



H&S Legislative Compliance Audit



Location:	COMPANY - Client Operating on Landlord Premised
Contact:	Contact
Date:	2020
Assessor:	A J Barton



H&S Legislative Compliance Inspection - Executive Summary

Principal Positive / Negative Indicators of H&S Performance	
Landlord Issues	<ul style="list-style-type: none"> ⊕ S&Y are clearly positioned as the Landlord (with site based personnel) which makes ownership of actions with the defined premises easier to assign and track via meetings etc. ⊗ Extensive Legislative Compliance Issues on site (as identified in the report). H&S 'responsibilities' are left with individual tenants to manage (and it not entirely clear to what extent this requirement is being complied with) ⊗ No site-wide co-ordination of H&S / Fire (emergency plans etc.). Minimal overlap in terms of individual tenants and how they contribute to the larger fabric of H&S / Fire Related Management Issues ⊗ Poor site security - able to access rear of property through unsecured rear gate ⊗ Working space constraints (DSE use issues) within suite 24 – office effectively 'over-populated' with space ideally used by 6 persons shared by a group of over 20 persons (with highly variable numbers on site at any one time (particularly at hand-over time)

Risk Profile

Consequence score (severity levels) and examples of descriptors					
Domains	1. Negligible	2. Minor	3. Moderate	4. Major	5. Catastrophic
Statutory duty/ inspections	No or minimal impact or breach of guidance/ statutory duty	Breach of statutory legislation → Reduced performance rating if unresolved	Single breach in statutory duty → Challenging external recommendations/ improvement notice	Enforcement action. Multiple breaches in statutory duty → Improvement notices	Multiple breaches in statutory duty → Prosecution / Zero performance rating

Likelihood score and examples of descriptors					
Descriptor	1. Rare	2. Unlikely	3. Possible	4. Likely	5. Almost certain
Frequency How often might it/does it happen	This will probably never happen/recur	Do not expect it to happen/recur but it is possible it may do so	Might happen or recur occasionally	Will probably happen/recur but it is not a persisting issue	Will undoubtedly happen/recur, possibly frequently

Risk Rating				
Score	1 - 3 Low Risk	4 - 6 Moderate Risk	8 - 12 High Risk	15 - 25 Extreme Risk

Risk Profile	L	S	Estimated Risk Score
2020 (Current Position)	3	4	12 – High Risk
2021 (Target / Objective)	1	3	3 – Low Risk



H&S Legislative Compliance Audit – Summary Overview

	Activity / Operation / Hazards	Risks	Action		Leg Ref	Risk Rating	Legislative Compliance / Control Measures
			Client	Landlord	Number	Risk (H/M/L)	Omissions – including Management Controls, Documents, Training, Equipment Certification & Physical Controls
1.	Workplace	Occupational Health Issues Signage		Y	3, 23	Medium (12)	<ul style="list-style-type: none"> ⊗ Lack of sufficient space provided having regard to the need for employees to work safely and move around with ease ⊗ Rear office in suite 24 – size 22sq metres – this should typically house no more that 6 persons (space limitations defined in Workplace Regulations ACOP) – this number is frequently and persistently exceeded ⊗ Non BS Safety Signage in use on site – old and missing fire signage in parts
2.	Slips, Trips and Falls	Fall related injuries		Y	1,3	Medium (12)	<ul style="list-style-type: none"> ⊗ Lack of defined Risk Assessments for general workplace (Landlord) ⊗ Lack of defined Risk Assessments for key tasks
3.	Electricity	Electric Shock, Electrical burns, Fire		Y	13	High (15)	<ul style="list-style-type: none"> ⊗ Lack of 5 year NICEIC electrical installation testing certification ⊗ Lack of up to date electrical drawings for the site ⊗ No evidence of defined process for Portable Appliance Testing and associated record keeping ⊗ Lack of documentation showing annual testing of Lightning Protection ⊗ Electrical wiring hanging loosely from ceilings in a number of areas
4.	First Aid	Various Injuries		Y	4	Medium (9)	<ul style="list-style-type: none"> ⊗ Lack of first aid risk assessment to determine first aid needs for the building / individual tenants ⊗ Lack of evidence to confirm that sufficient first aid boxes are available on site and that they are large enough for the number of employees ⊗ Insufficient evidence of appointed first aiders with names of first aider known to all employees (individual companies / wider building overview)
5.	Use of Hazardous Substances	Various injuries related to the use of hazardous substances		Y	14	Medium (6)	<ul style="list-style-type: none"> ⊗ Unable to locate a register of all Hazardous Substances stored on site, including location and use ⊗ Lack of COSHH Risk Assessments ⊗ Lack of Material Safety Data Sheets
6.	Asbestos	Asbestosis, Mesothelioma		Y	16	High (15)	<ul style="list-style-type: none"> ⊗ Lack of any clearly defined site-wide Asbestos Procedure / Documentation demonstrating that there has been a physical examination and any findings documented. (An Asbestos Register, document and drawings) ⊗ Lack of site-wide Asbestos Register / Management of Asbestos Plan (including relevant drawing) ⊗ Asbestos File for Unit 16 present in suite 24 (relates to previously occupied part of the building) ⊗ Unable to confirm that the presence, location and quantity of all asbestos-containing materials in the workplace has been identified ⊗ Unable to confirm that all persons (employees, contractors) have been informed of all asbestos-containing materials in their respective work areas



	Activity / Operation / Hazards	Risks	Action		Leg Ref	Risk Rating	Legislative Compliance / Control Measures
			Client	Landlord	Number	Risk (H/M/L)	Omissions – including Management Controls, Documents, Training, Equipment Certification & Physical Controls
7.	Hot and Cold Water systems (Legionella)	Legionnaires disease		Y	14,227	Medium (12)	<ul style="list-style-type: none"> ⊗ Lack of clearly defined Legionella Management Procedure ⊗ Lack of site-wide Legionella risk assessment ⊗ Lack of site-wide water schematics ⊗ Lack of Monitoring and Control regimes ⊗ Lack of Temperature records
8.	Fire	Burns, Smoke Inhalation, Death, Destruction of Plant and Property		Y	9	High (20)	<ul style="list-style-type: none"> ⊗ Lack of overarching building-wide Fire Safety Management Procedures (including emergency evacuation plans) ⊗ Lack of Fire Safety Risk Assessment (site / common parts) ⊗ Lack of Fire Safety Risk Assessment (tenants) ⊗ Lack of Site Drawing Showing Fire Compartmentation ⊗ Lack of FRA → unable to confirm that emergency exit routes and exits of sufficient number, location and type for the site / occupants have been provided ⊗ Lack of Fire Safety Management Logbook → Unable to confirm that Fire Doors and other passive features of the site are in good working order (information not evidenced on site – some Fire Doors are missing seals) ⊗ Lack of Fire Safety Management Logbook → Weekly Fire Alarm Tests (information not evidenced on site) ⊗ Lack of Fire Safety Management Logbook → Six Monthly Evacuation Drill (information not evidenced on site) ⊗ Lack of Fire Safety Management Logbook → Induction Training (information not evidenced on site) ⊗ Lack of Fire Safety Management Logbook → Housekeeping and Inspection Audits conducted by Landlord or by individual tenants (information not evidenced on site) ⊗ Lack of Fire Safety Management Logbook → Fire Extinguishers (certification not evidenced on site) ⊗ Lack of Fire Safety Management Logbook → No evidence of any Personal Emergency Evacuation Plans ⊗ Automatic Fire Detection & Alarm Systems – unable to establish whether the fire detection system is appropriate to nature and risk posed by the site (information not evidenced on site) ⊗ Poor control of Smoking on site (including at the rear of the premises next to extensive pallet stack / electrical inlet) ⊗ Poor Fire Signage (inconsistent, old and not correctly fixed in some parts of the premises) ⊗ Poor illumination in end stairwell evacuation route ⊗ No clear Fire Assembly point ⊗ Poor internal housekeeping in some units ⊗ Fire Doors wedged open on fire exit routes (especially those that protect the main staircase evacuation routes)
9.	Noise	Occupational Deafness		Y	15	Low (4)	<ul style="list-style-type: none"> ⊗ Unable to confirm whether any areas of the site are likely to have noise levels requiring further control ⊗ No evidence of Noise surveys for Plant Rooms



	Activity / Operation / Hazards	Risks	Action		Leg Ref	Risk Rating	Legislative Compliance / Control Measures
			Client	Landlord	Number	Risk (H/M/L)	Omissions – including Management Controls, Documents, Training, Equipment Certification & Physical Controls
10.	Work Equipment / Machinery	Mechanical Injuries, falling materials, collision etc.		Y	17	Medium (9)	<ul style="list-style-type: none"> ⊗ Lack of documented Work Equipment Procedure with asset register of all items of equipment with scope of PUWER on site ⊗ Lack of information regarding Maintenance, Inspection / Thorough Examination regimes ⊗ Lack of information regarding HVAC / AHU on site
11.	Pressure Systems – (compressed air, boilers)	Pressure vessel failure		Y	22	Medium (12)	<ul style="list-style-type: none"> ⊗ Lack of documented Work Equipment Procedure (including pressure systems) ⊗ Unable to confirm that a written scheme of examination (re-assessed every year) is available for all items within scope of the Pressure Regulations
12.	Workplace Transport (including car parks)	Collision		Y	2,3	Medium (9)	<ul style="list-style-type: none"> ⊗ Lack of defined Risk Assessments for general workplace (including external car parking areas) ⊗ Lack of general workplace inspection process and previous inspection reports ⊗ Minimal car parking and access road controls – signage, speed limits
13.	Domestic Gas	Fire & Explosion		Y	30	Medium (12)	<ul style="list-style-type: none"> ⊗ Lack of documentation showing that natural gas equipment has been tested annually (Landlord) ⊗ Lack of site schematics showing gas pipework and emergency isolation locations
14.	Generators and Storage of diesel	Fire, machinery hazards		Y	14,17	Low (4)	<ul style="list-style-type: none"> ⊗ Unable to confirm local site procedures for emergency power / generation etc.
15.	Civil disturbance, sabotage Natural Disaster – flood, earthquake, hurricane	Structural damage, fire, electrocution, infection and diseases		Y	2	Low (4)	<ul style="list-style-type: none"> ⊗ Unable to confirm local site procedures ⊗ Lack of site / local Business Continuity Plans ⊗ Site is not secured – access to rear of property gained easily
16.	Catering	Food Hygiene and associated Health Issues		Y	32	Medium (9)	<ul style="list-style-type: none"> ⊗ Munchies provide site catering facilities ⊗ Lack of documentation showing that a food management program is in place ⊗ Lack of documentation showing temperature checks of fridges where food products are stored ⊗ Lack of documentation showing temperature checks of food that has been cooked, re-heated or on sale
17.	Use of Contractors Projects – infrastructure / Construction	Imported risks		Y	1,2,18,	Medium (9)	<ul style="list-style-type: none"> ⊗ Lack of defined Control of Contractors Procedure and control methodology for undertaking works on site by Landlord (nominated agents) ⊗ Unclear how this information is communicated to tenants for inclusion in local H&S / Fire management



H&S Legislative Compliance Inspection – Risk Rating

In order to quantify the likelihood and severity of certain observations / situations, the following risk rating matrix will be used. Be considering the likelihood and severity of each element an overall risk rating can be determined. This risk rating will be documented in an ‘as seen’ capacity based on current controls as well a residual risk rating that would be appropriate is all documented remedial actions had been completed.

L	S	Intolerable (5)	Significant (4)	Moderate (3)	Slight (2)	Negligible (1)	R I S K
Very likely (5)	High (25)	High (20)	High (15)	Medium (10)	Low (5)		
Probable (4)	High (20)	High (16)	Medium (12)	Medium (8)	Low (4)		
Possible (3)	High (15)	Medium (12)	Medium (9)	Medium (6)	Low (3)		
Remote (2)	Medium (10)	Medium (8)	Medium (6)	Low (4)	Low (2)		
Improbable (1)	Low (5)	Low (4)	Low (3)	Low (2)	Low (1)		

High	Very limited or no controls in place - significant breach of Fire / H&S legislation, non-compliance with policy and procedures, non-compliance with best practice. Intolerable risk to the organisation in terms of personal injury, civil or criminal litigation.
Medium	Partial or inadequate controls exist - possible breach of Fire / H&S legislation, non-compliance with policy and procedures, non-compliance with best practice. Possible risk to the organisation in terms of personal injury, civil or criminal litigation.
Low	Controls exist - unlikely breach of Fire / H&S legislation, partial non-compliance with policy and procedures, best practice. Low risk of personal injury. Low risk of improvement notice being served by the enforcing authorities.



Supporting Photographic Information (brief overview - full report approx. 30 photos)









Applicable Health & Safety Legislation (sample)

No	Legislation	Description
1.	Health and Safety at Work etc. Act 1974	Principal piece of health and safety legislation applying to all workplaces, specifying employer duties to manage risk and provide safe equipment and a place of work. Employee duties include responsibility for their own safety and for 3rd parties. Requires a safe system of work to reduce risks as far as is 'reasonably practicable' (implicit requirement for risk assessment). Staff must be appropriately trained. Act sets the outline of HEALTH & SAFETY management and permits the promulgation of supporting regulations.
2.	Management of Health and safety at Work Regulations 1999	One of the key pieces of Health & Safety legislation that implements the Act. Details the need to conduct risk assessments and manage risks identified. Specifies how safety will be managed through systems, training, surveillance and providing additional controls for groups particularly at risk. Details the duties of, amongst other, employers and employees and competent Health & Safety advisors
3.	Workplace (Health, Safety and Welfare) Regulations 1992	Cover a wide range of basic health, safety and welfare issues such as ventilation, heating, lighting, workstations, seating and welfare facilities
4.	Health & Safety (First Aid) Regulations 1981	Cover requirements for first aid at work and the provision of 1st aid facilities. Facilities should reflect the nature of the workplace and be appropriately signposted.
5.	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013	Require employers to notify to the HSE certain occupational injuries, diseases and dangerous occurrences. Notifiable includes death and major injuries (loss of consciousness, breaking a limb etc.) and work related injuries that result in a >7-day absences from work.
6.	Health & Safety (Information for Employees) Regulations 1981	Require employers to display a poster telling employees what they need to know about health and safety. The Health and Safety Law poster must be displayed for all staff, with HSE and HEALTH & SAFETY representative contact details available.
7.	Safety Representatives and Safety Committees Regulations 1977	Require employers to establish health and safety committees for employees, typically one representative per 25 employees. Safety representatives should be consulted on issues affecting the safety of the workforce. They shall be given appropriate time off for training, facilities, information and time to conduct their role. Health and safety representatives should be consulted over the implementation of fire safety arrangements.