

# Appendix 1 - Legal Compliance Framework

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## What Information Must Be Kept?

### Health & Safety Records

Record Type	Legal Requirement	Retention Period	Notes
Accident Book / RIDDOR Reports	RIDDOR Regulations 2013	3 years from date of incident	Keep records of all reportable injuries, diseases, dangerous occurrences
Risk Assessments	Management of H&S at Work Regulations 1999	Current + 3 years after superseded	Review every 1-2 years or after incidents/changes
COSHH Assessments	COSHH Regulations 2002	Current + 5 years after superseded	Review every 5 years minimum or when exposure changes
Training Records	Various regulations	Duration of employment + 6 years	Essential for forklift, chemical handling, first aid, fire marshal
Health Surveillance Records	COSHH / Control of Asbestos Regs	40 years from last entry	If required for specific substance exposures
Forklift Inspections	LOLER 1998	Until next thorough examination + 2 years	Pre-use checks: keep 3 months
First Aid Records	Not legally required but recommended	3 years minimum	Supports RIDDOR compliance and trend analysis
Fire Risk Assessment	Regulatory Reform (Fire Safety) Order 2005	Current version	Review annually or after significant changes
Electrical Testing (PAT)	Electricity at Work Regulations 1989	Until next test + 2 years	Typical test frequency: 1-2 years for warehouse
Asbestos Survey	Control of Asbestos Regulations 2012	Permanent (life of building)	If building pre-2000, asbestos register must be maintained

## Environmental Records

Record Type	Legal Requirement	Retention Period	Notes
Trade Effluent Consent	Water Industry Act 1991	Duration of consent + 6 years	If discharging process water to sewer
Waste Transfer Notes	Environmental Protection Act 1990	2 years	For general non-hazardous waste
Environmental Permit	Environmental Permitting Regulations 2016	Duration of permit + 6 years	If required for waste operations or discharge
Hazardous Waste Consignment Notes	Hazardous Waste Regulations 2005	3 years	If producing hazardous waste (unlikely for AdBlue)
Effluent Monitoring Results	As per consent/permit conditions	Typically 2-6 years	Check specific consent requirements
Pollution Incident Records	Various	6 years minimum	Include any spills, near-misses, enforcement contact

## Chemical/REACH Records

Record Type	Legal Requirement	Retention Period	Notes
Safety Data Sheets (SDS)	REACH/CLP Regulations	Current + 10 years	For urea, AdBlue, all chemicals used on site
REACH Registration Documentation	UK REACH Regulations	Duration of registration + 10 years	Manufacturer/importer obligations
Chemical Inventory	COSHH / REACH	Current	Updated list of all substances used/stored

## Competent Person Requirements

### Legal Definition

Under the Management of Health and Safety at Work Regulations 1999 (Regulation 7), employers must appoint "one or more competent persons" to assist in meeting H&S duties.

**Competent Person = Sufficient training, experience, knowledge, and other qualities**

### Competent Person Structure (Post-NEBOSH Completion)

#### Internal Competent Person:

- NEBOSH General Certificate holder acts as primary competent person for day-to-day HSE management
- Responsibilities: Risk assessments, incident investigation, monitoring compliance, training coordination
- Limitation: May need specialist support for complex technical matters

#### When External Specialist Support Is Needed:

- **Occupational Health:** If health surveillance becomes necessary
- **Occupational Hygiene:** If exposure monitoring required for chemical dusts/vapours
- **Structural Engineering:** For racking inspections (SEMA approved inspectors required annually)

- **Environmental Specialist:** Complex effluent treatment, permit applications, EA / Water company engagement
- **Fire Risk Assessment:** Specialist fire risk assessor for comprehensive FRA review
- **Legal/Regulatory Updates:** Annual retainer for regulatory update service (WorkNest consultancy)

**Budget Allocation:** WorkNest consultancy included in recurring annual costs

## Key Legal Duties by Area

### Chemical Safety (COSHH)

- Identify hazardous substances (cleaning chemicals, oils, greases, urea)
- Assess risks and implement control measures (LEV, PPE, safe systems)
- Monitor exposure if significant risk
- Health surveillance if required by assessment
- Provide information, instruction, and training

### Workplace Transport (Forklifts)

- Operators must be trained and competent (accredited training required)
- Forklift thorough examination every 12 months (LOLER) by competent person
- Daily pre-use checks by operators
- Segregate vehicles and pedestrians where practicable
- Maintain safe site traffic routes

### Work at Height (Racking Access)

- Risk assessment for any work at height >2m
- Use of work equipment properly maintained (ladders, mobile towers, MEWPs)
- Training for users of access equipment
- Inspection of ladders every 6 months, record if used commercially

### Racking Safety

- Annual SEMA-approved racking inspection (legal requirement under PUWER if damage could cause collapse)
- Damaged racking taken out of use immediately
- Load notices displayed
- User training on safe loading/unloading

### Fire Safety

- Fire risk assessment (competent person required)
- Means of escape maintained and tested
- Fire detection and alarm system (weekly testing, annual service)
- Fire extinguishers (annual service by competent contractor)
- Emergency lighting (monthly function test, annual 3-hour duration test)
- Staff training: fire drills every 6 months

### Environmental Compliance

- Trade effluent consent compliance (if discharging to sewer): sampling as per consent schedule
- Duty of care for waste (correct classification, licensed carriers, waste transfer notes)
- Pollution prevention measures (spill kits, bunded storage if >200L oils)

- Environment Agency: report pollution incidents immediately

## Welfare Facilities

- Adequate toilets, washing facilities, drinking water (Workplace H&S Regulations)
- Facilities clean and maintained
- First aid provision: Low-risk office + warehouse likely requires appointed person + first aid kit minimum

## Appendix 2

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### A. Annual Recurring Compliance Costs (Summary)

Item	Frequency	2026	2027	2028
PAT Testing	2x per year	✓	✓	✓
Fire Extinguisher Checks	2x per year	✓	✓	✓
SEMA Rack Inspection	Annual (Years 1, 4, 7...)	✓	-	-
Fire Risk Assessment	As needed	✓ (2x)	-	-
Electrical Safety Inspection	Periodic	-	✓	✓
WorkNest Consultancy	Annual	✓	✓	✓
Training (various)	As scheduled	✓	✓	✓
Eye Tests	As required	✓	-	✓
Hearing Tests	Annual	✓	✓	✓
Annual Total		£8,132	£3,792	£7,557

### B. Recommended External Suppliers/Specialists

To be identified based on location and specific needs:

- SEMA-approved racking inspector (search via [SEMA website](#))
- Forklift training provider (RTITB or AITT accredited)
- Fire risk assessor (check [IFE](#) or [IFSM](#) membership)
- Environmental consultant (CEnv or PIEMA qualified)
- WorkNest (current HSE consultancy partner)
- Occupational health provider (as required)

### C. Key HSE Regulations Applicable to Site

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- Workplace (Health, Safety and Welfare) Regulations 1992
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

- Regulatory Reform (Fire Safety) Order 2005
- UK REACH Regulations (Registration, Evaluation, Authorisation and Restriction of Chemicals)
- Environmental Protection Act 1990
- Environmental Permitting Regulations 2016
- Water Industry Act 1991 (trade effluent to sewer)

## D. Useful Resources

### HSE Guidance:

- [HSE: Simple Health and Safety](#)
- [HSE: COSHH Essentials](#)
- [HSE: Lift Trucks and Workplace Transport](#)
- [HSE: Safe Storage and Handling](#)

### Environmental:

- [GOV.UK: Check if you need an environmental permit](#)
- [GOV.UK: Disposing of business or commercial waste](#)

### REACH:

- [HSE: UK REACH](#)

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