

Evaluation of Legal Compliance and the Legal Register 4.5.2

With regard to Legal Compliance and the Legal Register I have written this document to share with you our position on what else needs be done to meet the requirements of the Standard and your Legal Duty.

If you are safety aware you may have developed a Legal Register this could be in Excel with Hyper-links to each piece of Legislation which gives you a direct connection to a Legal requirement.

However you will need to go one step further to meet compliance 'the register on its own won't satisfy the Auditor' or you're Legal Obligation

Certification bodies are only required to audit conformity with the Standard; they are not required to make a direct evaluation of Legal Compliance since this is Company's Legal Duty.

I will explain further, it is the Organisations responsibility to ensure that a periodic evaluation of compliance with each applicable Legal Requirement is undertaken and from this the Auditor should be able to determine whether the organisation has established the necessary procedures and have evaluated the requirements in enough depth to demonstrate Legal Compliance.

I would go onto say in some instances compliance may involve maintenance of Records i.e. Statutory Inspections so you will need to show 'Who has that duty and/or Where' those records are kept on the Legal Register. Just to make it clearer to anyone including the Auditor how to check and confirm that you are compliant in certain key areas.

The Evaluation Process is very similar to an Internal Audit but you will need to pay particular attention to the Legislative Requirements and ACoP's for a given process or activity to be able to show they are being effectively met.

The Auditor will expect to see these and he will want to check the Organisations Evaluations:

You should therefore include documents to show how your evaluations were made with, sampled records and with references and examples of compliance to specific Legal Duties

So simple documents such as Waste Transfer Notes, Statutory Inspections and ACoP referenced back to Working Procedures and Practices etc..... is a good starting point

In Summary the Organisation will need to show an Evaluation Process and over time this process must cover all of the Legal Requirements.

Here at Harness-it we have developed an Internal Process and Activity Assessment System which enables us to check and confirm that staff understand the Legal Requirements and to add to this and to demonstrate good practice we have included a competency assessment for personnel to show how we determined the training requirements for that process or activity.

If you require any further assistance with Evaluation of Compliance, or OHSAS 18001 please email me or give me a call to discuss your needs.



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