

Occupational health and safety inspections

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1. Purpose

This procedure governs NH Italia spa conduct during **health and safety** inspections or site visits.

2. Objective scope of application

The procedure applies to occupational health and safety inspections which are carried out mainly by the following supervisory and control bodies:

- **ASL** (technicians qualified as Judicial Police Officers which because of legislative provisions, are not required to announce the inspection and may act independently or on a judge's behalf);
- **Provincial Labour Office** (Inspection Office);
- **National Fire Department,**
- **Judicial authority in occupational health and safety cases.**
- **Private certification or control bodies** appointed by NH Italia¹

3. Subjective scope of application

The "**Recipients**" must follow the procedure, as defined in the NH Hotel Group's Code of Conduct, who have a role or are involved in inspections include:

- Hotel Director or their delegated hotel staff,
- Hotel maintenance staff,
- Prevention and Protection Service (HR Department),
- Head of Projects & Construction or their delegated Department personnel.

4. Regulatory reference

The applicable legislation refers to Legislative Decree No. 231/2001. 81/08.

Relations with Public Administration are "sensitive processes" (under Legislative Decree No. 231/2001) due to the implicit possibility of committing crimes against the Public Administration. The "*Public Administration Relations Management*" Procedure must be applied during all relations with these subjects.

5. Definitions and acronyms

ASPP: Prevention and Protection Service Officer.

¹ The procedure to be followed with these private entities is shown in paragraph § 16.

Building: Project Construction & Engineering Department.

Corporate: NH Hotel Group, Parent Company.

Public bodies: entities that carry out "State or Public Bodies activities" are considered as being "Public Administration."

Inspectors: Staff employed by their own inspection body.

NH Hotel Group: Group of companies to which NH Italia Spa belongs.

NH Italia: NH Italia Spa

Facility Management: Unit of the Operations Department that carries out hotel facilities and infrastructure routine maintenance and management.

PA: Public Administration.

PC&E: Project Construction & Engineering Department

Company: NH Italia Spa.

Recipients: NH Italia Employees, Trainees, Executives, Governing and Supervisory body members, Customers, Suppliers, Shareholders and any other interest group bound by the Code of Conduct.

Liabe Subjects: NH Italia Employees, Trainees, Executives, training and supervisory body Members, excluding Customers, Suppliers, Shareholders and any other interest groups.

Third Parties: Suppliers, Professionals, Freelancers, Agencies and Partners operating for NH Italia or on its behalf.

6. NH Italia reference procedure

The following procedures are related to this procedure:

- Public Administration Relations Management.

7. Inspection personnel rights and obligations

NH Italia's facility supervisory and control officers must:

- Present an identification document issued by the body or agency to which they belong²;
- Present a criminal proceedings inspection order for which a Judicial inspection is being carried out³;
- state the visit's purpose and subject;
- conduct the inspection in a manner to cause the least possible disturbance to the activities carried out by the inspected entities, considering the inspection's purpose and requirements;
- take a confidentiality obligation on information concerning the production and work processes of which they become aware during the inspection;

² Not applicable for private parties.

³ See footnote 1.

- draw up an inspection report.

The inspection personnel shall be authorised to⁴:

- access NH Italia facilities;
- request data, information, documents necessary for the performance of their duties;
- carry out inspections and audits;
- prepare evidence, descriptive and photographic surveys;
- take samples;
- take copies of documents of interest;
- sanction any omission or act aimed at preventing or unequivocally hindering the supervisory activity.

8. Preparation for inspection

Inspections by public authorities usually take place without prior notice, which is why it is necessary to name the person authorised to receive and talk to the inspectors:

- The hotel manager is delegated for hotel inspections,
- the Employer and the HR Department - Prevention and Protection Service in collaboration with the Project Construction & Engineering Department are representatives for Milan and Valdagno inspections.
- For hotel inspections, the Manager may identify a team to follow the inspectors during the inspection. The team could include:
 - The hotel manager because they are in charge of security,
 - The Duty Manager ⁵,
 - the Workers' Safety Representative (RLS),
 - the hotel's maintenance contact person,
- The hotel team is supported by the central departments:
 - Prevention and Protection Service (HR Department),
 - Head of Projects, Construction & Engineering.
 - Maintenance & Environment.
- If the hotel Manager is unavailable, the place shall be taken by the Duty Manager, if any, or hotel staff appointed by the Hotel Manager.
- Create and keep up to date an electronic archive (CD) and a register of controls, in which all hotel or relevant office documentation (inspections, accidents, audits,

⁴ Only partially applicable for private parties.

⁵ A temporary office assigned to a hotel employee in their absence.

appointments, delivery of equipment, etc.) is kept. The archive must contain the documents that the company is required for legal compliance (e.g. complaints and authorisations), a Risk Assessment Document and its annexes, and previous inspection minutes.

- Give instructions to the reception staff so that, when the Inspectors arrive, the Manager or those delegated must be notified at once.

9. Arrival of inspectors

The staff in charge of receiving the inspectors must:

- ask the inspectors to present the identification document issued by the body to which they belong and note the details. If they do not have an identification card, access to NH Italia facilities cannot take place,
- verify whether there is any measure authorising the inspection (except in the case of a search where a report or warrant must be shown);

In the absence of the Employer or the Hotel Manager or the Duty Manager, staff indicated in point 8 may ask the Inspectors to wait for their arrival. These can:

- decide to wait;
- decide to start the inspection. They cannot be stopped (it is an offence to resist a public official or to interrupt a public service).

10. Inspection Start

At the start of the inspection, the hotel Manager or those delegated must:

- establish their credentials and explain their role to the inspectors;
- examine the order authorising the inspection, if any, and obtain a copy;
- ensure that the inspectors supply information on the rights and obligations of the inspected persons;
- provide inspectors with a separate room that does not have confidential business documents;
- ask the inspectors the reason for the visit and the subject of the inspection, the procedure they intend to follow and the documents they intend to examine or photocopy;
- based on the information gathered, decide whether to manage the visit independently or to set up a team to assist the inspectors, involving the department heads;
- with the Legal Affairs Department, the Prevention and Protection Service (HR) and the Projects, Construction & Engineering and Maintenance & Environment Departments assess the need for an external consultant or lawyer. This will be needed when the inspection is carried out as part of criminal proceedings (such as searches or seizures); the absence of an external lawyer or consultant does not, however, prevent the continuation of the inspection or affect its validity;
- warn the Doctor of any health checks; keeping in mind that medical records are covered by the confidentiality obligation and the Doctor is responsible for their management and

storage. If the Doctor is unable to attend, they must be called by the inspecting authority later.

11. The inspection

The hotel Manager or those in charge, during the visit, must:

- always accompany with the Inspector. If the Inspectors are split up, each group is accompanied by a delegated and expert employee (if the Inspectors judge the presence of an employee to be an obstacle to their work, the Inspectors have the power to proceed with the activity on their own);
- provide the inspector with personal protective equipment, where necessary, to access areas of risk;
- take note of all the places visited and the material examined. Make photocopies of the requested documents and those seized by the public inspectors. The documents must be photocopied by the company personnel (not by the inspectors) twice, one of which is for internal use (see below);
- provide all the requested information, or identify the person best-placed to provide it;
- take note of all the information requested and the answers given;
- always ask for any clarifications, if necessary;
- make explicit any objections to the public inspectors' work,
- not use a business secret justification to avoid or hinder the audit and control.

Public inspection personnel must perform their duties impartially, objectively, efficiently, professionally, and transparently, and must comply with standards of honesty and integrity, and their work must not in any way be influenced by personal and financial interests. The Inspectors' activity may not be hindered unless they carry out manifestly illegitimate acts (e.g. the Inspectors may not carry out searches on persons on their own initiative, except in the case of flagrante delicto).

During the visit, all company personnel must:

- not remove, alter or hide any documents;
- maintain an attitude of calm, courtesy, availability, and cooperation with the inspectors;
- avoid being obstructive towards the Inspectors.

If there is an information request:

- all information relating to business processes, including measurements and analytical data, may be requested where available;
- only perfectly clear and comprehensible questions should be answered in a short and concise manner;
- it is absolutely essential to avoid giving incorrect or incomplete answers if they are unsure about the inspector's questions. Instead, it is better to ask for a written request for information to be issued;

- if the request is unclear, ask the inspector to reformulate it more precisely so that there is no doubt as to its interpretation;
- not to spontaneously supply unsolicited information.

If the inspectors request documents or other data:

- make electronic archive documentation held by the Manager and the "register of controls" available, except for the health documentation which management is entrusted to the Doctor;
- ensure that public inspectors can obtain copies of the documents examined, by making available to them a staff member who will handle photocopying;
- make a further copy of each photocopied document for the inspectors and attach it to the final report;
- indicate on any copy not intended for inspectors where the original was found;
- number the pages to help future correspondence;
- verify that all the photocopied documents for the inspectors correspond to all the copies held;
- not to spontaneously supply unsolicited documents.

12. Inspection or audit report

At the end of the inspection, the public inspectors issue a report in which they acknowledge the inspection visit. They can issue a report containing warnings or forbidding or requiring action (within a certain period). They can ask for copies of documents or material.

In the case of a product withdrawal, and an acquisition of documentation, the inspectors, must draw up a report which must refer to the regulation that allows the verification of the legitimacy of the inspection and compliance with the official method by the public inspection bodies involved.

Records of the documents copied and given to the public inspectors and product samples they took must be kept.

These records must be drawn in a complete and detailed manner and must contain the following:

- the date and place of the visit;
- the details of those responsible for the verification, the product owner or holder, the judicial police officer and any other person who may have been involved;
- reasons for a fine and the execution of any seizure;
- any observations made by the interested party (which in our case is the Hotel Manager);
- a statement about any refusal to sign;
- the signatures of the public inspectors and the delegated Manager (Hotel Manager).

The records must be drawn up in two original copies, one of which must be issued to the person concerned, the Hotel Manager or another delegated Manager, who are authorised to sign the report in NH Italia's name.

A copy of the report must be sent to the relevant Department, and if it contains a warning, it must be evaluated by the department involved in the action to be taken. (Identifying the relevant Department can help you to find useful information).

It is good practice to have the name, telephone number and fax number of the Public Inspectors.

The public inspection personnel is authorised to:

- enter every Company room (hotels, offices, facilities, warehouses).
- request data, information, documents necessary for the performance of their duties;
- carry out inspections and audits;
- prepare evidence, descriptive, and photographic surveys;
- take samples;
- take copies of documents of interest;
- sanction any omission or act aimed at preventing or unequivocally hindering the supervisory activity.

In the case of administrative checks, if the report is sent after the visit, it must be confirmed that the 90 day-period prescribed by the regulations has not expired.

13. End of the visit

The Hotel Manager or the delegated Managers indicated in the previous points must:

- immediately inform Legal Affairs, the prevention and protection service and the Projects, Construction & Engineering and Maintenance & Environment departments, in the event of any allegation of administrative offences;
- prepare an Internal Inspection Report, to be submitted to Legal Affairs, the prevention and protection service and the Projects, Construction & Engineering and Maintenance & Environment departments, attaching a copy of the report and all documentation acquired or photocopied during the visit. The report must include the name of the inspectors, places visited, documents viewed and the information requested;
- explain, in the report, any differences of opinion with the official;
- list any violations found and risks for the company.

14. Fire brigade inspection visits

Fire Brigade inspections are required for a Fire Prevention Certificate (CPI) application. The document is held by the hotel Manager or the maintenance contact person with the support of Facility Management (Operations Department) which handles routine maintenance. Facility Management keeps the register of fire extinguisher maintenance, the register of fire detection systems maintenance, heating systems and elevators.

In the absence of a CPI, there is a CPI request or adaptation project, which is managed by the PC&E Department, which appoints external consultants for the fulfillment. Therefore, if there is a visit by the Fire Brigade, the production of the relevant documentation is PC&E responsibility.

15. Temporary or mobile construction sites

Application and compliance with Title 4 of Legislative Decree 81/08 ("Temporary and mobile construction sites", hereafter construction sites) is the Building Department's responsibility. A DUVRI (risk from interference assessment document) must be developed for works requiring more than two people a day, (art. 26 of Legislative Decree 81/08).

INAIL and Labour Inspectorate may carry out inspections on construction sites where NH Italia is the customer, for maintenance work which has a different nature from the chain structures. The Project Construction & Engineering Department appoints its own Project Manager to manage the site.

For routine maintenance on hotel structures, which management is the hotel's responsibility, there is no request or verification by the Project Construction & Engineering Department regarding health and safety at work compliance (legislative Decree. 81/08).

In other cases (restructuring, extraordinary maintenance), compliance with Legislative Decree 81/08 for safety on construction sites (PSC - Safety and coordination plan, POS - Operational Safety Plan, the appointment of CSE - Safety Execution Coordinator, DL - Works Management) and the contribution payment situation (DURC) are entrusted by assignment to third parties. The Project Manager performs checks on such compliance.

16. Visits by NH Italia appointed inspectors to verify compliance with Legislative Decree 81/08

NH Italia may appoint private third parties to conduct voluntary checks (audits) using "**Designated Inspectors**" to determine NH Italia facilities' degree of compliance with legislative decree 81/08.

In this case, the hotels must follow these **instructions**:

- For hotel inspections, the Director may identify a team to follow the appointed inspectors during the inspection, as described below. The team usually must identify:
 - The Employer's delegated hotel Manager,
 - the Duty Manager ⁶,
 - the Maintenance Manager
 - the Workers' Safety Representative (RLS).

⁶ Temporary office assigned to an employee of the hotel in their absence.

- Without a hotel manager, the duty Manager, or the maintenance manager, referred to as "delegated Managers" will be responsible.
- At the start of the inspection, the hotel Manager or the delegated managers must:
 - make a separate room available to the appointed inspectors that does not contain confidential business documents;
 - ask the appointed inspectors for the visit purpose and subject of the inspection, the procedure they intend to follow and the documents they intend to examine or photocopy;

The Employer, Hotel Manager or the those in charge, during the visit, must:

- ensure that if appointed inspectors are split up, each group is accompanied by a delegated employee);
- provide the inspectors with the personal protective equipment necessary, to access a areas that presents particular risks;
- supply all the information requested or identify the best-placed person to provide it.

At the end of the inspection, the appointed inspectors issues an (audit) report in which they show the findings and evidence of the inspection visit.

If the appointed inspectors find non-conformities, anomalies or non-compliance with Legislative Decree 81/08, the hotel Manager or the internal personnel delegated to accompany the verification may:

- ask for any clarifications,
- register any complaints against the alleged non-conformities.

It is necessary to verify the full and detailed compilation and the content of the audit reports which must contain:

- the audit date and place;
- the audit subjects,
- the details of the inspectors in charge and the contact person in charge of the hotel,
- a description of any non-conformities or anomalies,
- a record of any observations made by the Hotel Manager or other delegated Manager on non-conformities or anomalies;
- an "action plan" showing the timing and the hotel managers responsible for remedying any non-conformities or anomalies detected by the inspectors,
- the signatures of the appointed inspectors and the Hotel Manager or another delegated Manager.

A copy of the report is given to the Hotel Manager or to another delegated Manager, who is responsible for its archiving.

The hotel Manager handles the implementation of the action plan for the audit report which is agreed with the inspectors. At the end of the implementation period of the Action Plan, the hotel Manager informs the "Prevention and Protection Service" (HR Department) of the planned

actions' status ("follow up"). If there is a failure or insufficient execution of the Action Plans, it will be the SPP responsibility to ensure that the actions are properly implemented by the Hotel Managers

17. Document control

Version	Approved by	Document type	Date
1	Management Committee BU Italy	Procedure	December 2016
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