

## University Health & Safety Arrangements: Chapter 20



### University and NHS Trust Shared Premises – health and safety arrangements for the management of jointly Shared Workplaces

Key word(s):	Shared premises; Shared Workplaces, shared research laboratory space; embedded research; honorary contracts; Management of Health and Safety at Work Regulations 1999 (MHSWR), Regulation 11.
Target audience:	Research staff and students working in facilities embedded in NHS Trust sites with joint management arrangements.

### Table of Contents

Introduction .....	2
Definitions.....	2
Responsibilities .....	3
Common policies / procedures .....	4
Equipment, Buildings and Services .....	4
Arrangements - Committee Structure .....	5
Arrangements – Local Arrangements Structure .....	6
Arrangements for Occupational Health .....	6
First Aid Arrangements .....	7
Visits by Enforcing Authorities.....	7
Communication and exchange of information.....	8
Risk Assessments.....	8
Research Projects.....	8
Concerns and disputes .....	8
Incident Reporting (accidents, dangerous occurrences, near misses) .....	9
Reporting of defects and deficiencies .....	9
Training .....	9
Control of Contractors and Visitors .....	9

Security .....	10
Emergencies.....	10
Advice .....	10
Monitoring and Audit Arrangements.....	10
Review.....	11
Appendix 1 Honorary Appointees.....	12
Document control box.....	14

## Introduction

1. The University works closely with many other organisations. There are situations where personnel, including Honorary Appointees, from the University and NHS Trusts work temporarily or permanently in premises owned or managed by the other, and also share facilities and laboratory equipment. The arrangements outlined in this document are intended to clarify working relationships and responsibilities for health and safety in these circumstances and to implement the MHSWR, Regulation 11, regarding cooperation and communication between parties. Clarification of the safety management responsibilities for Honorary Appointees in Shared Workplaces is given in Appendix 1.
2. The main stakeholders in these arrangements are the owners of premises in which there is a substantive number of personnel from one or more of the other employers embedded. Currently, these are:
  - The University of Manchester
  - Salford Royal NHS Foundation Trust
  - Manchester University NHS Foundation Trust
  - The Christie NHS Foundation Trust
  - Greater Manchester Mental Health NHS Foundation Trust
3. These arrangements will be reviewed annually by a Health & Safety Forum of health and safety personnel from the main stakeholders; for the University, reports are made to OHSTAG and Health and Safety Committee.

## Definitions

4. **The University:** for the purpose of this document the University means The University of Manchester as an employer of its staff and as a provider of higher education to students, and which, from time to time, will place staff and/or students in premises owned and /or controlled by another organisation.

**The Host Trust:** for the purpose of this document the Host Trust means the NHS Trust in which, as part of a Shared Workplace arrangement, the University controls premises and/or directs employees and/or students, either temporarily or permanently, in their work.

**Host Organisation:** for the purpose of this document Host Organisation means either the University or the Host Trust, which, as part of a Shared Workplace arrangement, has control of an area and/or the premises as a whole, and in which the other has employees and/or students.

**Guest Organisation:** for the purpose of this document Guest Organisation means either the University or the Host Trust which, as part of Shared Workplace arrangements, has employees and/or students in premises primarily controlled by the other organisation (the Host Organisation).

**Area Manager:** for the purpose of this document Area Manager means the person given responsibility by his or her employer, through agreement between the University and the Host Trust, for a distinct area within, or the whole of, the Shared Workplace.

**Shared Workplace:** for the purpose of this document Shared Workplace means a workplace in a Host Organisation where both University and Trust employees and/or students may be present.

**Control:** for the purpose of this document Control means the effective management of activity within the whole, or a distinct area, of a Shared Workplace, as agreed between the University and the Host Trust.

**Employer:** for the purpose of this document Employer means either the University or the Host Trust which has a contract of employment or a contract for services with an individual working in a Shared Workplace.

**Health and Safety Forum:** for the purpose of this document Health and Safety Forum means a joint working group comprised of Health and Safety personnel from the University and the Host Trusts.

## **Responsibilities**

5. The University will have responsibility for ensuring health and safety management, so far as is reasonably practicable:
  - for any premises owned, operated and/or maintained by the University
  - for any plant and equipment controlled by the University
  - for identifying requirements for Personal Protective Equipment (PPE), for their employees and for providing and maintaining that PPE, unless the University and the Host Trust have discussed PPE in relation to the Shared Workplace and have agreed to vary this arrangement for any activities carried out in an area under the control of the University
  - for any persons within an area under the control of the University
6. The Host Trust will have responsibility for ensuring health & safety management, so far as is reasonably practicable:
  - for any premises owned, operated and/or maintained by the Host Trust
  - for any plant and equipment controlled by the Host Trust
  - for identifying requirements for Personal Protective Equipment (PPE), for their employees and for providing and maintaining that PPE, unless the University and the Host Trust have discussed PPE in relation to the Shared Workplace and have agreed to vary this arrangement
  - for any activities carried out in an area under the control of the Host Trust
  - for any persons within an area under the control of the Host Trust
7. Where an individual holds an honorary contract with another organisation, his/her employer will need to seek assurance that the Host Organisation has satisfactory arrangements in place for day to day health and safety management.

### **Common policies / procedures**

8. The Host Organisation must provide copies of its general and, where applicable, local health and safety policies, including fire and emergency arrangements, to employees and/or students of the Guest Organisation and the Guest Organisation must ensure that its employees and/or students adhere to them.
9. Guest Organisations must make their policies and procedures readily available to the Host Organisation on request.

### **Equipment, Buildings and Services**

10. The Guest Organisation and the Host Organisation will discuss, agree and record the responsibilities for the carrying out of equipment checks and maintenance. The Guest Organisation must at all times satisfy itself that appropriate and adequate arrangements are in place.
11. When equipment and services are incorporated within the fabric of the building the Host and Guest Organisations must discuss, decide and record which organisation is responsible for arranging and funding the appropriate inspection and maintenance. Work utilising such equipment must not proceed until adequate arrangements and appropriate control measures are instituted.
12. Before any maintenance or emergency repair work commences, the Host and Guest Organisations must discuss, agree and record whether any precautions need to be taken by the maintenance personnel and/or those working in the area before and/or during the work. Written Permit to Work systems may be required for some types of work and some higher risk areas.
13. Changes of use, modifications to buildings or plant, and/or any changes that may impact on supply services must be discussed with the host organisation prior to being carried out. They must not be commenced without the prior written consent of the Host Organisation and appropriate risk assessments being carried out and communicated to persons affected in both organisations.
14. The Area Manager is responsible for making appropriate arrangements for decommissioning and vacating any area within his/her control and must comply with the requirements of the Host Organisation in this regard.
15. Where no agreement currently exists and upgrades to existing facilities are required, e.g. for compliance with legislation changes, the Host and Guest Organisations must discuss, agree and record actions and resourcing considerations.
16. Host and Guest Organisations must always discuss, agree and record arrangements in relation to the storage and use of hazardous substances.
17. Every individual has a responsibility to co-operate on all health and safety matters.

### **Arrangements - Committee Structure**

18. The Health and Safety Forum is comprised of representatives from the University and the Host Trusts and will be responsible for:

- a. considering all issues concerning health and safety management in Shared Workplaces
- b. reviewing these arrangements on an annual basis or in the event of a significant change and making the necessary revisions
- c. putting forward recommendations made by the Forum for approval by their respective institutions
- d. monitoring and auditing the effectiveness of these arrangements and reviewing the health and safety management audits
- e. giving advice on any aspect of the implementation of these arrangements.

### **Arrangements – Local Arrangements Structure**

19. It is essential that the University and Host Trust co-operate and co-ordinate health and safety arrangements at a local level.
20. In any Shared Workplace both the University and the Trust should be represented on relevant Health and Safety Committees.
21. The Host Organisation's Safety Policy should identify specific roles and arrangements for health and safety, with particular reference to situations where there are specific legal requirements, including, but not limited to:
  - The Radiation Protection Advisor and the site rules and arrangements for the purchase and use of radioactive materials
  - The Genetic Modification (GM) Committee to which applications for handling GM organisms must be submitted
  - Accident reporting – statutory reporting and obligations (e.g. under the Health and Safety (Sharp Instruments in Healthcare) Regulations 2013
  - Any other site specific arrangements

### **Arrangements for Occupational Health**

22. The Employer is responsible for the occupational health provision and health record keeping for their own employees, including their Pre-acceptance Health Assessments, appropriate vaccinations and arrangements for any required health surveillance. Postgraduate research students working in Shared Workplaces are treated as employees for the purpose of this document.
23. The Occupational Health service of the Employer will normally be responsible for ongoing occupational health care. However, in the event of an accident, e.g. sharps injury or work related acute illness, it may be appropriate for non-Trust employees to attend the nearest Occupational Health Department. In this case, that Department will be responsible for informing the Employer's Occupational

Health Department of the details of the incident and any treatment provided (including copies of any completed accident forms). This must be done with the patient's written consent.

24. The employing Occupational Health Department should be made aware by line management of any "additional" hazards to which an individual may be exposed to enable appropriate surveillance/vaccination(s) to be provided.
25. Where an Occupational Health Adviser from either the University or the Trust becomes involved in a specific health issue involving an individual and where, as a result, adjustments to the work place are considered appropriate, all involved will co-operate in assessing whether such adjustments are reasonably practicable.
26. An Occupational Health referral following a period of continuous or recurrent sickness absence or where there is cause for concern (see individual Trust and University Policies) will be to the employing organizations' Occupational Health Service. The response will be sent to the line manager and HR and where appropriate (e.g. with certain clinical staff) to the Trust/ University HR.

### **First Aid Arrangements**

27. Arrangements must be agreed between and recorded by both organisations with regard to the provision of first aid, including responsibilities for checking and re-stocking first aid kits and equipment.
28. If there are additional first aid requirements that are specific to the work, the Guest Organisation, in cooperation with the Host Organisation, must ensure that appropriate emergency arrangements / items are available.
29. The Guest Organisation will inform the Host Organisations Occupational Health Department and the local first aiders of any specialist knowledge required because of particular risks arising from work undertaken in the Shared Workplace e.g. use of phenol, cyanide, hydrofluoric acid.

### **Visits by Enforcing Authorities**

30. Information regarding pre-arranged visits by any enforcement authority and any subsequent reports must be communicated by the Host Organisation to the Guest Organisation, or vice versa, where both organisations' activities in the Shared Workplace may be affected.

## **Communication and exchange of information**

31. Members of the Health and Safety Forum have responsibility for communicating the work of the Forum to their own organisation.

## **Risk Assessments**

32. No work should commence in any Shared Workplace until a risk assessment of the Shared Workplace and the work to be done has been undertaken, recorded (for significant risks) and appropriate controls have been put in place.
33. Where there is the potential for others to be affected by the work, the Host and Guest Organisations must discuss, agree and record the appropriate control measures to be put in place and the responsibilities for doing so.
34. A Guest Organisation must make the Host Organisation aware of any risks which require actions by the Host Organisation and ensure that the risk assessments are communicated to all staff within the Shared Workplace.

## **Research Projects**

35. The Principal Investigator must ensure that risk assessments are carried out. In addition to controlling any risks arising from the research, appropriate arrangements must be made by the Area Manager for the disposal or continuing management of items associated with the project, e.g. equipment, chemicals. Such arrangements must be in line with any applicable legislation and/or sector guidance.

## **Concerns and disputes**

36. An individual with a concern about health and safety should raise the matter with the Area Manager, and his/her line manager at his/her Employer.
37. If it is considered that there is serious and imminent danger arising from the work, the Area Manager, and/or the Host Organisation, and/or the Guest Organisation may require that the work be stopped immediately and the Shared Workplace made safe. Whether work is stopped or not, arrangements must immediately be made to enable representatives of the Host and Guest Organisations, including the relevant Area Manager and health and safety professionals, to discuss the issue, agree any necessary action and record the issue and the subsequent discussions. Where necessary, the views of senior members of staff at each organisation will be sought.



## **Incident Reporting (accidents, dangerous occurrences, near misses)**

38. All incidents which occur in a Shared Workplace must be reported. Local arrangements must be put in place to ensure that there is an exchange of information between Host and Guest Organisations about any accident involving a Guest Organisation's employee and/or student.
39. Onward reporting to external organisations is the responsibility of the Employer of the injured individual. In the event of an incident that requires reporting under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), or an incident of equal significance, the Host and Guest Organisations and/or the Employer of the injured individual must be informed immediately.

## **Reporting of defects and deficiencies**

40. Guest Organisations' managers and staff must report, via the Host Organisation's arrangements, any defects or deficiencies in the Shared Workplace including, but not limited to, the premises, equipment or staff activity.

## **Training**

41. The Host Organisation will make induction, fire training and any other health and safety training that is mandatory for the Shared Workplace available to all staff and/or students who work in the Shared Workplace. It is the responsibility of the Guest Organisation to ensure the attendance of their staff and students at such training.
42. Employers will be responsible for assessing, arranging and recording of all other training required by their employees.

## **Control of Contractors and Visitors**

43. Guest Organisations are responsible for managing their contractors and any of their visitors on the Host Organisation's premises. Guest Organisations must inform such contractors and/or visitors of the Host Organisation's local arrangements.
44. If any work is to be carried out by contractors which may affect the fabric or services of the premises, the Host Organisation's estates/facilities management must be contacted and its approval must be obtained prior to any work commencing.

45. Any proposed building modifications, change of use, and additional demands on the services must also be discussed and agreed between the Guest and Host Organisations before commencement of the works.

## **Security**

46. Guest Organisations must ensure that their staff are aware of the obligation to wear identification at all times and comply with security procedures when on a Host Organisation's premises. Additional security arrangements proposed by the Guest Organisation must be discussed with and agreed by the Host Organisation.

## **Emergencies**

47. The Host and Guest Organisations are responsible for ensuring emergency arrangements are in place for all hazards associated with their work activities.

48. Appropriate information must be shared to enable effective co-operation between the Host and Guest Organisations.

49. Both Guest and Host Organisations must ensure that staff and/or students are aware that when an evacuation or other emergency procedures is implemented, all individuals in/on the premises must co-operate with any instructions provided.

## **Advice**

50. For advice on any aspect of the implementation of these arrangements please refer to the Health and Safety Forum.

## **Monitoring and Audit Arrangements**

51. The effectiveness of these arrangements will be monitored by the Health and Safety Forum.

52. Health and safety management audits, using criteria from this document, will be used to enable the University and Host Trusts to seek assurance that robust arrangements for health and safety are in place. Both organisations will co-operate with each other and any issues identified will be rectified by the responsible institution or a joint initiative.

53. Each Host Trust will submit its audit to the annual meeting of the Health & Safety Forum to enable the actions to be tracked.

## **Review**

54. These arrangements will be reviewed by the Health and Safety Forum annually, unless significant events dictate otherwise.

55. The Health and Safety Forum will agree minor changes to these arrangements for and on behalf of the University and the Host Trusts.

## **Appendix 1 Honorary Appointees**

### **Clarification of Safety Management Responsibilities in Shared Workplaces**

#### **Scenarios**

##### Situation 1 - Trust employee with a University honorary contract working in University controlled buildings:

For premises controlled by the University, the Trust employee is expected to follow University safety management arrangements. The University honorary contract should indicate that the post holder is expected to follow the University health and safety policy when on University premises. The Trust employee should have a supervisory link to a University member of staff which must be specified in the appointment letter. In this situation, the University has responsibility for the health and safety of the honorary appointee and the Trust should take reasonable steps to ensure that effective local health and safety management arrangements are in place.

##### Situation 2 - Trust employee with a University honorary contract working in an area controlled by the University within a Trust building

For buildings controlled by the Trust but where the University has a specific area under its day-to-day managerial control, any Trust employee working in this area would be expected to have a supervisory link to a University member of staff which must be specified in the appointment letter. In this situation, the appointee is expected to follow University safety arrangements, where appropriate, as well as Trust arrangements for operational and maintenance systems e.g. waste disposal, building management systems (ventilation, security etc.) Specific mandatory training may also be required by the Trust e.g. fire awareness training. Local arrangements would need to specify how statutory duties would be met, communicated and made available to the Trust. In this situation, the University has responsibility for the health and safety of the honorary appointee.

##### Situation 3 – Trust employee with a University honorary contract working in Trust controlled premises/building

For Trust employees with an honorary University contract undertaking work activities on premises under the control of the Trust, the statutory duty still remains with the Trust as the employer; these responsibilities cannot be delegated to another employer. The Trust should be aware of the nature of the work being undertaken by its employees and would be expected to have suitable health and safety arrangements in place to meet relevant statutory obligations.

However, the University may need to provide specialist support and/or advice to the Trust where there are statutory obligations requiring specialized competent advice. Both University and Trust local arrangement documents will need to clarify the lines of

responsibility and accountability depending on the specific health and safety Regulations. The Trust and University should independently take reasonable steps to ensure that effective local health and safety management arrangements are in place, evaluate how well these arrangements operate and communicate relevant findings to the respective partners.

#### Situation 4 – University employee with or without a Trust honorary contract working in Trust controlled premises

The appointee would be expected to follow Trust safety arrangements, including induction and any specified mandatory training. The arrangements described above will also be applicable in this situation where specialist support is required. These arrangements, together with how they will be implemented locally, should be agreed by the University and the Trust and documented in the Local Arrangements and/or Safety Policy.

#### Situation 5 – Undergraduate/Postgraduate student with a Trust supervisor working in Trust controlled premises

Where the work activity is being carried out on Trust controlled premises, the Trust should have suitable health and safety arrangements in place to meet relevant statutory obligations. Additionally, there should be a section in the School/Institute Local Arrangements document specifying how reassurance from the Trust would be sought to ensure that the health and safety of the student is being managed.

#### Situation 6 – Employees with University/Trust honorary contracts in a mixed working area

For work areas where there is no clear demarcation between a Trust and University controlled space, there would have to be an agreed local arrangement document between both partners that describes how lines of responsibility and accountability would be maintained and how co-operation and co-ordination would be managed.

The situations described above are particularly relevant to clinicians and researchers in the Faculty of Medical and Human Sciences (FMHS) but the same principles apply in other circumstances across the University e.g. honorary collaborators from industry.

[Chapter 18: Working across organisational boundaries](#) applies to situations where staff and students work in areas beyond those normally occupied and controlled by their line manager and suggests ways that Heads of Schools/Directors of Institutes can check that the health and safety of their staff and students is being effectively managed.

<b>Document control box</b>	
Title	Chapter 20: University and NHS Trust Shared Premises – health and safety policy for the management of jointly shared workplaces
Date approved:	16 Oct 2014
Approving body:	Safety, Health & Environment Committee
Implementation date:	16 Oct 2014
Version:	As a separate policy document/agreement; Version 4.3 amended to reflect reorganisation of the NHS partner Trusts and minor clarifications Version 4.2 review date updated Version 4.1 personnel updated Apr 2016 Version 4.0 – September 2014: incorporates the separate agreement with the Trust into Chapter 20. Version 3.1– amended Oct 2013 with addition of Appendix 1 Version 2.0, November 2007, reviewed June 2010; Version 1.0, November 2004, Reviewed October 2006, August 2007
Next review date:	November 2019
Owner of this chapter	Occupational Health, Safety & Training Advisory Group (OHSTAG) Chair : Professor Nalin Thakker Secretary: Dr Patrick Seechurn