



# Compliance Update

Compliance Sub Committee January 2024 | Issue number 9  
*Paul Walker, University Compliance Engineer*

# Welcome

Welcome to your winter compliance newsletter where we keep you up to date with what is happening regarding our Statutory compliance at Loughborough University. It has been a very busy period in the area of compliance for our DAPS carrying out audits, Policy reviews and ensuring that the University remains compliant.

We have now added an extra area to the DAP process and that is the important area of food hygiene which, as people are aware, is a very important area for the University.

In this month's newsletter we have an introduction to Pressure Systems with Our Pressure DAP Matthew Polkey who shares a little about his work life at the University and an insight into the world of Pressure related matters and we will also be highlighting the many areas that come under the pressure regulations, this could be the largest compressor through to our coffee machines.

The aim of the Compliance newsletter continues to be to bring news of what we are doing, our responsibilities regarding compliance, and who you can turn to get information and help and of course any guidance changes and how they will affect us.

It is our goal to have a constant improvement process regarding Compliance subjects and this newsletter aims to aid this process.

Compliance is the responsibility of all Schools, Professional Services and Tenants; as such it is for those areas to maintain their own compliance and ensure all requirements are met and to cooperate with the staff and contractors that conduct compliance works. The DAP's will support as required.

We have now started to link our compliance processes to other departments such as the Insurance Department who manage our insurance inspections to aid improvements in plant availability for inspections and now send out monthly KPI reports.

The DAPs can push so far but we do need everyone's support especially regarding allowing access to your areas for inspections and servicing so we can reduce any missed appointments and repeat visits as this does come at a cost to the University.

## Our Current headlines

- As people may have noticed we have demolished 3 buildings across site, those being The Old Chemistry building, Graham Oldham and Sir Arnold Hall. The result of these demolitions we have had a reduction of over 500 known asbestos items and had a 50% onsite reduction in the items that are treated as a higher risk.
- People will continue to see us reminding people to look at the equipment they have that may not be used anymore or rarely used to consider if you need it or could it be mothballed or removed so that it can be removed from our inspections and servicing schedules and provide a cost saving to the university. This is something we will be pushing more in 2024.
- PUWER audits are now coming to an end with visits to Imago and NCATT having taken place in December and the last few will be completed in January and February.
- Over the last few months, we have sent out a questionnaire to our tenants to gauge their compliance and aid us to ensure we operate safe buildings across site, we have had 30 returns from our tenant community and will be having the final push to get more completed. A summary of some of the results will be shared in the next Compliance newsletter due out later in the year.

# What have we been doing?

It has been a busy few months regarding our compliance journey and we have progressed in many areas.

## PUWER

Carolyn and I have been carrying out a number of audits across site over the last 12 months and we would like to thank all those that have taken part. The outcome overall has been very encouraging with areas having a good understanding of what is required and doing what they need to be doing. Carolyn has set up a Learn page where there are many useful items for you regarding PUWER such as risk assessment templates, posters and toolbox talks for people to use. Carolyn has also attended some areas to carry out training that has been requested by the teams that have been audited.

## Fire

The work of the fire team continues, and people will notice over the next few weeks that contractors will be onsite carrying out the inspections and servicing the fire extinguishers as part of the annual compliance process. The team constantly review our Fire Risk Assessments and will be sending these out to the relevant people as they complete them, in most cases they do contain a list of actions that need to be carried out and where the responsibility lies. It is essential that these actions are closed out to ensure our buildings remain safe. Finally, you will have seen contractors working on our fire doors and this has been a large piece of work for the team, but all fire doors have now been inspected.

## Asbestos

In the last 12 months we have really pushed the importance to our estates staff of checking the asbestos register when works dictate disturbing the fabric of the building and have seen a massive uplift in its use. Another element we have been working with Lucion our appointed asbestos contractor on the timing of annual asbestos inspections that we need to carry out to comply with the Control of Asbestos regulations 2012 by moving all residential areas to the Easter, Summer & Christmas breaks so our students are not disturbed and helps improve their student experience.

## DESEAR

Oliver our DAP for this area has been very busy over the past few months working with teams to improve their awareness, this has taken the form of both internal and external training and staff are having training at the minute in the safe use and handling of gas bottles of which we have many across site, he has also been working on new guidance in this area which is due out in February or March to ensure we are operating safely. Also, Oliver has been working on an audit template that people will be able to have access to. We are seeing an increase across site in the use of flammable gases etc., if you are looking to use new items, please remember to drop Oliver a line as there may be implications you may not be aware of, and he can advise.

## Food Hygiene

We have now added this area to our reporting process, our catering outlets are heavily audited with both a Local Authority inspection and an annual external audit carried out which are extremely thorough the University outlets are performing very well with most being either 4- or 5-star outlets out of a max score of 5. This team is led by Gagan Kapoor with a dedicated team that work very hard to maintain their high standards.

## LEV

The inspections for this year have been completed for all our LEV units, if you feel you might have a unit that may not have been inspected then please drop Michael a line. The big thing that is coming this year is the Electronic Logbooks that need to be filled in showing what activity has taken place. This includes use and maintenance these will be checked annually as part of ongoing inspections.

## Water

As always it is important that outlets are regularly flushed if not used this needs to be recorded Scott is working through this process and would appreciate your support in this area. The University is looking to appoint a Water Technician to manage the day-to-day activities. This is out on the website now. Lastly, we have started the site wide Water Risk Assessment reviews and have now completed the first buildings.

## Who to Contact?



One of the areas our DAP's struggles with is who to contact in Schools and Professional services regarding their compliance areas and who has the responsibility in those areas. Staff change or they move on but sometimes their compliance responsibilities get missed in that change this could be simple things such as flushing activities which then get missed to being the point of contact for more technical and challenging activities. Can I ask that if changes happen that you look across your areas to see if you feel there are any gaps, please let us know, Our DAPs are happy to help and can let you know who they have recorded of the compliance systems such as compass, please drop them an email.

## Who are Your DAP's?

The Duty Authorised Person (DAP) for each subject area is there to support you and offer advice, to ensure that you can conduct tasks safely within your area.

The Overall management of Statutory Compliance is led by Myself and Rob Sparks so if you have any general enquiries, please drop me or Rob a line and we will be happy to help if we can.

The DAP's contact details are available on the Loughborough University internal directory, the preferred way of contact is via email, as the DAP's have their main roles to carry out, and they may not be available to pick up the phone straight away. If the enquiry is urgent, then please highlight in the title.

As always if there is an incident to report then this can be done via the main staff web page, under the "report an incident tab" - this will then be picked up by the Health and Safety Team.

About emergency works for the above areas, these should be directed to the Facilities Management Help Desk on 01509 222121. Non-urgent work should be entered through Archibus via the tab on the main staff web page.

|  |            |                         |
|--|------------|-------------------------|
| <b>Asbestos</b>  | <b>DAP</b> | <b>Paul Walker</b>      |
| <b>DSEAR</b>   | <b>DAP</b> | <b>Oliver Preedy</b>    |
| <b>Electrical Installation Low Voltage</b>                     | <b>DAP</b> | <b>Matthew Chadwick</b> |
| <b>F-GAS</b>   | <b>DAP</b> | <b>Nik Hunt</b>         |
| <b>Fire Safety</b>   | <b>DAP</b> | <b>James Holt</b>       |
| <b>Food Hygiene</b>  | <b>DAP</b> | <b>Gagan Kapoor</b>     |
| <b>Gas</b>   | <b>DAP</b> | <b>Jonathan Cripps</b>  |
| <b>High Voltage Electricity</b>                                | <b>DAP</b> | <b>Adam Slater</b>      |
| <b>Local Exhaust Ventilation Systems (LEV)</b>                 | <b>DAP</b> | <b>Michael Wraight</b>  |
| <b>Lifting Equipment (LOLER)</b>                               | <b>DAP</b> | <b>David Green</b>      |
| <b>Provision and Use of Work Equipment Regulations (PUWER)</b> | <b>DAP</b> | <b>Carolyn Kavanagh</b> |
| <b>Pressure Systems</b>  | <b>DAP</b> | <b>Matthew Polkey</b>   |
| <b>Water Hygiene</b>   | <b>DAP</b> | <b>Scott Phillips</b>   |

# Meet the DAP

## Pressure Systems



Mathew Polkey

Since joining Loughborough university on September 2021, I have worked as the FM Mechanical Maintenance manager.

Part of this role is to assist others DAPs with mechanical compliance and to carry out the roll of “Pressure Systems Dap”.

This works well with the mechanical team undertaking the majority of PSSR and PE(S)R works organising and scheduling works with contractors and inspectors across the campus.

We also are responsible for permits on pressure system, carrying this out for all (tenants, staff, contractors, projects, and inspectors) across the campus.

My working life before university consisted of running a company for 15yrs, studying, a farm, building a house, children, and scuba diving around the UK.

I have worked all over the UK and Europe on various projects with contractors, consultants, manufacturers, and customers. With the largest being in central London at a huge price tag of 3 billion, where I was asked to design and install waste heat recovery under the Lead Mechanical designer/ consultant and Head Commissioning engineer with 3 weeks to opening- so no pressure there then.

I’m a registered plumber, Eng Tech for CIBSE & CIPHE, I hold Gas safe registration for domestic and commercial gas, gas network Manager and a Pressure system authorising Engineer.

With the above, I have used my knowledge and experiences over the years to help give back. Helping “City and guides” in setting up the T level before its roll out and mentoring apprentices to HND.

Thanks are to be given to those who have carried out their part in PSSR compliance, without your involvement the university would not stand at this point in such a good position.

## What is our current reporting position?


As a group we are constantly measuring ourselves to ensure we are on the road of constant improvement in our compliance Journey, and to show others where we are at any point of time.

We have looked at the process and have decided to alter the comments, so instead of saying what we are doing or have been doing we have changed that approach.

So, from August we are now highlighting what we need to do in our processes to improve the situation and move us to

a position where we have a good level of compliance across the site, i.e., changing to an improving position then ultimately a green arrow across those areas.

The other element of this process is it allows people to see what the focus is at any point and the areas when others can help us to complete those elements.

| Compliance Dashboard  |        |           |         |          |          |         |
|---|--------|-----------|---------|----------|----------|---------|
| DAP   | August | September | October | November | December | January |
| Asbestos  | ➡      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. Dealing with Contractor on KPI's to improve level of service.<br>2. Asbestos Register usage needs to improve among estates staff   |        |           |         |          |          |         |
| DSEAR   | ⬆      | ⬆         | ⬆       | ⬆        | ⬆        | ⬆       |
| 1. DSEAR Risk Assessments >80% of RA's Completed, current (60%) by Apr 24<br>2. Actions from DSEAR Audits >80% of Actions from RA completed, Current (100%) by Apr 2024   |        |           |         |          |          |         |
| F-GAS   | ⬆      | ➡         | ⬇       | ⬆        | ⬆        | ⬆       |
| 1. New contractor is now consistently operating well but access issues are affecting achievement scores resulting in lower percentages (Sep/Oct)<br>2. Asset register continues to improve as Catering/Retail, PMs, and Engineers use of the asset change form<br>3. Result is a high level of compliance assurance with concerns relating to our own access issues.  |        |           |         |          |          |         |
| Fire  | ⬆      | ⬆         | ⬆       | ⬆        | ⬆        | ⬆       |
| 1. Fire Compartmentation ongoing projects >70% complete, Current (30%) by Dec-24 with plan of works in place for 2024 – 25 works<br>2. Fire Dampers identified across site >80%, Current (40%) with all servicing complete for 2024 and a plan in place to decommission obsolete Dampers by Sep 24<br>3. Fire door inspections >90% complete, Current (70%) with >70% of remedials conducted, Current (30%) by May 24   |        |           |         |          |          |         |
| Food Hygiene  | ➡      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. Majority of EHO audit ratings are 5 Star or 4 Star ratings out of 5<br>2. External Audits are all > 85%  |        |           |         |          |          |         |
| Gas   | ➡      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. The intensive remediation processes that have been carried has levelled out now into a more manageable process.<br>2. Work continues the replacement of the gas pipe work building entry pipework; this is part of a 9-year plan. <br>3. Continued HSE visits for the 1-2 years due to being a new Independent Gas Transporter to the HSE, this is standard procedure for all new IGTs. |        |           |         |          |          |         |
| HV Electrical   | ➡      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. Substation Maintenance - Currently planned and on plan.<br>2. Audit Programme – scheduled audits for planned contractor works to take place.<br>3. Succession planning staff training taking place   |        |           |         |          |          |         |
| Legionella  | ⬇      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. Towers – Filter replacement scheduled for w/c 8th <sup>th</sup> January 2024<br>2. Defect Closures >80% of monthly defects rectified in same calendar month, by Feb 24 with a plan for legacy defects drafted. November = 14.86%<br>3. Risk assessments >80% of planned RA complete, Current 0% with >70% of remedials complete with 3 months of Risk assessment being completed.  |        |           |         |          |          |         |
| LEV (Local Exhaust Ventilation)   | ⬆      | ⬆         | ⬆       | ⬆        | ⬆        | ➡       |
| 1. Implementation of a training to trades staff and LEV users, to improve awareness and competency levels across site with course in place by June 24<br>2. Logbooks in place for >70% of LEV Users by Apr-24, Current 20% with a review planned of usage by July 24<br>3 LEV Audit >80% of all recent audit actions completed, Current 85% by Feb 24.  |        |           |         |          |          |         |
| LOLER   | ➡      | ➡         | ➡       | ➡        | ➡        | ➡       |
| 1. To reduce the amount of plant no available for inspection so the level is <5% for LOLER items, Current (6%) by Mar 24<br>2. Audits. Planned audits to be place with 50% of audits completed Current (5%) and 80% of actions closed within 3 months of the completion of the Audit  |        |           |         |          |          |         |
| LV Electrical   | ⬆      | ⬆         | ⬆       | ⬆        | ⬆        | ⬆       |
| 1.. EICR tests and asset tagging process for all main electrical plant with >80% complete within each calendar year current (15%) plan in place by Feb 24<br>2. Existing LV Electrical Compliance reviewed, and an improvement plan has been put into place with >50% of the actions closed by Dec 24, Current (20%)  |        |           |         |          |          |         |

|   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|
| <b>Pressure</b>   | ➡ | ➡ | ➡ | ➡ | ➡ | ➡ |
| 1. Working to remove assets from the MTHW system to LTHW system in Holywell Park area. This will reduce the legislative requirements.<br>2. Engaged with specialist support Engineers to help reduce PSSR inspection remedial works.<br>3. To reduce the amount of plant no available for inspection so the level is <5% for PSSR items, Current (6%) by Mar 24   |   |   |   |   |   |   |
| <b>PUWER</b>  | ⬆ | ⬆ | ⬆ | ⬆ | ⬆ | ⬆ |
| 1. PUWER audit cycle is nearing completion & outcomes will be summarised. Action list created. >70 of actions closed by Sep 24, Current (18%)<br>2. Creation & delivery of bespoke PUWER tool-box training & one-page PUWER summary document to raise awareness in place to be completed by Dec 24<br>3. Creation of high-risk equipment register ongoing across site to be >70% complete by Mar 24, Current (95%) stored in a central SharePoint site. |   |   |   |   |   |   |

### What does this mean?

**Green** – Represents a good level of compliance with defined standards.

**Amber** – Highlights that there are issues with complying fully with standards, but these are known, and a plan is in place to correct these.

**Red** – Highlights that there are issues with complying with the defined standards, but the extent is unknown and/or there is no plan yet developed to achieve a timely resolution.

We use the arrows to signify the direction of travel to show what is the current progress.

### Why has the Chart Changed?

As part of our goal of constant improvement we changed the chart to show 6 months data, this will allow us to demonstrate a trend for all the compliance areas over a longer period and allow people to see the progress we are making, in each of the compliance areas.

## Compliance Highlight

### Why do we do it ?

I know that you hear the word compliance a lot but what does it mean ?

### What is compliance in simple terms?

In a general sense, compliance means **abiding by a set of rules**. For your business to function legally, it needs to comply with specific industry standards, laws, regulations, and ethical conduct standards that apply to your business



As you see compliance is a combination of many areas that we need to adhere to ensure that we operate safely you cannot separate any part of it.

## How do we do it ?



It is important that we can prove our compliance to the regulatory authorities as being non compliant can result in fines and loss of reputation.

We need to ensure all asset lists are up to date so that we can ensure statutory inspections can be carried out.

That staff follow laid down procedures for maintenance, checks and training.

Audits must be carried out

Policies must be up to date to manage any changes in regulations

Records are kept for all inspections, checks etc and this is the Facilities Information Team for what we cover through the DAPs.

Always remember if you do not have a record it never happened! So always record information !

## News

The news section of the newsletter highlights what could happen if we do not do all that we should. The stories are linked to the DAP who is the focus of the newsletter.

They are meant to make you stop and think about the tasks you carry out.

## Engineering company fined 30,000 after worker suffers horrific injuries in explosion.

Please see the extract from HSE prosecutions website below. The pressure test being done was at a manufacturer's site but could also apply when on-site pressure testing is being done. Although in this case HSE suggests that water should have been used and not compressed air, on-site testing of compressed air systems using water in many cases are either operationally unacceptable or not an appropriate media to use. A Worcestershire engineering firm has been fined after a worker lost both his legs in a factory Blast when a 335-litre vessel exploded as it was being pressure tested.

The extent of the explosion tore the two parts of the vessel apart, with one part hitting the employee and forcing him into a cabinet against a wall. He was hospitalised for several months and had to have both legs amputated. He also suffered head injuries and has severely restricted movement in his arms, which have been repaired with metal plates.

The force of the blast also threw a fire extinguisher through a nearby wooden staircase. An investigation by the Health and Safety Executive (HSE) found that Filtration Service Engineering was testing the vessel as there were concerns about the quality of the welding. However, instead of simply filling it with water, the firm decided to use compressed air.

Worcester Crown Court heard on 20 February that the factory's compressed air supply was directly connected to one of the vessel's openings. A valve, which could be manually opened and closed, and a pressure gauge were

installed, and the vessel filled with compressed air. The pressure built up to such an extent that eventually the vessel exploded.

Filtration Service Engineering Ltd, of, Kidderminster, was fined 30,000 and ordered to pay 15,325 in costs after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. After the hearing HSE inspector Ed Fryer said: "The injuries sustained in this incident were more akin to those sustained on a battlefield."

The vessel exploded like a bomb during the course of a normal working day, and everyone in the factory was at risk from the operation because no measures were put in place to protect them. Pneumatic testing is a dangerous activity and significant planning is required to ensure the risks are managed.

The management of health and safety in this factory was woefully inadequate and simple measures could have been implemented to prevent the incident from happening. An assessment of the risks involved in pneumatic pressure testing should have identified that air was not a suitable testing medium. The test could have been carried out by simply filling the vessel with water. It is a miracle that more people were not injured and that nobody lost their life.

Information and advice about the safety requirements for pressure testing can be found on the HSE website at [www.hse.gov.uk/pubns/gs4.htm](http://www.hse.gov.uk/pubns/gs4.htm)

The pressure test being done was at a manufacturer's site but could also apply when on-site pressure testing is being done. Although in this case HSE suggests that water should have been used and not compressed air, on-site testing of compressed air systems using water in many cases are either operationally unacceptable or not an appropriate media to use. Testing with compressed air is indeed a less safe method, as is demonstrated here, however if done in a controlled manner is acceptable. BCAS has for some years published its Pressure and Leak Testing document which provides guidance. It is now due for revision to bring some of its provisions up to date.

There are no hard copies left although a scanned pdf version will still be available until the revised copy is published. Please be aware that there is no suggestion here that the testing being done in the case at hand would have been any safer if the BCAS document had been used since there would have been a need for a risk assessment to be undertaken before whichever method was employed. One of the issues that should have been taken into account was the prime reason for the pressure test and that was the concerns about the weld quality. Any BCAS Member wishing to take part in the revision of the BCAS document should contact [Greg Bordiak](#)

## Always be sure what you are purchasing!!

It is important that you know the origin of anything you are purchasing no matter if that be a piece of equipment or sundry materials, as the consequences could be high.



This symbol is the new UKCA mark that will replace the CE mark for equipment.

[UKCA marking and training | BSI \(bsigroup.com\)](http://bsigroup.com)

[Using the UKCA marking - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

