



# **Statutory Building Compliance Policy**



## Policy

Document Control

Document Title: Statutory Building Compliance Policy

### Summary

Publication Date	17 November 2020
Related Legislation / Applicable Section of Legislation	Health and Safety at Work Act 1974 and all building related regulations made under it, including British Standards.  Regulatory Reform (Fire Safety) Order 2005  List of relevant building regulations/ACOP Compliance Matrix
Related Policies, Strategies, Guideline Documents	Corporate Safety Policy Statutory Building Compliance Guidance
Replaces	Not Applicable
Joint Policy (Yes/No)	Yes
Name of Partner joint	Peter Gregory, Head of Service Estates
Policy Owner (Name/Position)	Gary Pilkington, Senior Manager Technical/Surveying/N1R
Policy Author (Name/Position)	Gary Pilkington, Senior Manager Technical/Surveying/N1R
Applies to	All Services

### Review of Strategy

Last Review Date	
Review undertaken by	
Next Review Date	17.11.2022

### Document Approvals

This document requires the following approvals.

Name	Title	Date of Issue	Version Number
John Searle	Director	17.11.2020	01
Donna Bowler	Assistant Director	17.11.2020	01

### Policy statement

The Leadership of Rochdale Borough Council (RBC) recognises and accepts its responsibilities for ensuring that the buildings under RBC's control comply with the appropriate statutory requirements and British standards. In order that all statutory buildings requirements can be met and to ensure that buildings remain fit for purpose, the Leadership Team will ensure that adequate resources are allocated as necessary.

The objective of this Policy is to:

- Outline the governance arrangements for statutory compliance;
- Ensure that all buildings; premises; properties; related assets and equipment is serviced and maintained, and that statutory inspections and tests are carried out in accordance with legislation;
- Ensure that all buildings; premises; properties; related assets and equipment have appointed a 'responsible person' to ensure the servicing, maintenance, statutory inspections and tests are carried out as and when necessary.

### 1. Scope

The statutory compliance policy applies to:

- Wider Leadership Team;
- Senior managers;
- Head teachers and governing bodies;
- All persons appointed "Responsible Person"

The buildings, premises, properties and structures include:

any structure, open space, grounds, temporary structures including related assets and equipment either owned or leased by RBC.

### 2. Introduction

Premises are complex resources with various legal requirements needed to keep them safe and fit for purpose. Statutory compliance with reference to buildings refers for the provision of a safe working environment through planned inspections and maintenance compulsory to meet legal requirements under Acts, regulations or other statutory instruments. These include British standards; codes of practices (ACoPs) and statutory instruments.

This policy supports the Council's Corporate Safety Policy and Building Maintenance Guidance Manual which aims to ensure that risks to employees, service users, pupils, contractors, members of the public, or anyone else associated with the Council's undertaking are protected.

The council has over 2000 assets in its portfolio, approximately 500 of these are operational requiring some degree of statutory compliance. For example, they include:

- Council owned schools;
- Libraries;
- Community Centres;
- Council depots;
- Youth centres;
- Care homes;
- Children's homes;
- Car Parks;
- Land; and
- Civic Centres.

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This policy applies to all buildings for which the Council has a legal responsibility including buildings which are owned, leased or managed by the Council.

### 3. Roles and Responsibilities

#### Corporate Landlord, Estates

The Corporate Landlord manages the Council's reactive property maintenance function, a role that includes the monitoring of all statutory building requirements. They will:

- Complete a specific compliance matrix for each individual building (owned /leased in/leased out) ;
- Ensure that each asset holds and maintains building compliance and fire logs for the property;
- Carry out regular monitoring of building compliance and fire log documentation for accuracy and completeness;
- Carry out regular monitoring of documents stored on the asset database;
- Following the regular monitoring, issues found will be escalated to the appropriate service;
- Maintain a register of 'responsible persons'; and
- Arrange appropriate training for responsible persons.

#### Property Services (Technical), Neighbourhoods

The Technical and Building Surveying Team within Property Services are made up of specialist surveyors and engineers qualified in various building disciplines. Their function is to ensure that the Council adheres to all the necessary building compliance requirements. This is carried out through service inspections, surveys and assessments. Servicing and maintenance contracts with external contractors are sourced and monitored through the Technical and Building Surveying Team. They will:

- Complete condition surveys on each asset on a 5-yearly cyclical programme;
- Advise the Corporate Landlord of significant findings from the condition surveys;
- Escalate any remedial actions from testing and inspection reports to the Corporate Landlord or Service Users;
- Maintain the asbestos register on all Council assets;
- Complete fire risk assessments on all Council assets;
- Carry out electrical fixed wiring inspections on all Council assets 5-yearly;
- Procure, manage and monitor the performance of service contracts with competent external providers;
- Require contractors to provide statutory certification to site
- Update statutory compliance documents on the asset database; and
- Deliver appropriate training for 'responsible persons'.

#### Asset Management Group

The Asset Management Group holds the Capital Budget for major works to corporate assets. It produces an annual planned maintenance programme of priority works. The group meets on a monthly basis to discuss and prioritise where urgent works emerge e.g. building failures. One of the aims of the group is to enhance and prolong the life of a building and maintain compliance, including the prioritisation of work to ensure that the Council adheres to statutory requirements.

### Corporate Health and Safety Team

The Safety Team will carry out periodic audits to determine whether the appropriate legislative requirements are being met, and whether the Council is fulfilling its obligation with regard to statutory compliance.

### Responsible Person

Within each asset there is a person responsible for making sure that statutory checks and inspections are carried out, and that these are recorded. The Responsible Person will maintain the building compliance and fire log for the property.

## 3 Process

### 3.1 Condition Surveys

As an employer, we are legally required to complete and risk assess to determine potential hazards, and to make any changes possible to reduce the risk of accidents.

Building Condition Surveys are completed by Property (Technical Team) on a five year rolling programme, the aim of the survey is to provide a detailed evaluation on current building condition, prioritise any required repairs over the next five years and ensure that building compliance and operational function is maintained.

The identification of future maintenance needs and projects relies on the quality of information from the survey and made available to the AMG and Corporate Landlord. Undertaking condition surveys of the Council's portfolio allows for the prioritisation for delivery of works within available budgets.

This information will help the Council to prepare a maintenance programme which considers potential future capital investment. Condition surveys will also identify critical elements that may require further investigation, such as structural problems or health and safety risks.

The survey programme is generated by assets loaded onto an asset database. The level and standard of all survey data is reviewed at Asset Management Group meetings ensuring all compliance requirements are met.

### 3.2 Building Compliance Guidance for Responsible Persons

Guidance has been produced for the responsible persons to understand and follow the requirements within a building. This will be reviewed on an annual basis by the Property Services (Technical) Team.

### 3.3 Leased In Assets (Not under Corporate Landlord)

Rochdale Borough Council currently lease in assets for operational use (Council staff are based in these assets). Responsibility for statutory compliance will be referenced in the lease to the asset, and RBC will be required to complete any service or inspection that is deemed the responsibility of the tenant. Heads of Service in this instance should appoint a Building Manager (responsible person) to ensure the Council completes its statutory obligations according to the lease agreement and monitor any statutory requirements that may sit with the landlord. The responsible person must have a full understanding of statutory compliance requirements.

*(Detail on service requirements are referenced in the Building Compliance Guidance document)*

### **3.4 Leased Out Assets**

Rochdale Borough Council currently leases out assets to service partners and private organisations. Statutory testing and inspections are carried out in accordance with the signed lease agreement. Periodic inspections are required to ensure all tenant responsibilities are being adhered to. This will give the Council (as landlord) assurance that any risk of noncompliance is mitigated.  
*(Detail on service requirements are referenced in the Building Compliance Guidance document)*

### **3.5 Council owned schools**

Head teachers are responsible for ensuring that the requirements for statutory building compliance are maintained to legal standards within their school. A Service Level Agreement (SLA) is offered on an annual basis from Property Services Technical (RBC) which includes all necessary servicing and maintenance requirements. Schools which fall under the responsibility of the Council are required to commission all statutory checks through the Property Services (Technical) Team.

### **3.6 Procurement**

Appointing any service contractor is completed in partnership with STaR procurement following approved contract procedure rules; the following service requirements are to ensure statutory legislation is maintained and the following statutory service requirements are in place

- Boiler Servicing
- Gas safety certification
- Fire Alarms
- Lightning Conductors
- Fire Fighting Equipment
- Air Conditioning
- Display Energy Certification
- Portable Appliance Testing
- Dry Risers
- Sprinklers
- Automatic Doors
- Latch way Systems
- EVAC Chair Inspections

### **4.0 Specialist Surveys**

The following statutory requirements are completed by Property Services (Technical) Team. Each asset requires a service and inspection which are asset specific and are highlighted in the condition survey and further referenced in the "Building Compliance Document".

- Asbestos Survey (Annual inspection - Control of Asbestos Regulations 2012)
- Fixed Wiring Inspection (Five yearly - Electricity at Work Regulations )
- Fire Risk Assessments (Annually - Regulatory Reform [Fire Safety] Order 2005)



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### 5.0 Compliance Matrix

Equipment group (specific class)	Equipment sub-group (system level asset task applies to)	Equipment sub-group (component level asset task applies to)	Statutory (S) Best Practice (B)	Task description	Frequency
Boilers	Heating System (HTG)	Boiler rated above 150KW	<b>S</b>	Test And Check Operation Of Fire Shut-Down Systems	MONTHLY
	Heating System (HTG)	Gas fired boiler	<b>S</b>	Check Each Appliance For Correct Operation, Test Safety Devices & Ventilation Air Provisions	YEARLY
	Heating System (HTG)	Boiler rated above 150KW	<b>S</b>	Thorough Examination	YEARLY
Hot & cold water supply & storage	DHWS (Domestic Hot Water Supply)	DHWS Storage vessels	<b>S</b>	Hot Water Clarifier Temperature Check	3 MONTHLY
	CWS / DHWS	Water Outlets	<b>S</b>	Hot & Cold Water Outlet Temperature Recording	MONTHLY
	DHWS	All Hot systems	<b>S</b>	Water Sampling & microbiological activity monitoring	YEARLY
	CWS / DHWS	Showers	<b>S</b>	Shower head clean & disinfect	3 MONTHLY
	CWS / DHWS	TMV's	<b>S</b>	Thermostatic Mixing Valves ( <b>Medical Locations</b> )	6 MONTHLY
	DHWS	All Hot systems	<b>S</b>	Inspect, Clean, Service, Adjust & Overhaul As Necessary All Components Of The System	YEARLY
	CWS / DHWS	Full System Risk assessment	<b>S</b>	Legionella Risk Assessment Review	Every 2 years
Catering	Gas or Electric catering appliances	All items on site	<b>S</b>	Deep Cleaning of all Gas and Electric Catering Appliances (1Y)	QUARTERLY
	Gas fired catering appliances	All items on site		Annual Safety Testing of all Gas Fired Catering Appliances	YEARLY
	Catering refrigeration	Cold rooms	<b>S</b>	Cold Rooms	3 MONTHLY
	Catering refrigeration	Cold rooms	<b>S</b>	Cold Room Safety Risk Assessment	1 YEARLY
Air conditioning & electrical	Air Conditioning 3kg charge and above - check at least once every 12 months. 30kg charge and above - check at least once every 6 months. 300kg charge and above - check at least once every 3 months.	F-gases include all HFC refrigerants, such as R134a and blends containing F-gases such as R407C, R410A, and R404A.	<b>S</b>	Carry Out/Review/Update Refrigerant Replacement Programme In The Light Of Any Changes In Legislation.	3 months, 6 month and YEARLY - see note

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	Hermetically sealed systems, which are labelled as such and contain less than 6kg, are exempt.				
	LV Distribution (ELV)	Internal electrical distribution network and fixed equipment	<b>B</b>	Inspect And Check Each Installation And All Appliances	YEARLY
	LV Distribution (ELV)	Internal electrical distribution network and fixed equipment	<b>S</b>	Inspect, Test & Check All Electrical Installations & Fixed Appliances. Electrical Installation Condition Report (EICR)	5 YEARLY
	Fume Cupboards	Enclosure, Ducting and Fan	<b>S</b>	check, test and services	6 and 12Month
	PAT	Electrical items	<b>S</b>	Inspect And Check Each electrical Appliance	Annual
	Fan convectors	Electrical	<b>S</b>	Service Inspect, Test & Check All Electrical Fan Installations	Annual
	Auto Doors	Opening/Slide/Revolving	<b>S</b>	Service Inspect, Test & Check All Electrical connection and sensors Installations	6 monthly
		Opening/Slide/Revolving	<b>B</b>	Service Inspect, Test & Check All Electrical connection and sensors Installations	Annually
	Kilns	Electrical	<b>B</b>	Service recommended every year. Wiring inspection and testing as part of EICR	Annually and 5 YEARLY
Fire detection & prevention	Emergency lighting (EML)	All Systems and escape routes	<b>S</b>	Emergency lighting operational test	MONTHLY
	Emergency lighting (EML)	All Systems and escape routes	<b>S</b>	Emergency lighting full duration tests	YEARLY
	Stage Lighting	Lighting Gantries lowering mechanisms and stand-alone systems	<b>S</b>	Portable appliance testing of all spot lights	YEARLY
	Fire alarm systems	N/A	<b>S</b>	Fire Alarm Quarterly Testing	3 MONTHLY
	Fire alarm systems	Full System assessment	<b>S</b>	Fire alarm operation test	WEEKLY
	Fire alarm systems	Full System assessment	<b>S</b>	Fire Alarm Yearly Testing	YEARLY
	Conductors	Lightening strips, connections and Rods	<b>S</b>	electronically tested for resistance to the ground, 10 Ohms maximum specified	YEARLY
	Oil Tanks and storage	Tanks & bunds	<b>S</b>	Check tanks, banded enclosures, leak detection	YEARLY
	Portable appliance testing	All items on site	<b>S</b>	Portable appliance testing	YEARLY



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Fire equipment	Sprinkler systems	Kitchen Hood Suppression System (ANSUL)	<b>S</b>	Sprinkler System Weekly Inspection	WEEKLY
	Sprinkler systems	Kitchen Hood Suppression System (ANSUL)	<b>S</b>	Sprinkler System Quarterly Inspection	6 MONTHLY
	Sprinkler systems	Kitchen Hood Suppression System (ANSUL)	<b>S</b>	Sprinkler System Yearly Inspection	YEARLY
	Wall mounted hose reels	N/A	<b>S</b>	Inspect & Test Wall Mounted Hose reel Installations	YEARLY
	Dry risers	N/A	<b>S</b>	Pressure test and visual inspection	YEARLY
	Portable fire-fighting equipment	N/A	<b>S</b>	Function test & checks	YEARLY
Building structure & fabric	Asbestos containing materials condition monitoring	All Types	<b>S</b>	A. Prepare/Review/Maintain The Asbestos Register. Advice On Any Remedial Action Required. B. Provide The Building Custodian With A Copy Of The Relevant Sections Of The Asbestos Register For Inclusion In The Amp	See Building Guidance Notes
	Asbestos containing materials surveys	All types Internal and external elements and plant and equipment	<b>S</b>	Monitor and record the condition of all known Asbestos.	YEARLY
	Accessibility Audits Built Environment	Internal/external elements and immediate surrounding areas	<b>S</b>	Audit for accessibility purposes of public areas (Part 3 of the DDA), and employment (Part 2 of the DDA).	3-5 years/change of building use/change in building layout/structure
	Roof Structure	Cladding	<b>B</b>	Inspection, Maintenance And Repair	construction and element age dependant
	Fire Risk Assessment	All Elements	<b>S</b>	Full Fire Risk Assessment	ANNUAL
	Building structure	External Walling	<b>B</b>	Inspection, Maintenance And Repair	construction and element age dependant
	External Doors & Windows	All Elements	<b>B</b>	Inspection, Maintenance And Repair	construction and element age dependant
Lifts - passenger	Passenger Lift Equipment	Lift Component	<b>S</b>	Planned & preventative maintenance servicing. Employers and schools (under ESCC) legal requirement	Min 6 Monthly Services

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	Passenger Lift Equipment	Lift Component	<b>S</b>	Insurers Inspection, carried out by qualified competent persons to comply with LOLER regulations 1998	6 monthly Inspection
	Passenger Lift Equipment	Lift Component	<b>S</b>	Safety gear test, load detection, governors, suspensions, braking, electrical systems, hydraulics & landing car doors safety edges.	6 monthly Inspection
Lifts – non-passenger	Lift Equipment	Lift Component	<b>S</b>	Book Lifts, etc	Every 12 months
Person hoists – mechanical & electrical	Fixed Track Hoists & Stair Lifts	Lift Component	<b>S</b>	Planned & preventative maintenance servicing	Min 6 Monthly Services
	Fixed Track Hoists & Stair Lifts	Lift Component	<b>S</b>	Insurers Inspection, carried out by qualified competent persons to comply with LOLER regulations 1998	6 monthly Inspection

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