



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

h&f
hammersmith & fulham

 Health & safety

 Fire safety

 Smoking

 Food safety

 Trading laws

 Licensing

 Pest control

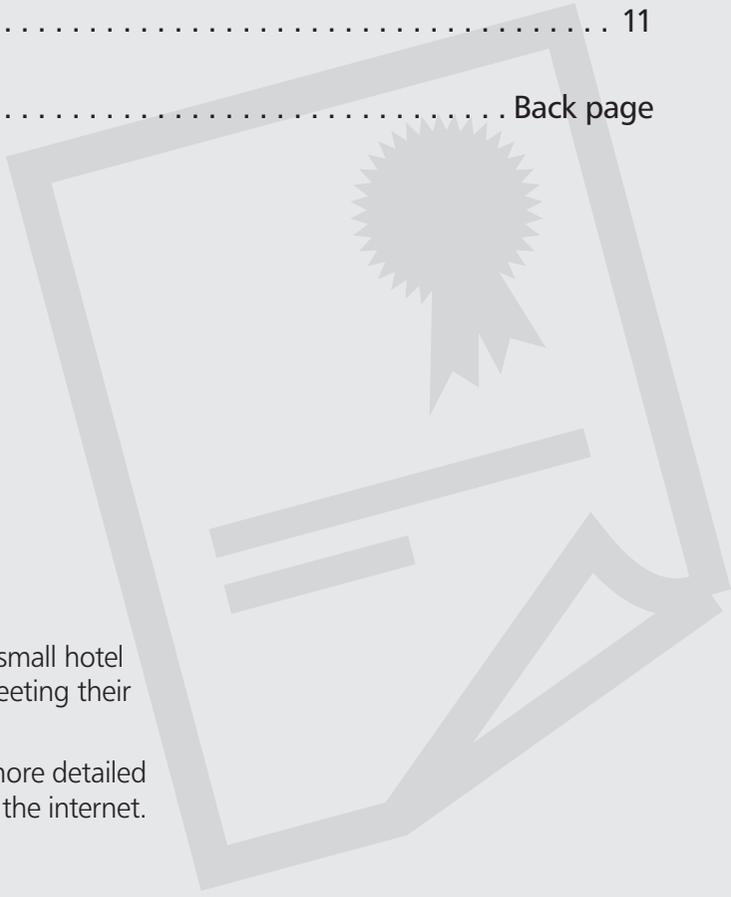
The Good Hoteliers guide for Hammersmith & Fulham and Kensington & Chelsea

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This guide is aimed at the small hotel owner to assist them in meeting their legal requirements.

Each section has links to more detailed guidance available free on the internet.



Health and safety policy

If you employ five or more employees in your business you must produce a health and safety policy. The HSE booklet 'An Introduction to Health and Safety' gives further advice on the requirements and provides a template suitable for use by small businesses to produce their policy.

 [hse.gov.uk/pubns/indg259.pdf](https://www.hse.gov.uk/pubns/indg259.pdf)

Risk assessment

Health and safety legislation requires that a suitable and sufficient risk assessment is carried out of the hazards in your workplace that have the ability to cause harm to employees, hotel guests and others who might be present on the premises. The HSE booklet Five Steps to Risk Assessment gives further advice on the requirements.

 [hse.gov.uk/pubns/indg163.pdf](https://www.hse.gov.uk/pubns/indg163.pdf)

Electrical safety

Electrical installations should be tested regularly to reduce the risk of deterioration leading to danger. You should have your electrical installation inspected and tested by a competent person, for example a member of the Electrical Contractors Association (ECA) or The National Institute Contractors for Electrical Inspection Council (NICEIC).

Your arrangements for electrical safety should also include the testing of portable appliances such as kettles, lamps and televisions provided for the benefit of guests. The HSE leaflet 'Maintaining Portable Electrical Equipment in Hotels and Tourist Accommodation' gives more details.

 [eca.co.uk/](https://www.eca.co.uk/)

 [niceic.org.uk](https://www.niceic.org.uk)

Gas safety

The Gas Safety (Installation and Use) Regulations 1998 requires that gas installations including appliances and pipe work are maintained in a safe condition. It is recommended that regular inspections are carried out by a 'Gas Safe' (formerly CORGI) engineer.

 [gassaferegister.co.uk](https://www.gassaferegister.co.uk)

For gas leaks and other emergencies call **0800 111 999**.



Legionella control

Hotels usually provide a large number of showers and for that reason your risk assessment should consider the risk from legionella bacteria. These bacteria can grow in water tanks and pipe work in buildings if water is not stored and distributed correctly. Legionnaires' disease is caused by inhaling fine droplets of water infected with the legionella bacteria.

The risk is usually controlled by ensuring that hot and cold water are stored at the correct temperatures in covered tanks and by the regular disinfection and descaling of shower heads. Further information can be found in the HSE's leaflet Legionnaires' Disease-Essential Information for Providers of residential accommodation.

 [hse.gov.uk/pubns/indg376.pdf](https://www.hse.gov.uk/pubns/indg376.pdf)

Duty to manage asbestos

If you own or manage a hotel you have a duty to manage asbestos that may be present in the building. The HSE booklet 'Manage Buildings? You Must Manage Asbestos' gives further guidance on the requirements.

 [hse.gov.uk/fit3street/asbestosleaflet.pdf](https://www.hse.gov.uk/fit3street/asbestosleaflet.pdf)

Work at height

The Work at Height Regulations 2005 apply to all work at height where there is a risk of a fall liable to cause personal injury. You should consider all work practices in your risk assessment that might involve work at height such as cleaning, especially window cleaning and maintenance operations.

The use of a ladder can only be justified for low risk operations where the works are of short duration or the existing features of the site cannot be altered.

 [hse.gov.uk/pubns/indg401.pdf](https://www.hse.gov.uk/pubns/indg401.pdf)

Falls from Height

Your risk assessment should also consider possible falls from height from windows etc. by vulnerable occupants, for example children.

Where the risk exists, it is recommended that window restrictors are fitted limiting window openings to 100mm on all openings above ground floor level.

Fire risk assessment

The Fire Authority no longer issue fire certificates for premises. Instead, fire safety has adopted the approach of risk assessment. A number of guides are available on how to carry out a fire risk assessment which describe the means of detection of a fire, the methods of raising the alarm, the types of fire fighting equipment, exit routes, lighting, signage, and the maintenance and testing of equipment. The guide applicable to hotels and guest houses is 'Fire Safety Risk Assessment - Sleeping Accommodation' (ISBN 978 1 85112 8174). This can be downloaded free.

 communities.gov.uk/documents/fire/pdf/151339.pdf

Further guidance on fire safety arrangements for people with disabilities is also available in a supplementary document 'Means of Escape for Disabled People' (ISBN 978 1 85112 8737), which can be downloaded free.

 communities.gov.uk/documents/fire/pdf/322721.pdf

To help you carry out a fire risk assessment, the tourism organisation 'Visit England' has commissioned a simple fire risk assessment template to help smaller businesses. You must read the information in the template carefully and ask yourself the questions

it suggests in order to identify any risks. This will help you form an action plan and when those actions have been dealt with record the date this was done.

This template will help you follow the recognised steps in conducting a fire risk assessment and showing compliance with the legislation. This is not the only way to show compliance with the Fire Safety Order, however, for most smaller properties it should be sufficient and will enable records of the 'significant findings' to be made.

 www.visitengland.org.

For further advice on fire safety contact:

London Fire Brigade

190-192 Shepherds Bush Road,
Hammersmith, London W6 7NL

T 020 8555 1200 ext 54800

E hfgroup@london-fire.gov.uk

Kensington & Chelsea Fire Safety Group

3rd Floor, Kensington Fire Station,
13 Old Court Place, London W8 4PL

T 020 8555 1200 ext 54800

E kcgroupp@london-fire.gov.uk



Smokefree legislation

The Health Act 2006 made smoking illegal in most enclosed or substantially enclosed workplaces and public premises and required signage to that effect to be displayed at the entrances to these premises.

Regulations made under that Act allow for certain rooms in hotels and guest houses to become 'designated bedrooms', exempt from the smoke-free requirements. Designated bedrooms must be designated in writing by the person in charge of the hotel. They must be totally enclosed from the rest of the building with a self-closing door and marked as a room where smoking is permitted.

From 1 October 2011, vending machines must not be used by public (but could be used by staff behind a bar for example) AND must have all tobacco advertising removed. The machines need not be removed but should be empty if accessible by public.

Also from 6 April 2012, the law will change on the display of tobacco products and of the display of the prices of tobacco products. It will be illegal to display tobacco products except in the limited circumstances set out in the new law.

For more information refer to:

 <http://smokefree.nhs.uk/resources>



Food safety regulations

The most important food hygiene regulations for your business are:

- Regulation EC no. 852/2004 on the hygiene of foodstuffs.
- Regulation EC no. 178/2002 General Food Law.
- The Food Hygiene (England) Regulations 2006.

These set out the basic requirements for all aspects of your business, from your premises and facilities to the personal hygiene of your staff.

Registering your business

During the course of our inspections we often find businesses that have changed ownership but have not notified us. It is a legal requirement to tell us if this is the case and within 28 days of this occurring.

This also applies if you have changed the type of foods that you produce for example from a continental breakfast to a traditional cooked breakfast or evening meals.

The good news is that there is no charge for registering your business.

You can apply online. See contact page for details.

food.gov.uk

Fats, oils & grease (FOGS)

The Environmental Protection Act 1990, section 34 places a duty of care to ensure that any waste that you produce is handled safely and within the law. Any waste from commercial premises is classified as controlled waste. You must be able to provide evidence of your trade waste contract, waste carrier licenses and/or waste transfer notes for controlled waste including waste oil. Officers can serve a legal enforcement notice requiring this information and failure to produce could result in the service of a Fixed Penalty Notice (currently £300) or prosecution (£5,000 or on indictment, an unlimited fine).

How to avoid blocked drains?

- **Remove** FOGs from equipment, plates and the floor prior to washing. This can be achieved by scraping with a disposable cloth, using brooms on the floor to sweep up debris, or use spatulas to scrap the inside and outside of pots and pans. All scrapings and cleaning materials must be disposed of in your controlled waste.
- **Contract:** If you do not have a waste oil collection arrangement please contact the commercial services team who can provide a list of licensed collectors. If you do not have a trade waste agreement, See the back page for details.



Food safety

- **Storing oil:** the oil storage area must be properly protected from leaks and spillages and kept a suitable distance from drains to avoid leakages into the drains. A secure container with a lid should be used to discourage vermin.
- **Consider** using a grease trap. Water passes through the trap and FOGs float to the top which can be collected regularly and disposed of without entering the drains. The trap must be regularly maintained.

Food Safety – Control rats, mice, cockroaches

(EC) 852/2004 lays down general hygiene requirements for all food business operators and states that the layout, design and construction of food premises are to permit good food hygiene practices including protection from contamination and pest control.

Safer food, better business

Safer food, better business (SFBB) is an innovative and practical approach to food safety management. It has been developed to help small businesses put in place food safety management procedures and comply with food hygiene regulations.

The packs include an introduction to food hygiene 'Working with food? What you need to know before you start' and a DVD guide, available in 16 different languages, which have been produced to help food businesses implement SFBB and train staff on SFBB. The guide can be viewed online at food.gov.uk/sfbtraining or you can download a copy to your computer.

If you would like to order an SFBB pack guide, call Food Standards Agency Publications on 0845 606 0667 or email foodstandards@ecgroup.co.uk.

A pack has been developed by the Food Standards Agency, working with catering businesses, to be practical and easy to use. Using this pack will help you to:

- comply with food hygiene regulations
- show what you do to make food safely
- train staff
- protect your business's reputation
- improve your business, such as by wasting less food.

Topics covered by the pack are as follows:

Safety management procedures

Cross-contamination

- Personal hygiene
- Cloths
- Separating foods
- Pest control
- Maintenance
- Food allergies
- Physical and chemical contamination

Cleaning

- Cleaning effectively,
- Clear and clean as you go and your cleaning schedule

Chilling

- Chilled storage and display
- Chilling down hot food
- Defrosting and Freezing

Cooking

- Cooking safely
- Foods that need extra care
- Reheating
- Checking your menu,
- Hot holding and ready-to-eat foods

Management

- Opening and closing checks
- Extra checks
- Prove it
- Training and supervision
- Customers
- Suppliers and contractors
- Stock control
- Product withdrawal and recall
- Safe method completion record

Diary

- Introduction
- Staff training record
- Suppliers' list
- Cleaning schedule
- Contact list
- Prove it records
- Diary / four-weekly review



Accurate descriptions

You want to maximise your business marketing to the right customers, but descriptions of services, accommodation or facilities must be accurate. This includes any indications of the provision, nature, location and time of any services, accommodation or facilities provided. A description can be given verbally, in writing, by illustration or by implication. It may appear in websites, brochures, etc.

Correct prices

The price of rooms should be made known to potential customers, as should the price of any service offered, such as access to TV channels. Such prices should include VAT or any automatically added service charge.

You must make it clear if meals are included in the room price. A list of prices (inclusive of service charges and VAT) should be prominently displayed where customers could order food or drinks (for example in the room when using room service or a mini-bar). If you charge more than your advertised price, this is likely to be an offence. If you have a bar selling wine or certain spirits they must be sold in specific quantities.

Membership and claims of approval

Ensure any claim of membership of, or approval by, an organisation used for commercial advantage by your business is true and authorised by them. You can only display any form of trust or quality mark, or equivalent logos, if your business has been allowed to do so.

Website management

Your website is your selling window. You must declare who the business owner is and give a physical contact address. Statements must not mislead. An omission could be regarded as misleading if the consumer would not have booked had they known of the omitted information at the time of booking. Examples may include renovation works taking place at a particular time.

If you process booking payments through the website there are some specifics you need to follow:

- Display the steps to consumers of how a contract is completed prior to booking.
- Ensure terms and conditions are clear and easily available.
- Clearly describe how consumers can correct/amend details prior to contract completion if they have made an error.

- Inform consumers how their booking and payment details shall be handled by your business.
- Your VAT number must be displayed.

Where food is provided

You must not falsely describe food, or mislead as to the nature, substance or quality of the food being served. An example of misdescribed food would be food described as home cooked which was factory produced. An example of food of a misleading nature would be watered down whisky. There are specific requirements in relation to the indication of genetically modified and irradiated foods.

Bedroom furniture and equipment supplied

All bedding and furniture supplied in your rooms must be fit for purpose and fire-resistant. Equipment supplied must be safe, for example an electric kettle or hairdryers must satisfy the electrical safety requirements; for non-electrical accessories these must not present a reasonably foreseeable danger to a user.

Unfair competition

There are laws in place to protect your business by prohibiting misleading business-to-business advertising. These also restrict how businesses compare their products with competitors. Take care with any marketing you may carry out should you compare your facilities, accommodation and services.

Cancellation fees

Visit England strongly recommend all accommodation providers to have a cancellation procedure in order to avoid any problems with cancellation, curtailment and no-shows. This should be made clear on any publication, advertisement or website.

If a guest cancels a booking or checks out early, they are in breach of the booking contract they have with proprietors. If a proprietor cancels a booking that you have already accepted, the proprietor is in breach of contract.

Useful websites

 [askcedric.org.uk](https://www.askcedric.org.uk)

 [bis.gov.uk](https://www.bis.gov.uk)

 [oft.gov.uk](https://www.offt.gov.uk)

 [opsi.gov.uk](https://www.opsi.gov.uk)



Premises licences

The supply of alcohol is one of the licensable activities operated by the council under The Licensing Act 2003. Application forms for a Premises Licence can be downloaded from the council's website.

The sale of alcohol also requires a Designated Premises Supervisor to be specified who must also hold a Personal Licence. Other licensing activities under that Act include the provision of music, dancing, entertainments and the late night sale of refreshment.

Massage and special treatments

If the hotels have a spa, sauna, steam bath or/and carry out beauty treatments, they must be licensed by the council, under the London Local Authorities act 1991. It is an offence for special treatments to be carried out without a special treatments licence. The therapists, including mobile therapist must also be registered with the local council.

Temporary Event Notice (TEN)

If you wish to hold an ad-hoc event in England or Wales, you must give a temporary event notice (TEN) to your local licensing authority no later than ten working days before the event. If the premises where the event is to be held is in areas governed by two or more local authorities applications must be made to each.

Unless you submit an electronic application you must also give a copy of the notice to the police no later than ten working days before the event.

You must be 18 years or older to give a TEN and can give a maximum of five TENs per year. If you are a personal licence holder, you can give a maximum of 50 TENs per year.

Your event must involve no more than 499 people at any one time and last no more than 96 hours with a minimum of 24 hours between events.

Please see contact page on how to apply.

Pest minimization and pest proofing are important steps to reducing the risks to public health and to safe guarding high quality hospitality/ accommodation services. There is a need for managers of hotels and other hospitality accommodation to take into account pest infestation and ensure that accommodation is pest proofed so that they do not create conditions which create or support infestations.

Bed Bugs

Bed bugs can be found anywhere. They do not carry disease however the bites are irritating. A few people may develop severe allergic reactions and most guests will be aggrieved that their room is infested. If not properly controlled the bed bugs may spread through the building. Eradication of an establishment may be both time consuming and costly.

Occasionally, guests may bring bed bugs into your hotel unintentionally. Nothing can reasonably be done to prevent this. The potential for bed bug infestation occurring at your premises can be significantly reduced by:

- Using metal bed frames
- Avoiding the use of valences
- Having tight fitting skirting boards, electrical sockets and wall paper, etc.

- Filling gaps between pipes, ducting, trunking, etc.
- Ensuring that headboards, cupboards, etc. are easily removable for inspection
- Ensuring that cleaning guest rooms includes vacuuming all floor surfaces in rooms including under furniture
- Ensuring that dirty linen from rooms is placed directly into bags
- Ensuring that the linen from infested rooms is handled and washed separately and/or disposed of
- Ensuring that linen is washed at 60 Centigrade to kill bugs

Owners or managers of accommodation are expected to have a professional pest control company check the premises regularly and treat infestations which may arise.

The Council provides a pest control service, see contact page for details.



Useful contacts

Hammersmith & Fulham

www.lbhf.gov.uk

Commercial Services team

(Food/Health & Safety)

T 020 8753 1081

E commercialservices@lbhf.gov.uk

Trading Standards

T 020 8753 1081

E trading.standards@lbhf.gov.uk

Licensing Team

(premises licences/TENs/MST applications)

T 020 8753 1081

E licensing@lbhf.gov.uk

Pest Control

T 020 8753 1081

E environmentalprotection@lbhf.gov.uk

Trade waste agreements

T 020 8753 3021

E tradewasteemails@lbhf.gov.uk

Royal Borough of Kensington & Chelsea

www.rbkc.gov.uk/

Food Safety Team

T 020 7361 3002

E environmentalhealth@rbkc.gov.uk

Health and Safety and Trading Standards Team

T 020 7361 3002

E environmentalhealth@rbkc.gov.uk

E trading.standards@rbkc.gov.uk

Public Health Training Service

T 020 7361 3002

E publichealth.training@rbkc.gov.uk

Licensing Team

T 020 7341 5152

E licensing@rbkc.gov.uk

Pest Control

T 020 7361 3002

E pestcontrol@rbkc.gov.uk

Trade Waste Agreements

T 020 7341 5106

E commercial.waste@rbkc.gov.uk

Kensington & Chelsea Fire Safety Group

3rd Floor, Kensington Fire Station,
13 Old Court Place, London W8 4PL

T 020 8555 1200 ext 54800

E kcgroupp@london-fire.gov.uk

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