Same Building, Shared Duties

Compliance Checklist for Tenants in a Shared Commercial Office Building

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> *This checklist is a practical companion to the Same Building, Shared Duties guidance note. It is not exhaustive and does not constitute legal, financial or insurance advice; use it to structure a review, and consult a solicitor, insurance broker or accountant to confirm a position for your specific business, workplace or lease.*

1. Employer Obligations

	Item	Reference / Notes
☐	A health and safety policy exists and is actively managed (written, if 5 or more employees).	HSWA 1974
☐	A risk assessment has been carried out and documented, and is reviewed as circumstances change.	Management Regs 1999
☐	A fire risk assessment has been carried out, and the "responsible person" for your own demise is identified.	RR(FS)O 2005
☐	Staff have received induction, information, instruction and training appropriate to their role.	HSWA 1974
☐	A process is in place to report notifiable incidents to the HSE within the required timescales.	RIDDOR 2013
☐	Reasonable adjustments and anti-discrimination duties are understood and applied.	Equality Act 2010
☐	Written statements of employment particulars, minimum wage and working time duties are up to date.	Employment law
☐	Eligible staff have been assessed and enrolled into a workplace pension scheme.	Auto-enrolment

2. Insurance

	Item	Reference / Notes
☐	Employers' liability insurance is held at a minimum of £5 million, from an FCA-authorised insurer.	EL(CI) Act 1969
☐	The employers' liability certificate is displayed or accessible to staff, and retained for 40 years.	EL(CI) Act 1969
☐	Public liability insurance is held, appropriate to visitors and third parties on your premises.	Best practice / lease
☐	Professional indemnity insurance is held, if your business provides advice or professional services.	Best practice / contract

☐	Contents and business interruption insurance covers your own fit-out, equipment and lost income.	Best practice
☐	Cyber insurance has been considered, particularly if you hold customer data.	Best practice
☐	You know whether you pay the buildings insurance premium in full or as a service charge share.	Lease terms

3. Lease Obligations

	Item	Reference / Notes
☐	You have a schedule of condition recording the premises' state at the start of the lease.	Lease negotiation
☐	Your repair covenant (e.g. “put and keep in repair”) and its scope are understood.	Lease terms
☐	It is clear whether damage from an insured risk falls to the insurance policy, not your repair covenant.	Lease terms
☐	You know who is the “responsible person” for fire safety in shared and common areas.	RR(FS)O 2005 / lease
☐	Restrictions on alterations, use, assignment or subletting are understood before you act.	Lease terms
☐	The insurance premium apportionment method (single-let vs multi-let) is confirmed in writing.	Lease terms

4. If Your Organisation Has Fewer Than 5 Employees

	Item	Reference / Notes
☐	Your health and safety policy need not be written down, but still exists and is actively managed.	HSWA 1974
☐	A first-aid needs assessment has been carried out, and an appointed person (or trained first-aider, if warranted) is in place.	First-Aid Regs 1981
☐	You understand you do not need an accident book unless you have more than 10 employees, or occupy a mine, quarry or factory.	House H&S KB
☐	You have satisfied yourself, rather than assumed, that the landlord's fire evacuation arrangements are adequate for your staff.	RR(FS)O 2005

5. If You Are Planning a Fit-Out, Refurbishment or Maintenance Work

	Item	Reference / Notes

☐	You have checked whether the work counts as “construction work” under CDM 2015 (including some higher-risk cleaning).	CDM 2015
☐	You have established whether more than one contractor will be on site.	CDM 2015, Reg 5
☐	If so, a principal designer and principal contractor have been appointed in writing before work starts.	CDM 2015, Reg 5
☐	Contractor competence has been checked before appointment, not after.	CDM 2015, Reg 8
☐	Pre-construction information (drawings, asbestos register, occupied-area constraints) has been provided.	CDM 2015
☐	A construction phase plan is in place before work starts, proportionate to the size of the job.	CDM 2015, Reg 12
☐	A health and safety file is being kept and will be handed on for future works.	CDM 2015, Reg 12

Next Review Date

Compliance obligations, thresholds and figures in this checklist should be re-verified periodically, since UK employment, health and safety, insurance and property law are amended and consolidated regularly. Record the date of your next review below.

Reviewed by	Next review date