

# Workshop 4a:

## Health & Safety: Mechanical

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Chaired by: Paul Allen, Marthyr Valley Homes  
Room: Warwick Room



National Housing Maintenance Forum

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# **NHMF Maintenance Conference 21 January 2015**

Health and Safety Compliance  
Challenges and Considerations

By

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**RIDGE**

# Purpose of Presentation

- ◆ Consider three questions in relation to social landlords Health and Safety compliance approaches:
  1. What are you legally required to do?
  2. What is deemed current best practice?
  3. Practical steps – efficient and robust solutions

# Principle Compliance Areas

- ◆ Asbestos
- ◆ Fire Safety (including fire risk assessments)
- ◆ Water Safety (including scalding, legionella and discharge)
- ◆ Play Equipment
- ◆ Estate Safety
- ◆ HHSRS
- ◆ Pressure Vessels
- ◆ Electrical Safety (including lightning protection)
- ◆ Gas and Carbon Monoxide (incl. oil and solid fuel)
- ◆ Lift Safety (including LOLER)

The areas we consider in slightly more detail are those in white

# What's The Risk If I Don't Comply?

More than just basic "Cost v Risk"

- ◆ Everyone here actually knows the answer/s
- ◆ Apart from
  - the personal loss involved,
  - fines, even Jail
  - insurance premiums,
  - investigations,
  - Disciplinary/restructuring,
  - tender prices or tender lists
  - 'firefighting,' responding and countering
- ◆ The internet (& job prospects)
- ◆ Prosecutions trumpeted by HSE, Gas Safe, Electrical Safety Council, IFSEC (+all FRA SPs).
- ◆ You will all have seen the headlines at the start of the month connected with reported shortfalls in Gas Servicing
- ◆ Rating Downgrades (G1/2/3)

# Principal Legislation

## ◆ General

- HASAW 74                      LTA 85 (leaseholder consultation)
- CDM 2007 **(+2015)** Housing Act 2004 – HHSRS
- Mgmt Regs 99                  Building Regulations 2010 (etc)
- Equality Act 2010

## ◆ Water (supply)

- The Water Supply (Water Fittings) Regulations 1999
- The Water Supply (Water Quality) Regulations 2000
- New 2 x WS (WQ) (S) Regs 2014
- And there's the drainage, etc once you've used it

## ◆ Fire

- RRFSSO 2005                  Smoke Detectors Act 1991
- H&S(SS&S) Regs 96

# Principal Legislation

## ◆ Electrical

- Electrical Equipment (Safety) Regs 1994
- Electricity at Work Regs (EAW) 1989
- IET Wiring Regs (17<sup>th</sup> Edition)
- Electrical Safety, Quality & Continuity Regs 2002
- ESC Landlords' Guide to Electrical Safety
- Waste Electrical and Electronic Equipment (WEEE) Regs 2013
- BS7671 (changing soon ) - ie; overhead plastic trunking and new requirement for fire resistance and support

# Principal Legislation

## ◆ Gas Safety

- Gas Safety (Installation and Use) Regulations 1998
- Gas Safety Management Regs 1996
- And what about Radon???
- And CO (detectors and testing)?

## ◆ Lifts

- Lift Regulations 1997
- Lifting Operations and Lifting Equipment Regulations (LOLER) 1998
- Provision and Use of Work Equipment Regulations (PUWER) 1998



# Compliance Best Practice Components



# Typical Challenges for Compliance

- ◆ Resources – people/time/IT/£££s
- ◆ Competent Client (Contractor & Adviser) = TEKnO/KnEST
- ◆ Retro-fit limited. New Build – ever increasing demands
- ◆ Budget constraints – VFM
- ◆ Sustainability – carbon footprint, emissions etc
- ◆ Technology advances
- ◆ Legislation Changes – ie; Latest L8 ACoP?

# More Typical Challenges for Compliance

- ◆ Costs – capital costs and costs in use
- ◆ Lifecycle Costing and Whole Life Costs (inc. Greenness)
- ◆ LAs raise the bar (sometimes autonomously) – thermal storage, air quality filters on full mechanical vent, wheelchair access spec's, taller buildings= sprinklers/boost water supply
- ◆ Data/Information (including base data for LCC/WLC)
- ◆ Independent, competent advice
- ◆ Monitoring – Continuous or periodical?
- ◆ Do your processes actually work in practice?

# Your Greatest Friend & Most Valuable Assistant

## Your CMD - Choose Wisely & It Saves You Work & Money

### But which one?

- ◆ Cheap/Free?
- ◆ Recommended?
- ◆ Familiarity?
- ◆ Hosting - Outsource/Insource    Resourcing and workload/
- ◆ 1 module or all?
- ◆ What will it do for you (reduce workload and increase efficiency) ?
  - Push/Pull Reporting?
  - Auto-Email Facility? Auto mailing (or rather, letter printing) facility?
  - They're almost people - You can CC them & they'll file it away
  - CAD Repository?
  - Health Records (anonymised of course)
  - RA Repository?
  - Policy/MP/Procedures Straw Man Repository?
- ◆ Own or Licence?

# There are SO Many.....

Once you get past the ones who have paid to be at the start – you move onto hundreds of results

From A<sub>(BE)</sub> to Z<sub>(L Unified)</sub>

 	 IssueTrak		
 INTELEX		Accountable	certero <sup>®</sup> <small>for certain for sure</small>
		 SWORD	 Compliance Information Systems Assistant
			Assuriti
Entropy		ACS Compliance	Athena Archiver
Field iD			Auditor
			AuditXL
			Azilon Compliance
			BALANCEpay
			BioRAFT
			BizFlow Compliance
			Bizmanualz Onpolicy
			Business Risk & Control
			Business Rules Management
			CastIMS

# Saving Money – Use Competent People

- ◆ **Risk Assessment** - Have your RA done by somebody who knows what they're doing.
- ◆ **Programmed Control** - How do you do it?
- ◆ **Whole House MoTs** - (Certain things in 12 months) so why not do all at the same time in one contract (gutters, drains, LGSR, Asbestos, electrical, etc).
- ◆ Good idea?
- ◆ It has to be!!
- ◆ Surely???

# Practical Steps - Technology

- ◆ What can make your life easier? Reliability (it remembers for you).
- ◆ Simplifies your working life - produces job tickets, reminders, etc
- ◆ Reduces resource requirements
- ◆ Reduces human error
- ◆ Beware – capital costs versus whole life cost.
- ◆ Budget assumptions – rates and lifecycles.
- ◆ Specifications – maintenance and new build. Build-in future flexibility
- ◆ Client Monitor, Contractor Monitor, Both, Outsource?
- ◆ Database and Logging –
  - Manual (human error)
  - Do you do it or the consultant? Who checks? (Resource)
  - Semi-computerised (Cross checking)
  - Barcode (asset control and LCC)
  - QR Codes – the future? Fully Automated?



# Practical Steps – Procurement

- ◆ Consider structure – packages/lots - (House MoT earlier).
- ◆ Incentivisation in the contract – a debate on its own
- ◆ The Access issue –
- ◆ Which contractor(s) – VFM
- ◆ Alignment with Best Practice Components +
- ◆ Strong Contract Management –
- ◆ Example – large/small social landlords –
  - Buying power/stock size. In-house expertise. Diverse Skillset
  - Consortia for smaller. Tenant relationships.



# Practical Steps - Legislation

- ◆ York Council has used EPA'90 "*Duty to seek out and investigate statutory nuisance*" to get access to evasive and difficult tenants' dwellings to do the LGSR test.
- ◆ After consulting members & tenants and the Tenant Federation it ran a successful two month pilot.
- ◆ And now the NFA is getting involved (Councils can get access <24hrs, HAs cannot).

# Practical Steps - Sustainability

- ◆ High on the housing (and every) agenda –
- ◆ Do solutions increase the compliance burden?
- ◆ Not considering BIM or CFSH in any detail here, as a complex and detailed, stand-alone items.
- ◆ Consider future requirements and responsibilities. Does it increase your compliance burden and costs?
- ◆ Energy saving but is that at the expense of yours
- ◆ Sitting on the fence is always easier – but.....
- ◆ Examples
  - PV – often on roofs (access, maintenance, equipment locations)
  - Heat pumps - specialist maintenance and contain refrigerant
  - Wind energy
  - Hybrid lighting – batteries/LED, maintenance reduction
  - CHP (Cogeneration) – specialist maintenance

Even when you get it right, you get it wrong.....

# Wildlife caught in the glare of LED technology

Zoological lighting specialist warns that LED street lights could lead to a loss of biodiversity



# Approaches To Compliance

- ◆ Risk Based Approach –
- ◆ Maximum Frequency –
- ◆ Programmed –
- ◆ Fully/Semi-Comprehensive (Perf Spec) contracts –
- ◆ PPI Style –
- ◆ Interpretive –

# Approaches to (Non) Compliance

- ◆ Dualistic Approach –

  - Not a good idea.

  - Relies heavily on no incidents and EA's matrix mapping matching yours

- ◆ Rotational –

  - Not a good idea

- ◆ Random –

- ◆ Pyramidic – .

  - Not a good idea, but at least you have done some sort of Risk Assessment

# Conclusion

- ◆ All things “*Compliance*” need a properly compiled RA.
- ◆ Increasingly challenging to Tick The Boxes.
  - New boxes appear (L8, CDM)
- ◆ Outlined Best Practice approach CAN optimise efficiency
  - but someone else’s BP may not be YOUR BP.
- ◆ Consideration of practical steps to take utilising
  - Technology
  - Sustainable solutions
  - Procurement
  - Current (& Future) Resources
- ◆ No ONE Solution, it’s extremely complex



**Thank you for listening**

**Any Questions?**

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