



3.25 Work Equipment

Guidance and Procedures

Legal Requirements

1. The Health and Safety at Work Etc. Act 1974 <http://www.legislation.gov.uk/ukpga/1974/37> places a General Duty on every employer to ensure the health safety and welfare of their employees. The Provision and Use of Work Equipment Regulations, 1998, (PUWER) <http://www.legislation.gov.uk/uksi/1998/2306/regulation/11/made> extend that duty to the provision of all work equipment and the circumstance and environment in which the equipment is used.

The Provision and Use of Work Equipment Regulations, 1998, (PUWER) came in to force on came into force on 5th December 1998. The regulations are accompanied by an Approved Code of Practice (Acop), L22 - Safe Use of Work Equipment <http://www.hse.gov.uk/pUbns/priced/l22.pdf>

Introduction

2. The use and provision of work equipment in the workplace is covered by the PUWER 1998. The regulations were introduced to ensure that all work equipment supplied for the workplace is suitable for its purpose and does not result in health and safety risks regardless of its age, condition or origin. The scope of work equipment is very large and ranges for **basic hand held tools and equipment with no moving parts, to complex process plant.**

Definitions

3.

Work Equipment

‘any machinery, appliance, apparatus or tool and any assembly of components, which in order to achieve a common end, are arranged so that they function as a whole’.

Use

'any work activity involving work equipment and includes any, starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning.

Lifting equipment is covered by the Lifting Operations and Lifting equipment Regulations 1998 and hazardous substances by the Control of Substance Hazardous to Health Regulations 2002.

Motor vehicle do fall within the range of PUWER1998, however more specific regulations take precedence for vehicles used on public highways.

Achieving Compliance

4. It is the aim of this policy guidance to ensure that all work equipment provided in STC is suitable for the work it is provided to be used for, the person who uses it and for the location for which it is intended to be used.

Responsibilities of Senior Managers

5. Under this policy guidance it is the responsibility of Senior Managers who instigate the procurement of '**Work Equipment**' to:

- Assess the risks in the suitability of equipment, its use, the person who is to use it and the location it is to be used in;
- Ensure that all work equipment complies with European Community Essential Requirements and the Provision and Use of Work Equipment Regulations 1998;
- Ensure that work equipment is properly designed, installed, inspected and maintained;
- Ensure that all employees who work on the equipment are given adequate information, instruction and training. This includes written and verbal instructions on the potential risks and precautions when using any type of work equipment;
- Ensure that only competent persons are allowed to carry out repairs, modifications, maintenance and servicing of work equipment;
- Keep records of certification, maintenance inspection and testing;
- Keep records of training and competence assessments.

Responsibilities of Employees

6 Employees have general duty under the Health and Safety at Work Etc. Act 1974 section 7 and 8 to:

Take reasonable care for the health and safety of themselves and of other persons who may be affected by what they do or fail to do, to co-operate with South Tyneside Council in the discharge

of their duties under this policy guidance and to refrain from intentionally or recklessly interfering with or misusing anything provided in the interests of health, safety or welfare, in addition to these general duties they must also:

- Comply with the requirements of training, safe systems or procedure that is in place to ensure their safety and health whilst at work;
- Use any required safety equipment, devices and protective clothing provided in relation to any work being carried out;
- Refrain from carrying out any activity or using any equipment, which they have not received any training or instruction on.

Assessment of Risk

7. There is no requirement under the Provision and Use of Work Equipment Regulations 1998 to carry out a risk assessment, however the regulations state that under the Management of Health and Safety at Work Regulations 1999 regulation 3, a '*Suitable and Sufficient*' risk assessment is required.

Suitability of Work Equipment

Integrity

8. All work equipment must be safe for use in terms of its initial integrity, It should be installed and located in such a way as to reduce any risk to users and others, such as ensuring there is sufficient space between moving parts of machinery. All forms of energy and substances used or produced by equipment should be considered, for example it may be necessary to provide additional ventilation, the place where it is to be used and its intended, paragraphs 9 to 23 below detail what a manager must consider when carry out a risk assessment under this guidance.

Work Location

9. The equipment must be suitable for the place it is to be used. for example: .
some equipment may be unsuitable for the working environment in a particular location because of environmental risks such as wet, gaseous or flammable atmospheres, dusty or restrictive environments such as confined spaces, working at a height, working on or over water and poor light.

Purpose

10. The equipment must be suitable for the purpose for which it will be used. In practice this means that equipment should be used in accordance with manufacturer's specifications and instructions. Ergonomic risks, such as working heights and reach distances should be considered.

Conformity with EC Requirements

11. In providing work equipment for use in any STC building or undertaking, the procuring manager should ensure that it has been made to the requirements of the legislation implementing any product Directive that is relevant to the equipment. One such directive is the Supply of Machinery Regulations 1992. This means that in addition to specifying that work equipment should comply with current health and safety legislation, you should also specify that it should comply with the legislation implementing any relevant EC Directive. You can check to see that the equipment bears a CE marking and is accompanied by the relevant certificates or declarations (ask for a copy of the EC Declaration of Conformity), as required by relevant product Directives. Further information on this subject is contained within the HSE publication INDG271 “Buying New Machinery”.



Dangerous Parts of Machinery and Specified Hazards

12. Managers should ensure that risk assessments are used to identify the hazards presented by machinery and that the nature, severity and likelihood of injuries are evaluated. This will help to determine whether the level of risk is acceptable or identify if risk reduction measures are needed order that they should be implemented. The levels of protection are:

- Fixed enclosed guards.
- Other guards and protective devices, such as interlocked guards and pressure mats.
- Protection appliances, such as jigs.
- The provision of information, instruction, training and/or supervision

Specific Hazards

13. When selecting work equipment particular attention must be given to protection of the user other than by Personal Protective Equipment. Specific hazards include:

- Noise
- Vibration
- Any article or substance falling or being ejected from work equipment;
- The rupture or disintegration of parts of work equipment;
- Work equipment catching fire or overheating;

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- The unintended or premature discharge of any article or of any gas, dust, liquid, vapour or other substance which, in each case, is produced, used or stored in the work equipment;
 - The unintended or premature explosion of the work equipment or any article or substance produced, used or stored in it.

High or Very Low Temperatures

14. It is also necessary to take steps to prevent the risk of injury from contact with hot or cold equipment, articles and substances. Again, engineering methods should also be applied in preference to personal protective equipment or organisational measures, such as warning signs.

Equipment Stability

15. Risk assessments should also consider the stability of equipment. There are many types of work equipment that might fall over, collapse or overturn unless suitable precautions are taken. Most machines used in a fixed position should be bolted down or fixed securely. Ladders should be set at the correct angle and tied or footed. Some mobile equipment requires the use of stabilisers or outriggers during use to increase its stability. It is essential that this equipment is always used correctly within the limits of its stability. Where balancing or counterbalancing is used on portable equipment the stability of the equipment should be re-appraised each time it is repositioned.

Lighting

16. Any place where a person uses work equipment should be suitably and sufficiently illuminated. The lighting should be adequate for the task at hand. Special lighting may be required if the task involves the perception of detail.

Markings and Warnings

17. Wherever appropriate for reasons of health and safety, work equipment must be appropriately marked or incorporate warning signs, systems or devices. Many examples of such controls are required by specific legislation. Examples include visual or audible warnings, the marking of maximum safe working loads and signs informing users to wear personal protective equipment, such as goggles, while using the equipment in question.

Control Systems

18. Control systems for work equipment must be appropriately located, used and correctly identified. Examples of control systems include start and stop controls and emergency stops.

It should only be possible to start equipment by using appropriate controls. It should not be possible to re-start the equipment simply by re-setting a protective device. Controls should also be designed and positioned so as to prevent inadvertent or accidental operation of the equipment. When risk assessments identify the need for emergency stops they should be easily reached and actuated. Common types are mushroom-headed buttons, bars, levers, kick plates or pressure sensitive cables.

Where appropriate, equipment should also be provided with suitable means to isolate it from all forms of energy. This is to allow the equipment to be made safe under certain circumstances, such as when maintenance is carried out. The means of isolation should be clearly identifiable and readily accessible. For some equipment, it may be suitable simply to remove a plug. For other equipment, an isolating handle, switch or valve may need to be locked in the off or closed position to prevent unsafe reconnection.

Mobile Work Equipment

19. A substantial part of the regulations deal with the suitability of mobile work equipment for carrying persons and the safety features of the equipment. It details requirements for speed adjustment, guards and barriers. There are new requirements to minimise the risk of equipment roll-over by fitting Falling Object Protective Structures (FOPS) and Roll-Over Protective Structures (ROPS).

The safety of self-propelled work equipment must also be guaranteed by ensuring that equipment cannot be started unintentionally, that it is fitted with devices to prevent crushing and that it stops safely when out of operator range.

All mobile work equipment must now comply with all of the requirements.

There are some situations detailed in the guidance where it is not reasonably practicable to retrofit the new controls required, such as ROPS and restraining systems. If the risks associated with the use of the equipment are high, it may be necessary to provide alternative equipment that complies fully.

It is likely that members of staff who have responsibilities for managing mobile work equipment will need to obtain specific guidance relating to the type of plant involved. Reference should be made to the free HSE Information Sheets which have been produced to cover various types of equipment. These are available from the HSE website www.hse.gov.uk.

Intended Use

20. Is the equipment suitable in terms of design, construction or adaptation for its intended use for e.g. a knife should not be used as screw driver, using a Sthill Type Cut-off saw should not be

used to cut on an angle, or above waist height, or using a laptop computer for extended periods instead of using a docking station.

Ergonomic Factors

21. An assessment needs to be carried out to ascertain the size and shape of the body in relation to the equipment to be used, consideration should be given to;

- Medical fitness of potential operator
- Left or right handed use;
- Holding the equipment for long periods of time;
- The user having to use undue pressure or stretch;
- The posture of the user during use;
- Repetitiveness of use.
- Space to access or operate the equipment safely

Medical and Fitness to operate

22. Consideration must be given to any restrictions which may require a user to be medically fit to operate equipment, such as colour blindness, acuteness of hearing.

Consideration must also be given to base line medicals where exposure to noise, vibration and dust are an identified specific hazard.

Maintenance/Inspection/Testing Regimes

23. All work equipment must be maintained in efficient working order, and maintenance logs kept up to date. The extent and complexity of maintenance can vary from simple visual checks on basic equipment to a programme of planned preventative maintenance for complex high risk equipment.

The frequency of maintenance should be established, through risk assessment and take into account the risk to health and safety posed by malfunction or failure., Factors such as frequency of use, intensity of use, maintenance logs, legislation and manufacturer's recommendations should be considered.

Where locations, environment, installation or erection pose an addition a risk to health and safety additional pre-use checks must be carried out and inspection must be recorded.

Inspections can vary from basic visual pre-use inspection up to formal annual integrity/proof testing and calibration. Equipment records must have evidence of inspection and accompany the equipment if it is hired in.

Any certification must also accompany the equipment.

Training/Tool Box Talks

24. No employee should be expected to use equipment they have not been trained to use. This does not mean that employees have to complete a recognised official training course on how to use it, although on some occasions this may be the case. For advice on the best type of training contact the Workforce Development Advisor (Health and Safety).

Training can be carried out in house, the following is guidance on what to include in an in-house training programme;

- An explanation of how, where and when the equipment is to be used;
- Identification of the hazards that are present when the equipment is to be used;
- Identification and explanation of the safety features of the equipment to be used;
- Starting and stopping the equipment, where applicable;
- A practical demonstration on how to use the equipment;
- Where appropriate how to disassemble, clean and re-assemble the equipment;
- An explanation on how to recognise faults and actions to be taken;
- Actions to be used in the event of an emergency.

On completion the individual must be supervised and assessed to ensure that they can operate the equipment correctly. Special consideration should be given to the training and supervision of young persons to whom a greater duty of care is owed. Refresher training should also be provided, particularly for employees who use equipment infrequently. Records of any training must be kept in the individual's personal file.

Records

25. Procuring manager should keep records of the following:

- Risk Assessment;
- CE conformity certificate;
- Initial commissioning;
- Maintenance records;
- Inspection and testing records;
- Calibration and measuring;
- Licences;
- User training.

Health and Safety Support

26. All Corporate Groups have a designated Health and Safety Advisor who is available to advise in the selection and procurement of equipment.

Monitoring of Compliance with this Guidance

27. The monitoring of compliance to this policy guidance will be carried out periodically by the Occupational Health and Safety Team.

Review

28. The guidance will be reviewed biannually as a rule and when any changes in legislative requirement should occur.

The guidance will also be reviewed as a consequence of any restructuring of South Tyneside Council which will affect this policy.