

# Plenary 3:

What is Compliance and Why is it Important?

Speaker: Julian Ransom, Savills, Janet Francis, HSE

Chaired by: Alex Dixon, Liz Circuit

Room: Ballroom



National Housing Maintenance Forum

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# What is Compliance and Why is it Important?

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Julian Ransom – Director, Savills

Janet Francis – Principal Inspector (Operational Strategy), HSE



# What we are going to cover

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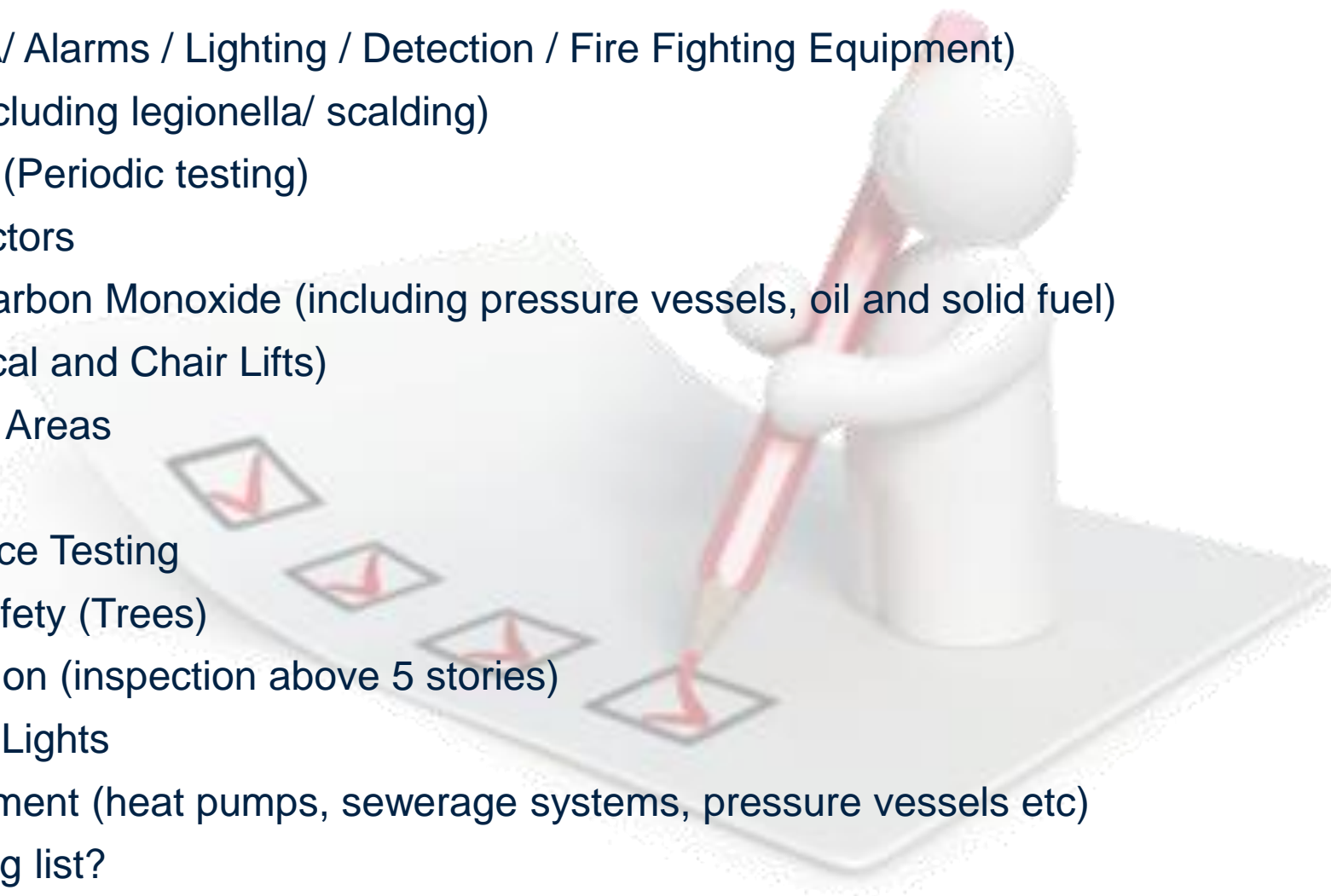
- What guidance is there to help?
- What does a robust compliance regime look like?
- What is the role of the Health and Safety Executive (HSE)?
- What are the consequences of non-compliance?
- What is the future direction of regulation?
- Questions and debate

# What Might Compliance Cover

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Many Possible Compliance Areas Relevant (to RPs):

- Asbestos
- Fire Safety (FRA/ Alarms / Lighting / Detection / Fire Fighting Equipment)
- Water Safety (including legionella/ scalding)
- Electrical Safety (Periodic testing)
- Lightning conductors
- Gas/ Heating/ Carbon Monoxide (including pressure vessels, oil and solid fuel)
- Lift Safety (Vertical and Chair Lifts)
- Play Equipment/ Areas
- Estate Safety
- Portable Appliance Testing
- Arboricultural Safety (Trees)
- Window Restriction (inspection above 5 stories)
- Aircraft Warning Lights
- Specialist Equipment (heat pumps, sewerage systems, pressure vessels etc)
- Other – a growing list?



# Guidance / Documentation

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**Legislation** (eg. CAR 2012 + HSW 1974)



**Approved Codes of Practice** (eg L143)  
**British Standards** (eg BS9991: 2011 / BS5839-1+6 2013)



**Published Guidance** (eg HSG 227 / 264 /248)



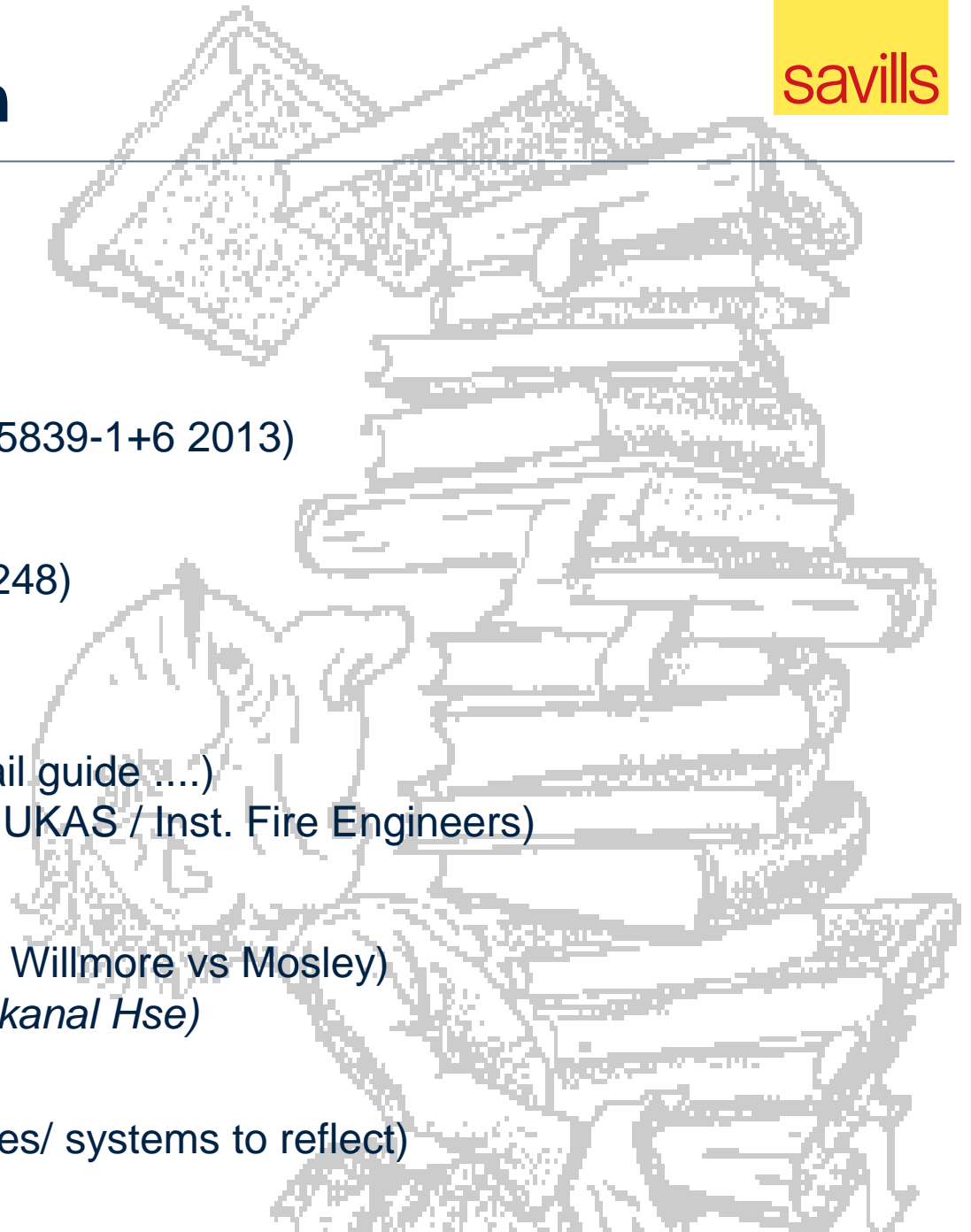
**Web Information** (eg HSE Web Site)  
**Best Practice Publications** (asbestos retail guide ....)  
**Professional Associations/ LAs** (ARCA / UKAS / Inst. Fire Engineers)



**Case Law** (drives interpretation eg Dianne Willmore vs Mosley)  
**Significant Events** (*Coroners 'rule 43' Lakanal Hse*)



**Management Plan** (*Your Own* .... processes/ systems to reflect)



# Self Awareness

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## Complacency Creeps In:

- 'Light Touch' Audits – organisation not informed
- Contractors unaware or ignoring obligations



## Until:

- HSE Non-compliance / under caution
- Fire Service (LFRA) / Audit + 'notice'
- HCA (non-compliant 'G3' rating)
- New contractual partner
- Resident/ contractor/ union/  
employee representation or claim





# What does 'Competent' Compliance look like for Registered Providers?



# Designing a Compliant Regime

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## Start with Legislation / Guidance provided

- Quantifying Risk (put a number on it)
  - HGG 264 Material Risk Assessment risk categorised
  - HSG 227 Priority Risk Assessment framework
- Relative Risk (overall judgement)
  - Can be Subjective – need clarity/consistency (MRA *not* PRA)



# Designing a Compliant Regime

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## Risk Assessment methodology (HSE)

Apply to complete stock

- Desktop risk review
- Prioritised approach
- Financial/time constraints (can be explicit)
- Work programmes - influencing H&S (gas/electrics/asbestos)
- Join up the dots

# Designing a Compliant Regime

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- Case by case testing/risk assessment
  - Individual interpretation of regulations
  - Maintain consistency across group/stock (AMP)
  - Competency for RA
- Review
  - Ongoing monitoring approach (regime still fit for purpose?)
  - Regular testing/QC/guidance updates (record)

## Data Management:

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- Large volumes of data (detail necessary - *not stock con*)
- Good/effective database solution required
  - Register/database - correct fields
  - Easy to review/user definable
  - Management reporting tool (strategic level)
  - Ownership - active review/data collation
  - Clarify KPIs (H&S perspective)
  - Corporate reporting structure

# Practical Application

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- Making data available in appropriate form (L143 '*understood*')
- Risk Assessment - job specific
  - Consistency difficult - pre-rehearse categories/scenarios
  - Facilitate electronically (PDAs/on site/who needs it /trail?)
- 'joined up' approach
  - Contractors/partners/specialist advisors
  - DSOs - unions
  - Process maps and 'ownership'
  - Real training (not just e-mails)
  - Scenario training



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**What does the Future of Compliance look like for Registered Providers?**

## Future Direction

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- More risk aversion
  - Reflected in guidance/legislation
  - Asbestos example - EU Com. directive to **remove**
  - Over provision *not* encouraged (Janet) - a balance
- Less prescriptive
  - Emphasis upon *duty holder* to Risk Assess
  - Duty holder specific protocols
  - Regulator engagement *after* failure apparent (HSE?)



## Future Direction

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- Judgements driven by best practice/civil action
  - Regulator mandate limited (HSE - Janet remit)

### Examples:

- Informing residents - express or implied?
- Communal area inspections (6-12 monthly?)
- 100% domestic inspection (pros/cons)?
- All about appropriateness/defensibility

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**In Summary**  
**Key Compliance Principles for**  
**Registered Providers**

## SUMMARY

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- Clearly interpret legislation/guidance
- What is legally required?
- What is good practice? (DH benchmark standard/ approach)
- Gather data:
  - compliant format
  - sufficient volume (representative/100%/phased)
- Define/apply RA (competence/professional guidance?)
- Clear, consistent actions arising (link to AMP)
- Effective register/data management system
  - clear data/RA/management actions
  - proactive review/QC/trend analysis
  - auditable trail

# SUMMARY

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- Make data available
  - Right format/right time
  - Right audience (staff/contractors/residents/CDMC/HSE/etc)
- Record/audit processes
- Strategic buy-in
  - Senior level
  - Appropriate resources (advice/training/IT systems)
- Review formally (guidance timeline?) + *Reward too*

A robust, consistent approach = safety  
= confidence when the time comes



The image shows the Savills logo, which consists of the word "Savills" in a stylized, lowercase, sans-serif font. The letters are a vibrant red color with a subtle gradient and a slight shadow effect, giving them a three-dimensional appearance. The logo is set against a bright yellow background that transitions into a light blue gradient towards the right side of the image.

[jransom@savills.com](mailto:jransom@savills.com)