

# Adverse Winter Weather Policy

Originator:	Policy and Strategy Team
Executive Management Team Approval Date:	November 2020
Review date:	November 2023

1	Introduction
1.1	This Policy aims to identify the appropriate actions that will be taken by OVH during severe weather conditions. The document sets out the minimum standards of service, which OVH will provide and defines the required responsibilities.
1.2	This Policy will apply to all land or premises owned or managed by OVH. It is the responsibility of the local authority to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. However, in some cases, dependent upon the risk to OVH employees or non-employees, the organisation may incorporate public areas within this Policy.
1.3	For the purpose of this Policy, severe weather can be defined as extreme conditions that may have a direct impact upon a person's health, safety and well-being.
1.4	The relevant legislation includes: <ul style="list-style-type: none"> <li>• <b>Workplace (Health, Safety and Welfare) Regulations 1992</b></li> <li>• <b>Occupiers Liability Act 1957</b></li> </ul>
1.5	The main provisions within each piece of legislation are set out below: <ul style="list-style-type: none"> <li>• <b>Workplace (Health, Safety and Welfare) Regulations 1992 (WHSW)</b></li> </ul> <p>Applicable provisions of the 'WHSW Regulations' to this Policy are that:</p> <ul style="list-style-type: none"> <li>○ Every floor and surface of every traffic route in a workplace shall be of a construction that it is suitable for the purpose for which it is used</li> <li>○ The floor or surface of the traffic route shall have no hole or slope, or be uneven or slippery that can expose any person to a risk to his/her health or safety</li> <li>○ So far as is reasonably practicable, every floor and surface of every traffic route in a workplace shall be kept free from obstructions and/ or substances, which may cause a person to slip, trip or fall.</li> </ul>

- **Occupiers Liability Acts 1957**

Applicable provisions of the Occupiers Liability Act 1957 to this Policy is that:

- The occupier (or person in control of the premises) has a 'duty of care' to ensure all 'legal' visitors will be reasonably safe in using the premises for the purposes for which they were invited or permitted by the occupier to do

**1.5.1** The extent of 'duty of care' will depend upon a number of factors, including the type of property and people likely to be affected. For instance, much greater care would be required around an independent living scheme (category 2) where tenants may be more unsteady on their feet and where they would be expected to use the common areas. Key matters to be considered, include:

- The high risk areas
- When action is to be taken (preventative and reactive)

**1.5.2** Whilst OVH's duties are enshrined in law (statutory and common) it is important to note that our response will be proportionate and use sensible risk management – see 4.1. OVH will take an objective view of issues, such as where the responsibility for clearing snow, ice and leaves begins and ends and the extent of gritting and snow clearing service provided. There is often no straightforward answer to these questions but the controls put in place will reflect the degree of risk identified.

**1.5.3** The application of this policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England adopted by Regulator of Social Housing as outlined below:

- Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own, clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so.

## **1.6 Access and Communication**

**1.6.1** OVH is committed to ensuring that our services are accessible to everyone. OVH will seek alternative methods of access and service delivery where barriers, perceived or real may exist, which may make it difficult for people to work for it or use its services. This policy will abide by OVH's Communication and Accessibility Policy.

## **1.7 Equality, Diversity and Human Rights**

**1.7.1** OVH is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Gender Identity / Gender Expression, Sexual Orientation and Religion and / or Belief, Marriage, Civil Partnership, Pregnancy and Maternity.

**1.7.2** OVH also recognise that some people experience disadvantage due to their socio-economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.

<p>1.7.3</p> <p>1.8</p>	<p>OVH will also ensure that all services and actions are delivered within context of current Human Rights legislation. OVH will endeavour to ensure its staff and others with whom it works, will adhere to the central principles of the Human Rights Act (1998).</p> <p>This Policy should be read in conjunction with:</p> <ul style="list-style-type: none"> <li>• The OVH Health &amp; Safety Policy</li> <li>• The OVH Repairs, Maintenance and Planned Works Policy</li> <li>• The OVH Disaster Recovery Plan</li> </ul>
<p><b>2</b></p>	<p><b>Statement of Intent</b></p>
<p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p>	<p>OVH will, so far as is reasonably practicable, maintain safe access to and from its premises on a prioritised risk-based approach. As such snow clearing and/or gritting will be carried out for the following premises:</p> <ul style="list-style-type: none"> <li>• Independent living schemes in category 2</li> <li>• Agency managed schemes for vulnerable people</li> <li>• Functioning high rise flats</li> <li>• Functioning community centres</li> <li>• Office premises</li> </ul> <p>OVH has no legal duty for public areas and where tenancy agreements make the tenant specifically responsible for outside areas within the boundary of their home. However, upon request, OVH will provide snow clearing and gritting services to the elderly and vulnerable customers where the adverse weather is expected to affect access to their home.</p> <p>In the event of adverse winter weather, OVH will give priority to high risk areas for snow clearing and gritting works. However, the priority for snow clearing and gritting may vary from time to time depending on the severity of the weather in different locations.</p> <p>OVH will adopt a preventative approach wherever possible, staff will be warned of the possibility of adverse weather and access areas and car parks will be gritted when snow or ice is forecast.</p>
<p><b>3</b></p>	<p><b>Policy</b></p>
<p>3.1</p>	<p>OVH will carry out a suitable and sufficient risk assessment of severe weather effects to help identify and prioritise risk areas. The risk assessment will include:</p> <ul style="list-style-type: none"> <li>• Identifying areas that are most likely to be affected (e.g. walkways, building entrances, car parks, sloped areas etc.)</li> <li>• Identifying people who are likely to be affected by the severe weather</li> <li>• Forecasting the extent to which OVH duty of care will increase in areas likely to be used by elderly, children and other vulnerable persons</li> <li>• Identifying the risk factors and reasonable precautions to be taken during the severe weather period. OVH is not responsible for all weather conditions except for certain hazards that are reasonably foreseeable such as adverse weather forecast days in advance and autumn/winter months providing generally wetter/icier weather</li> </ul>

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p>	<p>In the case of severe weather conditions, as a precaution, OVH may decide to close offices early to reduce the health and safety risks for employees travelling home. The decision will be taken by Executive Management Team (EMT) who will advise of closure times.</p> <p>OVH is committed to ensure that essential services are maintained and delivered during adverse winter weather conditions. As such, OVH will activate the Business Continuity Plan to maintain providing essential services to customers during that period.</p> <p>OVH will appoint a competent contractor to carry out snow clearing and gritting services as per agreed specifications. Every effort will be made to deliver the service in accordance with the specification at agreed locations. However, OVH cannot guarantee that snow clearing and gritting will be carried out if the adverse weather conditions present a high risk to employees or contractors.</p> <p>OVH has an agreement with the contractor to take responsibility for checking local weather reports to forecast severe weather occurrences and responding accordingly and as quickly as possible in delivering the service to the identified premises or affected areas. The contractor uses the Merseyside Regional Weather Station to determine severe weather forecasts.</p> <p>The contractor will provide information to OVH within 24 hours of snow clearing or gritting in regard to where and when the work has been completed and/or work in progress. Where such information is not received, the Statutory Compliance Manager will contact the contractor to request the information within 24 hours. OVH will keep a record of where and when snow clearing and gritting were completed in the Electronic Document Management System (EDM)</p> <p>Where possible, OVH will consider additional requests for snow clearing and gritting outside of the agreed specification in accordance with this policy, unless it is the responsibility of other bodies i.e. local authority.</p>
<p><b>4</b></p>	<p><b>Implementation</b></p>
<p>4.1</p> <p>4.2</p>	<p>All Staff need to be aware of the policy to fulfil their health and safety duties, <i>“to take reasonable care of the health and safety of themselves and of others who may be affected by what they do or do not do”</i>.</p> <p>The Statutory Compliance Manager will be responsible for carrying out risk assessments of adverse weather effects and the general operation of this Policy.</p>
<p><b>5</b></p>	<p><b>Performance</b></p>
<p>5.1</p>	<p>There are no additional reporting requirements as a result of implementation of this policy.</p>
<p><b>6</b></p>	<p><b>Consultation</b></p>
<p>6.1</p>	<p>All OVH Staff have also been consulted in the review of this policy. Due to Coronavirus working restrictions it has not been possible to consult with tenant representatives on the Tenant Policy Review Group. When permitted or when alternative consultation methods are</p>

	developed OVH will present the Policy as an information item to the Tenant Policy Review Group.		
<b>7</b>	<b>Review</b>		
7.1	The Policy will be reviewed every three years from the date of Executive Management Team approval or sooner if required by the introduction of new legislation or as a result of system audits.		
<b>8</b>	<b>Equality Impact Assessment</b>		
8.1	Was a full Equality Impact Assessment (EIA) required?	No	
8.2	When was EIA conducted and by who?	Relevant EIA Test was carried out by the Policy and Strategy Manager and Policy Writer on the 26/06/2014 by The Policy and Strategy Manager.	
8.3	Results of EIA	The EIA Relevance Test indicated there are no adverse or differential impacts for any groups with protected characteristics as a result of the operation of this policy. The aim of the policy is minimise health and safety risks for everyone, including the 9 Core Equality Strands.	
<b>9</b>	<b>Scheme of Delegation</b>		
9.1	Responsible committee for approving and monitoring implementation of the policy and any amendments to it	EMT	
9.2	Responsible officer for formulating policy and reporting to committee on its effective implementation	Maintenance Manager	
9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Maintenance Manager	
<b>10</b>	<b>Amendment Log</b>		
<b>Date of revision:</b>	<b>Reason for revision:</b>	<b>Consultation record:</b>	<b>Record of amendments:</b>
5 <sup>th</sup> September 2017	As per review schedule	Section 6	<ul style="list-style-type: none"> <li>An inclusion of schemes for vulnerable people managed by agencies as places where OVH will carry</li> </ul>

			out snow clearing and gritting
17 <sup>th</sup> November 2020	As per review schedule	Section 6	<ul style="list-style-type: none"><li>• No significant amendments in this review</li></ul>