|  |
| --- |
| Scope |
| This procedure applies to all Company projects, offices, facilities, asset and concession companies and Joint Venture (JV) projects where the Company Management System has been adopted by the JV Board. Where the Company is required to operate another party’s Management System then the requirements of the Joint Venture/Alliance Business Management System (BMS) Assessment (MSC-PR-0002) must be followed in relation to assessing the validity of third party management systems. |

|  |
| --- |
| Purpose |
| This procedure sets out the process by which the Company identifies its health, safety and environmental legal and other related responsibilities.  The requirements in this procedure are considered to be our current standards and must be adopted as part of a safe system of work. However, Projects and Contracts are also encouraged to identify new methods of working as long as these are: developed through rigorous risk assessment, demonstrably improve on current standards, deliver legal compliance and are approved in accordance with the Control of HSES Derogation procedure ([HSES-PR-0004](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-6992)). |

Procedural Requirements

|  |  |
| --- | --- |
|  | **INTRODUCTION** |
|  | All relevant legislative requirements, and other related requirements of Balfour Beatty’s activities within the UK and Overseas pertaining to health, safety and environment, will be documented within a central register(s). The central register(s) will also document the management controls put in place to meet these requirements. |
|  | All procedures and their associated documentation are held and stored within the Health & Safety (H&S) and Environmental sections of the UK BMS. |
|  | **IDENTIFICATION AND EVALUATION** |
|  | Health and Safety |
|  | Registers of UK Health and Safety Legislation and Other Requirements ([HSES-RM-0001a](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5908)), Sri Lanka Health and Safety Legislation and Other Requirements ([HSES-RM-0001b](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5909)) and Republic of Ireland Health and Safety Legal Register ([HSES-RM-0001f](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-10527)) will be maintained and will detail how legislative requirements are relevant to the Company’s activities. The register will be reviewed and updated if necessary on a three yearly basis or more frequently should legislation change or following a significant incident. |
|  | If a UK Balfour Beatty entity is operating in other geographies, it is the responsibility of that business entity to provide and maintain a Health and Safety legal register relevant to that area. |
|  | It is the responsibility of the H&S Business Systems Manager to communicate any new or revised requirements (including emergency legislation) to the Company, and agree an action plan to introduce the new requirements into the BMS with the Head of Policy, Programme & Group. |
|  | Information and communications received from Professional Bodies, Enforcement Agencies, Balfour Beatty Group and other sources will be reviewed by the H&S Business System Manager and if there is beneficial learning, will be communicated to the Company as appropriate. |
|  | If Customer requirements exceed the Company requirements, then the Customer requirements will be implemented and the details recorded in the Project Management Plan (incorporating Health, Safety, Quality and Sustainability Management Plans) ([PRM-PR-0001](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-9010)). |
|  | References to legislation, regulations and other related documentation will be included within the Inputs section of each procedure, where they are relevant. |
|  | Environment |
|  | A Register of Environmental (incorporating energy) Legislation ([HSES-RM-0001c](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5910)) will be maintained. The register will be reviewed by the UK Environmental Compliance Manager (environment) and the UK Carbon and Compliance Manager (energy) to identify any changes or updates that required to be made every three years however should changes or updates be required after a significant incident or change in legislation then these will be completed as and when necessary. |
|  | The UK Environmental Legal Register ([HSES-RM-0001c](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5910)) details all relevant environmental legislation, regulation, information and other requirements relating to Balfour Beatty’s activities in the UK. The document also sets out how control measures are implemented. |
|  | Additional registers ([HSES-RM-0001d](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5911) and [HSES-RM-0001e](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5912)) incorporate legislation for Ireland and Sri Lanka. Other geographies may be added as required by the business. |
|  | If a UK Balfour Beatty entity is operating in other geographies, it is the responsibility of that business entity to provide and maintain an environmental legal register relevant to that area. |
|  | It is the responsibility of the UK Environmental Compliance Manager to communicate any new or revised requirements (including emergency legislation) to the UK Head of Environment so that the Company can be notified and an action plan agreed to address the new requirements within the UK Business Management System. |
|  | If Customer requirements exceed the Company requirements, then the Customer requirements will be implemented and the details recorded within the appropriate contract document. |
|  | Balfour Beatty maintains a subscription to the ENDS Report and ENDS Compliance Manager. The UK Head of Environment and UK Environmental Compliance Manager are Full Members of IEMA which provides access to details of and change in UK legislation and regulation. The professional membership of these employees and the ENDS resources, as well as communications from other sources such as professional bodies, enforcement agencies, are reviewed by the UK Environmental Management Team and the registers will be updated as needed. |
|  | The UK Head of Environment and UK Environmental Compliance Manager maintain links with the businesses operating in Ireland and Sri Lanka, to ensure that [HSES-RM-0001d](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5911) and [HSES-RM-0001e](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5912) remain up to date. |
|  | **COMPLIANCE** |
|  | Compliance with the legislation and standards detailed within the Safety Management System and Environment Management System procedures will be monitored by inspections and targeted inspection in accordance with HSES Visits, Tours, Inspections and Leading KPI procedure ([HSES-PR-0009](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-12395)) and audits in accordance with the UK Operational Audit procedure ([AUD-PR-0001](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-842)). |
|  | An assessment of legislative compliance will be undertaken through the evaluation of the following (where applicable): |
|  | * Findings from internal and external audits |
|  | * Findings from compliance checks carried out by the Strategic Business Units |
|  | * Investigations into environmental incidents which have occurred |
|  | * Inputs into business management reviews |
|  | Where compliance with the requirements is not immediately achievable, a project will be required to achieve compliance within an agreed, reasonable and defined timescale. |
|  | **MAINTAINING PROFESSIONAL COMPETENCIES** |
|  | The Health, Safety, Environment and Sustainability (HSES) Enabling Function will advise on and maintain memberships/subscriptions to various safety and environmental bodies, organisations and groups, as directed by the Director of Health, Safety, Environment and Sustainability to ensure that all members of the HSES Function are kept up to date on all relevant health, safety and environment legislation and best practice. |
|  | It is the responsibility of each member of the HSES Function to maintain their knowledge of health, safety, environment and sustainability legislation and any new or revised requirements. The knowledge needed to meet this responsibility can be gained by attending internal events, membership of an appropriate body and associated Continuing Professional Development activities. |
|  | Where possible Balfour Beatty will provide access to applicable legal documents, codes of practice and standards via the company’s intranet as well as enabling access to other third parties web pages and documents (i.e. [Information Handling Service (IHS)](https://home360.balfourbeatty.com/kc/EngTech/Pages/IHS.aspx), [Health and Safety Executive](http://www.hse.gov.uk/), [DEFRA](https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs), [UK Government Legislation](http://www.legislation.gov.uk/), [ENDS](https://home360.balfourbeatty.com/sustainability/UKEMT/Pages/ENDS.aspx) and other regulators websites.) |

|  |  |
| --- | --- |
| Abbreviations / Definitions | |
| **IHS** | Information Handling Service (IHS) subscription database of Legislation, Regulations, Standards etc. (formally known as Technical Indexes) |
| **RED TEXT** | Not yet available, use current BMS for relevant document |

|  |  |  |
| --- | --- | --- |
| INPUTS | | |
| **Reference** | **Type** | **Title** |
| MSC-PR-0002 | Procedure | Joint Venture/Alliance Business Management System (BMS) Assessment |
| [HSES-PR-0004](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-6992) | Procedure | Control of HSES Derogation |
| [IHS Link](https://home360.balfourbeatty.com/kc/EngTech/Pages/IHS.aspx) | External Standards | Information Handling Services |
| N/A | Legal | [UK Government Legislation](http://www.legislation.gov.uk/) |
| [HSES-PR-0009](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-12395) | Procedure | HSES Visits, Tours, Inspections and Leading KPIs |
| [HSE](http://www.hse.gov.uk/) | N/A | Health and Safety Executive Guidance & Lessons Learnt |
| [DEFRA](https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs) | N/A | Department for Environmental Food and Rural Affairs |
| [ENDS](https://home360.balfourbeatty.com/sustainability/UKEMT/Pages/ENDS.aspx) | N/A | Environmental Data Services |
| [AUD-PR-0001](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-842) | Procedure | UK Operational Audit |
| [PRM-PR-0001](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-9010) | Procedure | Project Management Plan (incorporating Health, Safety, Quality and Sustainability Management Plans) |
| [HSES-AD-0001a](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-11744) | Advice Note | Regulator Charging Schemes |

| OuTPUTS | | | |
| --- | --- | --- | --- |
| **Reference No.** | **Document Title** | **Retention Period** | **Responsibility** |
| [HSES-RM-0001a](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5908) | UK Health and Safety Legislation and Other Requirements Register | 3 Years | H&S Business Systems Manager |
| [HSES-RM-0001b](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5909) | Sri Lanka Health and Safety Legislation and Other Requirements Register | 3 Years | H&S Business Systems Manager |
| [HSES-RM-0001c](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5910) | UK Environmental Legal Register | 3 Years | Environmental Compliance Manager |
| [HSES-RM-0001d](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5911) | Republic of Ireland Environmental Legal Register | 3 Years | Environmental Compliance Manager |
| [HSES-RM-0001e](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-5912) | Sri Lanka Environmental Legal Register | 3 Years | Environmental Compliance Manager |
| [HSES-RM-0001f](https://home360.balfourbeatty.com/ghoreferencecentre/Group%20BMS/_layouts/DocIdRedir.aspx?ID=2KHUWT73P6SE-1572-10527) | Republic of Ireland Health and Safety Legal Register | 3 Years | H&S Business Systems Manager |