should include the results of any investigation. Actions can also be added to the i-Trent record using the i-Trent accident and incident manager actions UDF form.
- ii) A reportable accident that results in specified injury should be investigated by the manager of the person to whom the incident has occurred as soon as it is reported, to ensure that any evidence gathered is contemporaneous. At this point the Estates and Health and Safety Team and relevant Assistant Director or senior manager as well as the relevant Trade Union health and safety representative must be informed.

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### 3.5 Information and Training

#### 3.5.1 Induction

- i) Any new member of staff must receive suitable induction training within the first four weeks of their commencement by following the HR Induction framework available at the HR intranet page. Line managers will ensure staff receive an induction.
- ii) All new staff should complete the MySkills health and safety courses for new starters within the first six months of employment.

#### 3.5.2 Information, instruction and training (e-Learning and guidance)

- i) The provision of information, instruction and training is a key requirement of the Health and Safety at Work Act 1974.
- ii) To ensure the requisite level of information, instruction and training is provided to all staff Cafcass provides
  - Mandatory Health and Safety modules available on MySkills, that all new employees should complete as part of their induction.
  - A mandatory fire safety refresher course which all staff should complete annually.
  - A mandatory health and safety refresher course which all staff should complete annually.
  - A page on the Cafcass intranet that contains the Cafcass Health and Safety Policy.
  - A health and safety page on the Cafcass intranet that provides procedures and guidance for all staff and which also contains links to forms and generic risk assessments.

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