**POSSIBLE WORDING FOR INSPECTION REPORT/LETTER:**

**Standard Phrase** –

Use in situations where the risk is not ‘immediate’ whereby a notice (IN or PN) would be more applicable.

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| Use of charcoal indoors for cooking purposesDuring the inspection it was noted that you are using a charcoal fuelled ***grill/tandoor/oven*** for cooking food in your premise. Charcoal **ALWAYS** produces Carbon Monoxide, a known toxic gas, when it burns and may pose a risk to yourself, your employees, members of the public and possibly to those in adjoining premises. It is recommended that you change to using a safer alternative fuel, such as gas or electric but if you choose to continue to use charcoal **you must carry out an assessment of the risk associated with burning charcoal indoors and put in place appropriate controls to ensure safety**. It is strongly recommended that this assessment, and the details of any control measures in place, are recorded, this is a legal requirement if 5 or more employees. All controls introduced to ensure safety must be maintained. |

**POSSIBLE WORDING FOR LETTER WITH IMPROVEMENT NOTICE**

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| Please find enclosed Improvement Notice Serial number *IN00\*\*\*\** which requires you to prevent or control exposure to carbon monoxide produced by your charcoal grill. If you are unable to prevent exposure to carbon monoxide you must control it by carrying out an assessment of the risk to health created by working with carbon monoxide, and then establishing and introducing appropriate control measures.*Monitoring of carbon monoxide levels within your premise has shown that at times significant amounts of uncontrolled carbon monoxide emissions are occurring. This presents a significant risk to yourself and anyone else working in or visiting your premise.*If you fail to comply with the Improvement notice you will be committing an offence and may be liable to prosecution.If you wish to appeal the notice you should do so within 21 days from the date the notice was served. Details of how to appeal are provided in the enclosed leaflet titled “Making an appeal to an Employment Tribunal against an improvement or prohibition notice in Health and Safety related matters”.If you cannot carry out the required works by the date stated in the notice you must write to me requesting an extension before *expiry date of notice*.If you wish to discuss the Notice or any aspect of this matter please contact me. |

**POSSIBLE WORDING FOR IMPROVEMENT NOTICE**

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| ***You are contravening ..............the following statutory provisions:****Health and Safety at Work etc Act 1974 - Sections 2 and 3**The Control of Substances Hazardous to Health Regulations 2002 (as amended) - Regulations 6 and 7****The reasons for my said opinion are:***The use of charcoal in your charcoal grill causes emissions of carbon monoxide, a known toxic gas. No assessment of the risk to health created by work involving carbon monoxide has been carried out.  |

**POSSIBLE WORDING FOR IMPROVEMENT NOTICE SCHEDULE**

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| **Schedule**In order to comply with this notice you must:**Either**Replace the charcoal grill with an equivalent that is operated by an alternative fuel that reduces the risk to the health of you and your employees. (For example, natural gas.)An employer’s overriding duty and first priority is to consider how to prevent employees being exposed to substances hazardous to health, such as carbon monoxide. Employers who do not first consider this are failing to comply with legal requirements.**Or**1. Make a suitable and sufficient assessment of the risk created by working with carbon monoxide produced by the use of charcoal in an indoor environment to the health of you and your employees. The risk assessment shall include consideration of:
	1. the hazardous properties of carbon monoxide;
	2. information on health effects of carbon monoxide provided by the charcoal supplier, including information contained in any relevant safety data sheet;
	3. the level, type and duration of exposure;
	4. the circumstances of the work, including the amount of the substance involved;
	5. activities, such as maintenance, where there is the potential for a high level of exposure;
	6. any relevant workplace exposure limit (see HSE document “EH40/2005”);
	7. the effect of preventative and control measures which have been or will be taken;
	8. the results of relevant health surveillance;
	9. the results of monitoring of exposure;
	10. in circumstances where the work will involve exposure to more than one substance hazardous to health, the risk presented by exposure to such substances in combination;
	11. such additional information as you may need in order to complete the risk assessment.

**and**1. Control exposure to carbon monoxide created by the use of charcoal in an indoor environment by applying measures appropriate to the activity and consistent with the risk assessment carried out in point 1. This must include:
	1. the design and use of appropriate work processes, systems and engineering controls and the provision and use of suitable work equipment and materials;
	2. the control of exposure at source, including adequate ventilation systems and appropriate organisational measures; and
	3. where adequate control of exposure cannot be achieved by other means, the provision of suitable personal protective equipment in addition to the measures required by sub-paragraphs a and b.

**and**1. The measures referred to in point 2 shall include:
	1. arrangements for the safe burning of charcoal;
	2. the adoption of suitable maintenance procedures;
	3. reducing the number of people exposed and the level of duration of exposure to carbon monoxide to the minimum required for the work concerned;
	4. the control of the working environment, including appropriate general ventilation.

**and**1. Control of exposure to carbon monoxide created by the use of charcoal in an indoor environment shall only be considered adequate if the following principles of good practice are applied:
	1. Design and operate processes and activities to minimise emission, release and spread of carbon monoxide.
	2. Take into account all relevant routes of exposure- inhalation, skin absorption and ingestion- when developing control measures.
	3. Control exposure by measures that are proportionate to the health risk.
	4. Choose the most effective and reliable control options which minimise the escape and spread of substances hazardous to health.
	5. Where adequate control of exposure cannot be achieved by other means, provide, in combination with other control measures, suitable personal protective equipment.
	6. Check and review regularly all elements of control measures for their continuing effectiveness.
	7. Inform and train all employees on the hazards and risks from carbon monoxide and the use of control measures developed to minimise the risks.
	8. Ensure that the introduction of control measures does not increase the overall risk to health and safety.

**and**1. The workplace exposure limit for carbon monoxide must not be exceeded or if it is exceeded you must identify the reasons for this and take appropriate action to remedy the situation as soon as is reasonably practicable. For your information the workplace exposure limit for carbon monoxide is 30 ppm over an 8 hour time weighted average reference period or 200 ppm over a 15 minute time weighted average reference period.

**Or**Achieve compliance with this notice by any other equally effective means.Guidance on The Control of Substances Hazardous to Health Regulations 2002 (as amended) is contained in the HSE publication “The Control of Substances Hazardous to Health Regulations 2002 (as amended) Approved Code of Practice and Guidance” L5. This can be downloaded free at: www.hse.gov.uk/pubns/priced/l5.pdfYou may also find the HSE publication “EH40/2005 Workplace exposure limits” ISBN 9780717664467 helpful. This can also be downloaded free at: www.hse.gov.uk/pubns/priced/eh40.pdf |

**POSSIBLE WORDING FOR PROHIBITION NOTICE**

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| **Example 1:****Hereby give you notice that I am of the opinion that the following activities, namely:**The burning of charcoal inside your premise**Involves, or will involve, a risk of serious personal injury, and that the matters which give rise to the said risks are:**There is a serious risk of carbon monoxide poisoning, which results in symptoms such as * headaches
* dizziness/tiredness
* sickness
* weakness
* confusion
* and where levels are sufficiently high, suffocation and death

**and that the said matters involve contraventions of the following statutory provisions:**Health and Safety at Work etc Act 1974, section 2(1) and section 3(1)The Control of Substances Hazardous to Health Regulations 2002 (as amended), Regulation 7(1).**Because**The carbon monoxide levels indicated from monitoring over the period xxxxxx to xxxxxxx exceed the Workplace Exposure Limits set out in EH40/2005.**Example 2:****Hereby give you notice that I am of the opinion that the following activities, namely:**The burning of charcoal in the basement for the purposes of serving shisha pipes for smoking.**Involves, or will involve, a risk of serious personal injury, and that the matters which give rise to the said risks are:**There is a serious risk of carbon monoxide poisoning, which results in symptoms such as * headaches
* dizziness/tiredness
* sickness
* weakness
* confusion
* and where levels are sufficiently high, suffocation and death

**and that the said matters involve contraventions of the following statutory provisions:**Health and Safety at Work etc Act 1974, section 2(1) and section 3(1)The Control of Substances Hazardous to Health Regulations 2002 (as amended), Regulation 7(1).**Because**the burning of charcoal within the enclosed basement has produced sufficient levels of carbon monoxide gas to cause serious ill-health to your employees and patrons. This is demonstrated by the incident that occurred on , where patrons using your premises were taken to hospital suffering from carbon monoxide poisoning.  |