

Control of Hazardous Substances Policy

Operational Owner:	<i>Matt Purcell, Director of Health and Safety</i>
Executive Owner:	<i>Andy Chalklin, Chief Operating Officer</i>
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Related documents:	Health and Safety Policy; Piped Compressed Gas Systems and Standalone Gas Cylinder Policy; Asbestos Policy; Biosafety and Biosecurity Policy; Hazardous Working Policy; Dangerous Substances and Explosive Atmospheres Policy; Radiation (Ionising) Safety Policy

Approval History

Version	Reviewed by	Amendment history	Approved by	Date
1.0	Clive Parkinson Health and Safety	First Draft (old format)	Health and Safety Committee	19 June 2015
2.0	Clive Parkinson Health and Safety and Chemical Safety Forum	Reviewed (2018 format)	Health and Safety Committee Executive Board	19 October 2018
2.1	Andy Chalklin, Chief Operating Officer	Minor amendments to update owners and review date	Chief Operating Officer	4 November 2022

1	Introduction
1.1	Purpose
1.1.1	The University of Surrey uses a variety of substances within its estates, facilities, teaching and research activities. Some of these substances have harmful or hazardous properties and may pose a risk to human health or harm to the environment. This policy details the management arrangements and responsibilities for control of hazardous substances used, including disposal at or by the University of Surrey.
1.2	Scope
1.2.1	This policy applies to all University of Surrey staff (including visiting academics), students and contractors employed by the University who use hazardous substances
1.2.2	This policy applies to the use of hazardous substances on all University of Surrey sites as well as any work off-site that is required or deemed necessary.
1.2.3	Supervisors and managers have a duty of care placed upon them to actively monitor the implementation of this policy. As persons directing the work supervisors and managers have a crucial role in ensuring that any work with hazardous substances is carried out safely and in accordance with all relevant legislation.
1.3	Definitions
1.3.1	Hazardous Substance The term ‘Hazardous Substance’ is very broad and includes chemicals, biological agents, carcinogens, dusts, flammable materials and gases which have the potential to cause harm to human health (both physical and chemical). A hazardous substance also includes any substance that may cause harm to the environment during its use or disposal.
1.3.2	Competent person A competent person has the skills, knowledge, attitude, training and experience to undertake the role effectively.
1.3.3	Training and Briefing Training is equipping staff, students (and others where the University has a duty-of-care) with relevant skills to deal appropriately with a given Health and Safety situation. Briefing is informing such persons of relevant knowledge in relation to Health and Safety. Training and briefing will be made available in a range of formats according to the needs of the trainee and different groups of staff, students and others.
1.3.4	Occupational Health, Safety and Environment is defined as “the measures and systems aimed at preventing harm and ill health to those at work, whilst protecting the environment from damage that could result from work practices.”
1.3.5	Accessibility The duty to make reasonable adjustments, as far as possible, to ensure that all staff and students (and others where the University has a duty-of-care) with a disability have equal access to everything they need to do a job or studies as those persons without a disability.

2	Policy
2.1	Principles
2.1.1	This policy aims to prevent exposure of staff, students, visitors, and contractors to hazardous substances. In situations where this is not possible, exposure will be controlled and reduced to a level that is as low as is reasonably practicable.
	This policy aims to mitigate and limit the effects of exposure to hazardous substances in emergency situations to staff, students, contractors, members of emergency services and members of the public.
	This policy aims to ensure compliance with relevant legislation for the procurement, use, storage, transport and disposal of hazardous substances.
	This policy aims to reduce the impact to the environment by the use or disposal of hazardous substances at or by the University, using the best available environmental option.
2.1.2	Policy Procedures
	The University will assess and adequately control the risks created by the use, storage, transport and disposal of hazardous substances by implementing the following procedures and measures.
	Where the prevention of exposure to hazardous substances is not reasonably practicable, exposure will be adequately controlled by following the Health and Safety Executive (HSE) hierarchy of controls' as listed below: <ol style="list-style-type: none"> 1) Substitution by a less hazardous substance. 2) Reduction in the amount of substance that is used or stored. 3) The implementation, use and maintenance of engineering controls. 4) The implementation and enforcement of procedural controls, e.g. safe systems of work. 5) The provision and use of Personal Protective Equipment (PPE).
	(a) The University will ensure that buildings, plant and equipment provided for the purpose of controlling hazardous substances are adequately maintained and that adequate records of such maintenance are kept.
	(b) The University will make arrangements for any health surveillance that is required and will retain adequate records relating to such surveillance.
	(c) Where appropriate the University will monitor exposure to hazardous substances.
	(d) The University will provide adequate and suitable training to users of hazardous substances.
	(e) The University will provide suitable and sufficient information and instruction to users of hazardous substances.
	(f) The University will ensure that competent and appropriate supervision is available.
	(g) The University will ensure that persons are in place to provide competent advice.
	(h) The University will ensure that there are appropriate emergency plans, equipment, personnel and procedures in place to deal effectively with foreseeable adverse incidents.
	(i) The University will take steps to ensure that consideration is given to the disposal of hazardous substances prior to acquisition. This will be determined by the application of Best Available Technique (BAT) and of the Waste Hierarchy as detailed in the Waste Regulations 2011.

	(j) The University will ensure that appropriate records relating to the procurement, use and disposal of hazardous substances are complete and adequately maintained.
	(k) The University will ensure that hazardous substances are packaged, labelled, stored and transported appropriately, in accordance with relevant statutory Regulations.
2.2	Roles and Responsibilities
2.2.1	<p>Director of Health & Safety is responsible for the following:</p> <ul style="list-style-type: none"> (a) Auditing compliance with this policy, including procurement, use, storage and disposal of hazardous substances. (b) The provision of advice, training and guidance to all persons within the University, Faculties and Directorates regarding compliance with this policy. This advice may be given directly or through the appointment of competent persons. (c) Ensuring that this policy and accompanying guidance is current and correct. (d) Liaising with any relevant Regulatory authorities. (e) Ensuring that all hazardous waste is disposed of in accordance with the Hazardous Waste Regulations (2005) apart from 3.1.2(a).
2.2.2	<p>The Director of Estates and Facilities Management (EFM) is responsible for the following:</p> <ul style="list-style-type: none"> (a) Making arrangements for the disposal of Waste Electronic and Electrical Equipment. (b) Making arrangements for the disposal of all other non-hazardous wastes.
2.2.3	<p>Deans and Directors* are accountable for the provision of measures to ensure the following:</p> <ul style="list-style-type: none"> (a) Due consideration is given to the disposal of hazardous substances prior to their acquisition. (b) All hazardous substances used within their Faculty/Directorate are assessed prior to use and that exposure to any substance is managed. Where prevention is not reasonably practicable then exposure must be adequately controlled. (c) All control measures which are deemed necessary are maintained and effective. (d) Staff and students have sufficient instruction and information and are adequately trained and supervised. (e) Adequate arrangements are made, where required, to monitor exposure to hazardous substances. (f) Any staff or students who meet the criteria for health surveillance attend for this surveillance and that appropriate records are kept. (g) Any recommendations made by the University Occupational Health Service are actioned and that records are kept. (h) Adequate arrangements are in place where facilities are shared or where staff and students are working on premises managed by other employers.

	<ul style="list-style-type: none"> (i) Adequate emergency plans and procedures are in place to deal with foreseeable adverse events. (j) Rules and procedures are implemented to ensure that hazardous substances are stored, transported, packaged, labelled and disposed of appropriately. (k) Sufficient resources are made available to enable compliance with this policy. (l) Any required licences are up to date, that suitable arrangements are in place for storage, and that complete records are maintained pertaining to the use and storage of controlled or dangerous agents. <p><i>* A Director is defined for the purposes of this policy as those having hazardous substances within or used by personnel controlled within their Directorate.</i></p>
2.2.4	<p>Managers and Supervisors (including academic) of staff and students are responsible for ensuring the following.</p> <ul style="list-style-type: none"> (a) Consideration is given to the disposal of hazardous substances prior to their acquisition. (b) Prior to using hazardous substances a suitable and sufficient risk assessment has been written, approved and documented. (c) Any control measures identified by the risk assessment, including those advised by Occupational Health, have been fully implemented. (d) Work is only begun when a risk assessment has been undertaken. The Supervisor must ensure their 'reportee' has either carried out their own risk assessment or has read and fully understood any risk assessment that has been written for the particular activity. (e) That adequate information, instruction, training and supervision is provided. (f) That the Dean/Director and Faculty/Unit Health & Safety Advisor has been informed of any activity where the risk assessment has indicated that there is a high residual risk associated with a particular activity. (g) A copy of any risk assessments must be available and provided if requested.
2.2.5	<p>Staff and Students who work with hazardous substances must comply with the following requirements.</p> <ul style="list-style-type: none"> (a) A suitable and sufficient risk assessment must be carried out before working with hazardous substances. This risk assessment must be approved by an appropriate Supervisor/Manager. (b) Staff/Students must read and fully understand any risk assessment that has been completed by somebody else in relation to their use of hazardous substances.

	<ul style="list-style-type: none"> (c) Consideration must be given to the storage and disposal of hazardous substances prior to their acquisition. (d) All students/staff must follow all Local/University rules and procedures regarding the safe and hygienic handling of hazardous substances. (e) Any measures identified by the risk assessment must be fully implemented and assessed prior to work beginning. (f) To use and maintain any Personal Protective Equipment (PPE) provided in an appropriate manner. If a risk assessment identifies PPE as a control measure then staff/students must use it. (g) To report any defects, errors or omissions in the procedure, PPE or equipment. (h) To report any accidents or near misses that occur whilst using hazardous substances to their Supervisor/Manager and <i>via</i> the University reporting procedure. (i) To undertake any training deemed necessary by the University. (j) To attend any Occupational Health appointments required for health surveillance and to cooperate with this process. (k) To report any health concerns they may have regarding the use of hazardous substances to their Supervisor/Manager.
2.2.6	<p>Managers and Supervisors of contractors have the following responsibilities.</p> <ul style="list-style-type: none"> (a) To make contractors aware of this policy and any other factors that may affect the contractors' risk assessment. (b) To ensure that a written risk assessment has been undertaken where hazardous substances are to be used. (c) To monitor and ensure that any control measures identified by the risk assessment have been implemented. (d) To advise contractors of any risks to them deriving from any University activities occurring in the areas they are working. (e) To ensure that any required Permit to Work is in place and is approved.
2.2.7	<p>Contractors must comply with the requirements of this policy in the following ways.</p> <ul style="list-style-type: none"> (a) By carrying out a risk assessment for any work that will require the use of hazardous substances prior to work commencing.

	<p>(b) By implementing any control measures, including emergency procedures, identified by the risk assessment.</p> <p>(c) By providing adequate information, instruction, training and supervision to their staff and ensuring that they are competent to work with hazardous substances.</p> <p>(d) By providing any PPE that is required to work safely with hazardous substances.</p> <p>(e) Arrange suitable health surveillance should it be deemed necessary.</p> <p>(f) Where contractors are not working with hazardous substances themselves, but are carrying out work in an area where hazardous substances are present (e.g. a laboratory), they must follow the instruction given to them on the Permit to Work.</p>
2.2.8	<p>Health and Safety Managers / Advisers have the following responsibilities:</p> <p>(a) To give competent and informed advice to all users regarding the safe use of hazardous substances.</p> <p>(b) To provide training as required and in a format that is appropriate; to monitor the uptake and effectiveness of this training.</p> <p>(c) To monitor adherence to safe working practices and procedures.</p> <p>(d) To investigate any adverse incidents arising during the use of hazardous substances in order to identify the root cause.</p> <p>(e) To remain up to date and informed regarding current best practice and legislation pertaining to the use of hazardous substances.</p>
3	Governance Requirements
3.1	Implementation / Communication Plan
3.1.1	<p>The policy is communicated to all staff as part of the University Policy website. It will also be communicated through specific, relevant training – including: Laboratory training and local inductions; Hazardous Substances/Chemical training</p> <p>Relevant Health and Safety Committees and Faculty Health and Safety Committees will be notified and information disseminated through line management.</p> <p>A copy of the Policy will be placed in lab safety folders (where appropriate)</p> <p>Relevant information is also published on the University Health and Safety intranet site and Health and Safety Handbook, as appropriate.</p>
3.2	Exceptions to this Policy
3.2.1	There are no exceptions
3.3	Review and Change Requests
3.3.1	<p>This Policy is regularly reviewed by the Director of Health and Safety; and the Asbestos Management Group.</p> <p>➤ Minor changes will be reviewed and agreed by Chemical Safety Group, and approved through Health and Safety Committee (HSC);</p>

	<p>➤ Major changes will be reviewed through Chemical Safety Group, agreed via Estates Health and Safety Committee and approved by Health and Safety Committee - and if required, submitted to Executive Board, for approval.</p> <p>Review will generally be every three years or in line with any relevant changes to Legislation, if sooner. Health and Safety Consultative Committee will be consulted during the review process, as required.</p>
3.5	Legislative context
3.5.1	This Policy complies with the requirements of the Health and Safety at Work Act 1974 and other associated legislation, noted in <u>Appendix 1</u> .
3.5.2	<u>Health and Safety Policy legal statement</u>
	<p>This policy sets out to comply with the required 'duty of care' placed upon the University. Under Health and Safety Law a 'duty of care' is generated between organisations and individuals when carrying out activities that could foreseeably cause harm.</p> <p>The primary duty of care is owed through the employer-employee relationship in which the employer owes a duty of care to ensure that work activities that could result in harm to the employee are assessed and controlled. That duty of care is put into practice by the line management responsibilities as set out in the hierarchy of the organisation.</p> <p>This duty of care cannot be delegated away; instead the act of delegation must be accompanied by a realistic and workable system of monitoring or supervision to ensure that the delegated task has been adequately implemented (i.e. the responsibility is not met by giving directions; it is met when those directions have been confirmed as carried out). The result is a cascade of delegated accountability that runs through the organisation via the line management network, accompanied by a system of monitoring, supervision and feedback.</p> <p>The duty of care extends to assurance that services provided by others (be they another department of the University or contractors) are undertaken safely. The level of assurance required should be commensurate with the risk of the activity.</p> <p>In addition, anyone carrying out an activity owes a duty of care to anyone who may be put at risk by the activity, such as students, staff and visitors.</p>
3.6	Stakeholder Statements
3.6.1	<p>Equality: Consideration is given to the protected characteristics of all people groups identified in the Equality Act 2010. The protected characteristics are gender, age, race, disability, sexual orientation, religion/belief, pregnancy and maternity, and marriage/civil partnership.</p> <p>The University recognises the need for specific measures to ensure the health and safety of each of these groups. This policy and all other associated Health and Safety related policies take this into account.</p>
3.6.2	Health & Safety: This Policy forms part of the overarching statement on health and safety for the University.
3.6.3	<p>Executive Board, Health and Safety Committee, Chemical Safety Group, Faculty Health and Safety Committees, and Health and Safety Consultative Committee (as required)</p> <p>Changes to this policy will be consulted, reviewed and approved at the appropriate level; in line with policy guidance.</p>

Appendix 1

List of Associated Legislation

In addition to the Health and Safety at Work Act, 1974 – the Asbestos Safety policy will comply with the requirements of the following:

- The Control of Substances Hazardous to Health Regulations 2002 (as amended).