

Operations 4 - Compliance Declaration

Guidance Notes

Issue 14 – September 2020



Outcomes

The signatory of the current health and safety policy will confirm that the facility being assessed meets:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Current health and safety legislation
- Procedures, so far as reasonably practicable, for the health, safety and welfare of those who may be affected

Essential Pre-Assessment Questions (The assessor will require to see evidence of compliance to the following challenges)

Health and Safety Management System

EXAMPLES OF BEST PRACTICE

Safety system procedures must cover all key activities for staff, customers and others; including instructions and guidance on the actions required to ensure a safe environment for staff and customers, good practice models include:

- HS(G)65 Successful Health & Safety Management
- BS OHSAS 18001:2007/ISO45001:2018 Occupational Health and Safety Management Systems

Processes in place to regularly review and update the procedures and policy systems, including the health and safety management system.

Health and Safety Policy Statement

EXAMPLES OF BEST PRACTICE

The health and safety policy statement should be signed by the person within the organisation responsible for health and safety.

- The policy statement should set out the responsibilities of the organisation and its employees; containing a commitment to providing a safe and healthy working environment, with both effective systems and procedures that influence the organisation, arrangements, premises and equipment
- The statement should be regularly reviewed and must take into account any significant changes in size and or organisational structures

Employers and Public Liability Insurance Certificate

EXAMPLES OF BEST PRACTICE

The organisation should ensure that current insurance certificates for Employer and Public liability are in place and should be readily accessible to all employees.

Fixed Electrical Installation Inspection Certificate

EXAMPLES OF BEST PRACTICE

A fixed wiring periodic inspection and test should be carried out in accordance with the 'Electricity at Work Act 1989' and 'Requirements for Electrical Installations (IEE Wiring Regulations BS 7671)' with records maintained on site:

- Annually for swimming pools and fire alarm insulation
- Three yearly for other leisure facilities (including dual use facilities), theatres and emergency lighting insulation
- Five yearly for the village halls and community centres, residential accommodation, offices and educational establishments (not open to the general public)

The certificate will describe if the test is satisfactory or unsatisfactory.

An 'Unsatisfactory' certificate will list the actions to be addressed. All Code 1, Code 2 or F1 actions should be addressed or a plan should be in place to address these actions within a reasonable timespan, with evidence of completion held with the original report.

F1 is described as 'Further investigation required without delay.' it applies to anything within your fixed wire system that requires further investigation as a matter of urgency.

Note: Following the first inspection of a brand-new building the examiner could reduce the period of inspection or extend the period of inspection to a maximum of 5 years, any extension and the reason why should be recorded on the inspection certificate and a risk assessment completed (as per table 3.2 Note 8 Guidance Note 3: Inspections & Testing IET)

**** Operators should liaise with their insurance company and local licensing authority in relation to licence premises to ensure their timescales are met**

Risk Assessments

EXAMPLES OF BEST PRACTICE

Risk assessments should be carried out and recorded in accordance with 'Management of Health & Safety at Work Regulations 1999' and available to all staff. They should be:

- Current
- Suitable and sufficient
- With all significant hazards recorded
- Effective control measures in place relevant to the facility
- Formally reviewed on a planned regular basis, as per 'INDG163' or after an accident, incident, near miss or the purchase of new equipment
- Completed for premises, tasks, activities and people

Covid-19 Risk Assessments will be checked and must be regularly reviewed and updated in line with guidance.

Fire Risk Assessment (Site-Specific)

EXAMPLES OF BEST PRACTICE

A fire risk assessment should be carried out by a competent person and recorded in accordance with 'Regulatory Reform (Fire Safety) Order 2005' and available to all staff. It should consider the following elements:

- Current
- Suitable and sufficient
- Sources of Ignition
- Sources of combustion
- Sources of oxygen
- Fire detection
- Escape routes and evacuation
- Firefighting equipment
- Supporting building plans
- Formally reviewed on a planned regular basis, as per 'INDG163', after changes within the building, incidents, the purchase of new equipment or as per the recommendation within the fire risk assessment

The fire risk assessment will provide recommendations for regular inspection, these inspections should be carried out, recorded and records maintained on site.

Emergency Action Plan/Procedures

EXAMPLES OF BEST PRACTICE

Facility based emergency procedures (Emergency Action Plan) should be developed for all potential emergency situations with documented defined action to be delivered where applicable. Key areas to consider should include:

- Evacuation for fire, bomb and chemical spillage
- Structural damage
- Electricity failure
- Gas or chemical leak
- Lost persons
- Lack of clarity in pool

- First aid

The procedure should be planned, implemented, reviewed and available to staff with a training process in place.

Emergency Lighting Test Certificate and Service Record

EXAMPLES OF BEST PRACTICE

Emergency lighting should be tested for function in accordance with ‘Regulatory Reform (Fire Safety) Order 2005’ with records maintained on site:

- Monthly statutory checks
- A test of the battery backups (discharge test) completed
- Annual maintenance and service of equipment undertaken by a trained competent person
- As recommended by the fire risk assessment

Fire Alarm Test Certificate and Service Records

EXAMPLES OF BEST PRACTICE

The fire alarm should be tested regularly for function in accordance with ‘Regulatory Reform (Fire Safety) Order 2005’ with records maintained on site:

- Weekly statutory checks – demonstrating a planned approach to checking all call points on a rotational basis
- Six monthly maintenance and service of equipment undertaken by a trained competent person. 100% of the system should be serviced within twelve months over a minimum of two visits not exceeding 6 months.
- As recommended by the fire risk assessment

Fire Extinguishers Inspection Records

EXAMPLES OF BEST PRACTICE

Firefighting equipment including extinguishers, blankets and hoses should be tested regularly for function in accordance with ‘Regulatory Reform (Fire Safety) Order 2005’ with records maintained on site:

- Monthly statutory checks
- Annual maintenance and service of equipment undertaken by a trained competent person as recommended by the fire risk assessment
- As recommended by the fire risk assessment

Asbestos Survey/Register

EXAMPLES OF BEST PRACTICE

An asbestos survey should be carried out for all buildings built before 2000 in accordance with ‘Control of Asbestos Regulations 2012’. If asbestos is located a register should be completed and control measures implemented including:

- A process is established for addressing the management of asbestos, including defining the duty holder
- A regime of regular inspection
- Information for contractors and/or visitors
- Guidance on what to do if asbestos is disturbed
- A plan of the location of asbestos in the building is understood by staff

Legionella Risk Assessment

EXAMPLES OF BEST PRACTICE

A Legionella risk assessment should be carried out by a competent person and recorded in accordance with ‘Legionella L8’ and available to all staff. It should contain responsibilities (duty holders) and recommendations to reduce the risk of an outbreak which may include:

- Flushes of underused outlets
- Water temperature checks (less than 20° centigrade for cold, more than 50° for hot)
- Calorifier temperature checks
- Microbiological water tests
- Shower heads descaling
- Chlorination regime
- Tank inspections

- Detailed/accurate schematic drawings of all hot and cold domestic water services

The above inspections/ tests should be carried out, recorded and records maintained on site.

The risk assessment must be formally reviewed regularly and specifically whenever there is reason to suspect it is no longer valid. An indication of when to review the assessment and what to consider should be recorded in the current risk assessment. This may result from and include:

- Changes to the water system or its use
- Changes to the use of the building in which the water system is installed
- The availability of new information about risks or control measures
- The results of checks indicating that control measures are no longer effective
- Changes to key personnel
- A case of Legionnaires' disease/legionellosis associated with the system

Gas Boiler Service Records

EXAMPLES OF BEST PRACTICE

Gas boilers should be serviced in line with legislation and manufacturer's instructions, with records maintained on site:

- Annual maintenance and service of equipment undertaken by a trained competent person

Passenger Lifts and Hoist Examination and Inspection

EXAMPLES OF BEST PRACTICE

Passenger lifts and hoists should be serviced in accordance with 'Lifting Operations and Lifting Equipment Regulations (LOLER) 1998' and the Health and Safety at Work etc. Act 1974 and manufacturer's instructions, with records maintained on site:

- Passenger lifts, six monthly thorough examination, maintenance and service undertaken by a trained competent person
- Hoists (including pool and disabled) six monthly, thorough examination, maintenance and service undertaken by a trained competent person

Non Passenger Lifts, Hoists and Work Platforms Examination and Inspection

EXAMPLES OF BEST PRACTICE

Non passenger lifts and hoists should be serviced in accordance with 'Lifting Operations and Lifting Equipment Regulations (LOLER) 1998' and manufacturer's instructions, with records maintained on site:

- An annual thorough examination, maintenance undertaken by a trained competent person

Mechanical hoists should be serviced in accordance with 'Lifting Operations and Lifting Equipment Regulations (LOLER) 1998' and manufacturer's instructions, with records maintained on site:

- An annual (unless the equipment is used to lift people, this would be every six months) thorough examination, maintenance and service of equipment undertaken by a trained competent person

Mobile elevated work platform should be serviced in accordance with 'Lifting Operations and Lifting Equipment Regulations (LOLER) 1998' and manufacturer's instructions, with records maintained on site:

- A six monthly thorough examination, maintenance undertaken by a trained competent person

Safeguarding

EXAMPLES OF BEST PRACTICE

Safeguarding policies, procedures and training are in place to ensure a safe environment for children, young people and vulnerable adults, with evidence available on site:

- Safeguarding Policy
 - Up to date and reviewed that includes localised reporting processes for incidents and potential concerns
 - Evidence that relevant staff have been trained on the policy
- Designated Safeguarding Lead
 - Designated safeguarding lead(s) appointed and are known to staff



- Designated safeguarding lead(s) contactable whenever the centre is open
- Designated safeguarding lead(s) aware of their responsibilities
- Safe Recruitment Practice
 - Risk assessment(s) in place for safeguarding children and vulnerable adults, which is used to determine the centre’s/ organisations eligibility policy, including Disclosure and Barring Scheme (DBS) policy
 - New applicants are DBS checked if eligible and all available information is risk assessed to judge the suitability of applicants
- Clubs and External Organisations
 - There is a process in place to ensure clubs have safeguarding practices including a safeguarding policy, current insurance, appropriate coaching qualifications and personnel DBS checked if eligible

Note: Centres/ organisations cannot hold copies of DBS disclosures for external clubs and other hirers, this is only permitted for those employing or deploying staff (paid or volunteers) and not someone simply providing a venue for activities. However, it is reasonable for the venue to require confirmation from the club/ hirers have a safe recruitment practice (amongst other arrangements) in place and that all eligible coaches etc. have been subject to a DBS check and assessment through the club/ organisation/ NGB. Management might check this compliance in a variety of forms including signed agreements, signed terms and conditions, spot checks or audits. Management should be aware of all the bookings that involve children, young people and vulnerable adults.

Pre-Assessment Questions (The assessor will view evidence of compliance to the following challenges)

Safe Systems of Work and/or Methods Statements

EXAMPLES OF BEST PRACTICE
Safe systems of work or method statements should be created as a result of identifying hazards that require further control measures such as instructions to carry out a task. These instructions should be based on manufacturer’s guidance and should include arrangements for:

- Equipment
- Materials
- Safe systems of work

Defined Responsibilities

EXAMPLES OF BEST PRACTICE
Responsibilities for health and safety should be defined and described within the policy statement or the management system. This should include who in the organisation is responsible for what, as well as:

- Clear chain of command/structure
- Board/management team
- Operations/site-specific
- External advice & support

Contractor Assurance/Management Programme

EXAMPLES OF BEST PRACTICE
All contractors working on site should be approved and managed in accordance with ‘Management of Health & Safety at Work Regulations 1999’ to include:

- Contractor selection/procurement process, including a check of insurance, qualifications and the suitability to work in the environment
- Contractors should provide and follow risk assessments and method statements
- Signing ‘In and Out’ process in place to ensure before they leave the building the works area is secure and safe
- Permit to Work process in place, particularly for hot works, working at height and confined spaces
- Contractor monitoring process, including Normal Operating Procedure
- Contractor registered on an approved scheme, such as Contractors Health and Safety Assessment Scheme (CHAS)

Portable Appliance Testing and Inspection

EXAMPLES OF BEST PRACTICE

Appropriate checks and inspections should be carried out on portable electrical appliances in accordance with 'Electricity at Work Act 1989' and manufacturer's instructions, with records maintained on site:

- User checks
- Visual inspections
- Combined Test and Visual Inspection (Portable appliance test (PAT))

Hazardous Waste Registration/Waste Transfer Notices

EXAMPLES OF BEST PRACTICE

Hazardous, clinical and medical waste should be disposed of in accordance with the 'Hazardous Waste Regulations 2005', with records maintained on site:

- The premises registered with the Environment Agency if disposing of 500kg or more
- Hazardous waste disposed of appropriately; including chemicals, electrical items, kitchen oil and light bulbs
- Contractor's 'Waste Transfer Notes' available for chemical, sanitary and medical waste

Incident and Emergency Management

EXAMPLES OF BEST PRACTICE

Facility based incident and emergency management processes should be developed for all potential emergency situations, in accordance with 'Management of Health and Safety at Work Regulations 1999'. Key areas to consider should include:

- Instructions for use
- Activation process
- Emergency response centre
- Media liaison
- Escalation process
- Investigation guidelines
- Contact details for additional support

Operations and Maintenance Manuals (Health & Safety File)

EXAMPLES OF BEST PRACTICE

Manuals provided by the organisation who constructed the building and by the manufacturers of the equipment should be on site and available to all staff. Checks and inspections should be carried out in line with these instructions, with records maintained on site.

HSE Law Poster – What You Should Know

EXAMPLES OF BEST PRACTICE

An 'HSE Health & Safety Law Posters (2009)' should be displayed and accessible to staff, with the organisation and site specific information suitably recorded. Staff working remotely from site should be issued with the Health & Safety Law Pocket Card

Employee Health and Safety Consultation

EXAMPLES OF BEST PRACTICE

Appropriate health and safety consultation should be carried out in accordance with the 'Health & Safety (Consultation with Employees) Regulations 1996'. The health and safety policy or management guidance should provide information on how employees are consulted and where they can get further advice and support. Methods of consultation could include:

- Staff questionnaire issued
- Staff meetings used to consult
- Consultative groups

Health and Safety Training Programme/Identification of Training Needs

EXAMPLES OF BEST PRACTICE

Appropriate job induction and ongoing training programmes, including health and safety, should be developed and implemented, with records, including copies of specific qualifications, maintained on site for all staff including the following elements:

- Policy statement
- General employee responsibilities
- Normal Operating Procedure (NOP)
- Emergency procedures
- Plant and equipment
- Risk Assessment
- Health and safety specific including: COSHH, PPE, manual handling, risk assessments and emergency action

A process should be developed to assist with the delivery of the training programme that could include:

- Training needs matrix
- Training programme

Control of Substances Hazardous to Health (COSHH) Assessments & Material Data Safety Sheets (MSDS)

EXAMPLES OF BEST PRACTICE

Processes and procedures should be created for the safe use, storage and handling of chemicals in accordance with 'Control of Substances Hazardous to Health 2002' (COSHH) regulations, including the following:

- Material safety data sheets (MSDS) documentation provided for all chemicals currently in use
- COSHH assessment documentation completed for all chemicals currently in use
- Adequate 'Personal Protective Equipment' (PPE) available for appropriate staff
- Chemicals stored safely including segregation of acids and alkalis
- Bottles clearly labelled
- Ensure that bunds hold at least 110% capacity of the chemical stored
- A plan in place to deal with chemical spills and other major incidents
- Training records in place for staff handling chemicals, including chemical use, PPE and emergency action

Display Screen Equipment Risk Assessments

EXAMPLES OF BEST PRACTICE

Display screen equipment (DSE) risk assessments should be carried out and recorded in accordance with 'Display Screen Equipment Regulations 1992' for both the 'workstation and individual user'. They should consider the following elements:

- Equipment/workstation set up
- The individual, including tasks and breaks
- Software and surrounding environment
- Significant hazards recorded
- Effective control measures in place
- Formally reviewed where you are on a planned regular basis, as per 'INDG163' or after an accident, incident, near miss or the purchase of new equipment

Fall Arrest Equipment Inspection

EXAMPLES OF BEST PRACTICE

Appropriate checks and inspections should be carried out on fall arrest equipment, for example the equipment allows working at height on roofs and pool flumes, in accordance with 'INDG 367 Inspecting Fall Arrest Equipment made from Webbing or Rope' and manufacturer's instructions, with records maintained on site:

- Six monthly inspection of equipment undertaken by a trained competent person

First Aid provision

EXAMPLES OF BEST PRACTICE

Risk assessments should be carried out and recorded in accordance with 'Health & Safety (First Aid) Regulations 1981' and 'First Aid at Work - Approved Code of Practice' to identify the facility's needs and first aid provision. It should consider the following elements:

- Does the facility have sufficient HSE Approved First Aid trained staff, is a qualified member of staff on duty during all opening hours
- Is suitable and sufficient first aid equipment available
- Is training being implemented, with records maintained on site, including copies of first aid certificates

Manual Handling Risk Assessments

EXAMPLES OF BEST PRACTICE

Manual handling risk assessments should be carried out and recorded in accordance with 'Manual Handling Operations Regulations 1992' They should consider the following elements:

- Tasks
- Individuals
- Loads
- Environment
- Significant hazards recorded
- Effective control measures in place
- Formally reviewed where you are on a planned regular basis, as per 'INDG163' or after an accident, incident, near miss or the purchase of new equipment

Noise Evaluation Records and Risk Assessment

EXAMPLES OF BEST PRACTICE

Noise evaluation and risk assessments should be carried out and recorded in accordance with 'Control of Noise at Work Regulations 2005' They should consider the following elements:

- Measurement of activity
- Significant hazards recorded
- Effective control measures in place
- Formally reviewed where you are on a planned regular basis, as per 'INDG163' or after an accident, incident, near miss or the purchase of new equipment

Work equipment – Checks, Inspection and Service

EXAMPLES OF BEST PRACTICE

Work equipment should be checked, inspected and serviced in line with legislation and manufacturer's instructions, with records maintained, including records of maintenance training as per supplier's instruction:

- Gym equipment
- Pool plant and dosing equipment
- Inflatable structures
- Sunbeds
- Sauna/steam rooms
- Trampolines
- Basketball winches
- Cricket nets
- Mobile elevated platforms
- Ladders

Manufacturer's Instructions for High Risk Equipment

EXAMPLES OF BEST PRACTICE

Manufacturer's instructions for high risk equipment should be on site and available for all staff, including:

- Trampolines
- Basketball winches
- Gym equipment
- Sunbeds
- Pool plant and dosing equipment
- Pool inflatable
- Gas boilers

Checks and inspections should be carried out in line with these instructions, with records maintained on site.

Shared Premises/Joint Use Agreement

EXAMPLES OF BEST PRACTICE

Facilities that have more than one operator, such as a dual use school, health club or a beautician may need a formal agreement that documents who is responsible such as a defined 'Joint Responsibility Matrix'.

Ladder Inspection Records

EXAMPLES OF BEST PRACTICE

Ladders should be inspected by a competent person in accordance with 'Working at Height Regulations 2005' with records maintained on site:

- Ladder register in place
- Ladders subjected to appropriate checks and inspections, such as pre use checks and formal inspections which are recorded

Swimming Pool/ Spa Water Test

EXAMPLES OF BEST PRACTICE

Swimming pool and spa water should be tested in accordance with 'Pool Water Treatment Advisory Group (PWTAG)' and 'Health Protection Agency (HPA) Management of Spa Pools Controlling the Risks of Infection part one and two'.

The following should be in place:

- Water hygiene operational procedures
- Daily testing regime prior to use, at the end of the day and at regular intervals in between (pool water 2 – 4 hours and spa 2 hourly). The readings should be recorded, accessible and measure free, combined chlorine and pH levels. Appropriate ranges should be specified and readings should fall within the specified ranges
- Weekly balance water regime, the readings should be recorded, accessible and measure alkalinity, calcium hardness and total dissolved solids (TDS). Appropriate ranges should be specified and readings should fall within the specified ranges
- Monthly micro-bacteriological regime, the checks should be recorded, accessible and measure total variable counts (TVC) or aerobic colony count (ACC), total coliforms, E. coli, pseudomonas aeruginosa and Legionella for spa baths. The results should fall within the recommended limits and records maintained with any action taken following unsatisfactory results

Accident and RIDDOR Reporting

EXAMPLES OF BEST PRACTICE

Accidents and incidents should be suitably recorded with an investigation process in place in accordance with 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)'. Staff should be trained in and fully understand:

- Accident and incident reporting
- Accident investigation
- What are RIDDOR reportable accident
- The reportable time frames
- How to correctly report to the Incident Contact Centre (ICC)



Accident reports should be regularly reviewed for trends; such as cuts to feet or an increased number of slips to assist in identifying concerns before they become issues

Internal Monitoring

EXAMPLES OF BEST PRACTICE

The facility should have a process in place to carry out health and safety internal monitoring of standards and how well these standards are implemented, such as:

- Internal check sheets counter signed
- Inspections carried out
- Spot checks undertaken by senior managers
- Periodic reviews of health and safety performance

A formal process should be in place to record and track corrective or risk reduction actions from risk assessments, accidents and other sources, such as a risk reduction plan (RRP) or an improvement plan

Independent Health and Safety Audit

EXAMPLES OF BEST PRACTICE

The facility should have a process in place to carry out performance reviews for accidents, insurance and general health and safety with findings and actions added to the improvement plan, including Independent and external audit.