**STATUTORY COMPLIANCE CHECKLIST**

**You can use this checklist to get an idea of where you have gaps or require further action to ensure you are meeting statutory compliance requirements. You should also HSE approved codes of practice and guidance to check legislative r**

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| **Areas for consideration** | **Y** | **N** | **Notes** |
| Do you understand which specific areas of statutory compliance you are responsible for? If you are a tenant, does the building lease make it clear what the landlord is responsible for and what you are responsible for? |  |  |  |
| Have you undertaken any health and safety training? e.g. IOSH managing safely  |  |  |  |
| Do you have access to competent H&S advice? e.g. company H&S advisor, facilities management team, external consultant |  |  |  |
| If you share a building, do you share information about your workplace with other building tenants (and vice versa) to help inform risk assessments, protocols and emergency planning?  |  |  |  |

| **FIRE** | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Does your employer have a fire safety policy which outlines who the ‘responsible’ person is?  |  |  |  |
| Is there a competent person appointed to carry out fire risk assessments? e.g. someone with relevant qualifications, experience in fire safety to provide expert advice  |  |  |  |
| Do you have an up to date fire risk assessment for your building(s)? |  |  |  |
| Is it recorded, in writing? It must be in writing even if your company employs less than 5 people |  |  |  |
| Is there a clear and detailed action plan outlining prioritised action that should be undertaken as a result of the risk assessment? |  |  |  |
| Are the actions being addressed? |  |  |  |
| Do you have an up to date fire management plan for your building(s)? |  |  |  |
| Does the plan include specific roles and responsibilities for fire safety? |  |  |  |
| Are the staff with assigned specific roles aware of the requirements of the role and have they received appropriate information and training to carry out their role?  |  |  |  |
| Does the plan include a detailed emergency evacuation plan? |  |  |  |
| Does the emergency plan include contingency arrangements for inclement weather and keeping people dry and warm, considering people with valuables still in the building, communication with relatives and the media, getting people away from the building and arranging temporary accommodation? |  |  |  |
| Are staff trained as part of their induction when commencing employment, in fire safety awareness? |  |  |  |
| Are all staff provided with regular fire safety awareness refresher training at a set frequency e.g. annually, every 2 years etc |  |  |  |
| Are agency staff and students on placement provided with fire safety information and training?  |  |  |  |
| Is all training provided recorded to ensure an accurate record of who has received training is maintained and to plan follow up training as required?  |  |  |  |
| Have you carried out a fire drill in the last year? This may be a fire drill simulation on what should happen in an emergency.  |  |  |  |
| Do you have personal emergency evacuation plans for people who need assistance to evacuate in an emergency? Are they kept up to date and easily accessible in an emergency? |  |  |  |
| Do you have arrangements in place to maintain and carry out testing, servicing and regular checks on:  |  |  |  |
| * fire alarm systems
 |  |  |  |
| * emergency lighting
 |  |  |  |
| * fire detection systems e.g. smoke and heat detectors
 |  |  |  |
| * fire fighting equipment
 |  |  |  |
| * fire protection measures e.g. condition checks of fire doors
 |  |  |  |
| * escape routes to ensure they are clear and the floor is in good condition
 |  |  |  |
| * fire exits to ensure they can be opened easily
 |  |  |  |
| * automatic fire doors e.g. that they close correctly
 |  |  |  |
| * fire safety signage e.g. is it in the right place
 |  |  |  |
| Are records of all tests, inspections and checks kept? |  |  |  |
| Do you keep a record of any faults in systems and equipment and ensure action is taken to rectify it? |  |  |  |
| Do you check that the fire management plan is properly implemented. Examples include:* Reviewing the plan following the investigation of incidents (real or false alarms)
* Checking if maintenance and inspection of fire detection and protection equipment is undertaken
* Checking if all staff have received fire safety awareness training
* Checking what information is given to temporary staff e.g. agency, contractors and visitors
 |  |  |  |
| Does the fire management plan have a set date for review? |  |  |  |

| **ASBESTOS** | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Was your building constructed prior to 2000?If yes, it is very likely your building will contain asbestos. |  |  |  |
| Do you lease your building? If so, do you know if you are responsible for maintenance or repair of the building?If yes, you need to agree with your landlord what roles/ responsibilities you will undertake to manage asbestos. Your landlord should provide you with a clear information to help you manage the risks of asbestos in the workplace. |  |  |  |
| Do you have any support e.g. a facilities management team to help with the duty to manage asbestos in your workplace? If not, have you been provided with any training on the duty to manage asbestos?The person responsible for managing asbestos containing materials (ACMs) should be competent to do so. |  |  |  |
| Have you (or your landlord if you rent/ lease the building ) carried out an asbestos management survey to determine whether asbestos is present in your building, where it is located and what condition it is in? You are likely to need to employ a specialist surveyor to do this. |  |  |  |
| As a result of the asbestos survey have you carried out a risk assessment to identify the risk of anyone being exposed to asbestos?  |  |  |  |
| Has any specific action required in the survey been carried out e.g. remedial work to minimise the risk of asbestos fibres being released? |  |  |  |
| Have you developed a management plan which details how the risks of asbestos will be managed?  |  |  |  |
| Do you have arrangements in place to periodically monitor the condition of the asbestos?You will likely need a competent person to do this |  |  |  |
| Do you have asbestos labels placed on anything that contains or might contain asbestos if it is located where people are likely to disturb or damage it? |  |  |  |
| Do you have a method in place to ensure no work is carried out on the building by staff or contractors it can be confirmed asbestos is not likely to be disturbed and authorisation is provided? Do you also provide detailed on the location of ACMs?  |  |  |  |
| When work that is likely to disturb asbestos is planned, do you use a competent person to assess whether the work is non-licenced or a licensed contractor is required? |  |  |  |
| Do you ensure a risk assessment is carried out by a competent person before any work that is likely to disturb asbestos commences, allowing sufficient time to put appropriate controls in place? |  |  |  |
| Before licenced work on asbestos commences to you provide detailed information from the asbestos register, floor plans and asbestos management plan to licensed contractors, to inform pre-construction phase plans and risk assessments? |  |  |  |
| If you are planning any upgrades, refurbishment work or significant building work, have you arranged for a refurbishment and demolition survey? (A specialist surveyor will be required) |  |  |  |
| Do all employees who work in the building know if asbestos is present in the building, have an understanding of the type, condition and where it is located, how it is being managed and how to report any concerns if they think asbestos may have been disturbed? |  |  |  |
| If you have staff that work on the building e.g. caretaker, maintenance staff, have they received asbestos awareness training and know they must check before carrying out any intrusive work e.g. drilling or accessing any areas where asbestos may be located? |  |  |  |
| If you have any trade union health and safety representatives, do you consult with them on:* the asbestos management plans
* information, instruction and training they intend to provide to nursing staff about asbestos
* emergency procedures and protocols for nursing staff to follow if they believe asbestos has been disturbed or damaged
* any proposed or planned which could result in disturbing asbestos?
 |  |  |  |

| **LEGIONELLA**  | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Do you know if you are the dutyholder in relation to legionella? If you lease/ rent your building you need to discuss and agree responsibilities with your landlord. |  |  |  |
| Is there a legionella risk assessment for your building to assess the risk of exposure to legionella bacteria and identify precautionary measures? |  |  |  |
| If the assessment shows that there is a reasonably foreseeable risk and it is reasonably practicable to prevent exposure or control the risk from exposure – have you appointed a competent person(s) to help undertake tasks and duties needed to comply with the requirements in COSHH? |  |  |  |
| Is the competent person properly trained to carry out tasks safely?  |  |  |  |
| If the competent person is an employee have you recorded the training they received to carry out the role?  |  |  |  |
| Do you have a written scheme of control for legionella? (or if this is the landlord’s responsibility do you have a copy) |  |  |  |
| Do you keep or have access to records to show what has been done? e.g. water temperature testing |  |  |  |

| **ELECTRICITY** | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Do you (or your landlord if you rent/ lease the building )have an up to date electrical installation condition report?  |  |  |  |
| Have you identified electrical equipment that requires portable appliance testing (including equipment owned by a resident)? |  |  |  |
| Have you implemented a suitable portable appliance testing regime which is undertaken by a competent person?  |  |  |  |
| Are items which fail portable appliance testing removed from use immediately? |  |  |  |
| Are staffed trained to visually check equipment before use and to remove from use if it is damaged? Checks should include the plug, cables and to look for scorch marks/ stains.  |  |  |  |

| **RADON** | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Have you (or your landlord if you rent/ lease the building) checked if your building is located in a radon affected area? |  |  |  |
| If your building is located in a radon affected area, have you (or your landlord if you rent/ lease the building) undertaken radon monitoring in ground floor rooms? |  |  |  |
| Have you (or your landlord if you rent/ lease the building) measured radon levels in any below ground areas that are occupied for more than an average of an hour a week or 50 hours per year or where there is an open water source e.g. cellars, basements? (This applies to all below ground workplaces in the UK) |  |  |  |

| **GAS** | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Do you use gas appliances, ovens, cookers and boiler in your building? (If not, no further action is required) |  |  |  |
| Do you know what the maintenance and inspection requirements are for the gas appliances, pipework and flues in your building? |  |  |  |
| Do you only use gas safe registered engineers to carry out work to install maintain or repair gas appliances and pipework? |  |  |  |

| **LIFTING EQUIPMENT**  | **Y** | **N** | **Notes** |
| --- | --- | --- | --- |
| Have you identified equipment that is defined as lifting ‘work equipment’ in your workplace? |  |  |  |
| Is the lifting equipment in use:  |
| * appropriate for the task (its intended purpose)
 |  |  |  |
| * suitable marked with safe working loads
 |  |  |  |
| * uniquely identifiable (to ensure it can be identified for thorough examination)
 |  |  |  |
| Is all lifting equipment subject to thorough examination by a competent person (6 months for lifting people, 12 months for all other lifting equipment or in accordance with a specified scheme of examination)? |  |  |  |
| Do you use the services of a competent person to determine and carry out the thorough examination? |  |  |  |
| Are staff trained to check that equipment is within the date of thorough examination before use? |  |  |  |
| Do you know which lifting equipment needs to be inspected between thorough examinations?Has a competent person advised on the scope and frequency of the examination? |  |  |  |
| Do staff know how to report any defects with lifting equipment?Is defective equipment taken out of use immediately?  |  |  |  |
| Is regular maintenance of lifting equipment undertaken in accordance with the manufacturer’s guide?  |  |  |  |
| Do you keep records of thorough examinations, inspections and maintenance? |  |  |  |

**Further guidance on managing H&S in care homes is available on the HSE website**