

Equipment Regulations

The Provision and Use of Work Equipment Regulations 1998

Organisers of waterway restoration activities should be aware of the Provision and Use of Work Equipment Regulations, which are given the force of law by Health & Safety at Work legislation. Although much of this document (primarily affecting new equipment) came into effect on the 5th December 1998, other parts (involving old equipment) did not become effective until 5th December 2002.

The regulations directly affect the way in which equipment is used on waterway restoration (and other work) sites, as more rigid laws now apply, particularly to heavy machinery. Old equipment must either be upgraded to these new standards or removed from service; otherwise organisers may be liable to prosecution. Waterway Recovery Group did, during September 2002, send letters outlining the effects these regulations to known work-party organisers.

Future use of WRG's plant and machinery became subject to specific assessment of each item of equipment, and no equipment owned by WRG must be used after 4th December 2002 without specific written authority from either WRG's Plant Director (Malcolm Bridge) or WRG's chairman (Mike Palmer). Any waterway restoration group that looks after any WRG-owned or managed equipment and has not received a letter from WRG concerning the arrangements for this should contact at IWA Head Office.

The regulations cover all work equipment used on a site, including machinery, appliance apparatus and all types of tools. The regulations also cover the way in which equipment is used - including transporting it, to cleaning it - and responsibility rests not only on the employer (or organiser), but also on those supervising, and those individuals using the equipment. The new regulations apply throughout Great Britain and, in some instances, beyond its borders.

The following is a brief outline of the regulations only and it is not supposed to be used in place of the regulations.

General Equipment

Suitability of work equipment: Equipment used should be suitable for the task and conditions, and reduce as far as possible the likelihood of affecting health and safety.

Maintenance: Equipment should be looked after and in good repair and, where possible, a log kept of its condition.

Inspection: Where machinery is to be used, the equipment should be checked before and after installation to ensure that it is in full working order. Regular checks on the condition of equipment should be made, and this information logged. No equipment should be let to another person, without a full inspection as to its safety having been carried out.

Specific risk: Use of the equipment should be limited to those who are qualified to use it, and that those persons who have received adequate training in its use.

Information: All those using the equipment should have adequate health and safety information, and if possible written instructions. This applies to both the employer and those supervising. This information must cover all aspects of use, and must be easy to understand.

Training: All those using equipment should have adequate training in its use, i.e. from the employer to the individual.

Dangerous machinery: Measures must be taken to prevent access to dangerous parts of machinery, or to have in place the ability to quickly turn off the equipment if someone were to get in the way. This may include suitable training, guards or protection devices. Any protective device should be well-maintained and looked after just as much as the normal equipment, and must not decrease safety overall through decreased visibility.

Specified hazards: Measures should be taken to try to reduce and prevent hazards; for example, the use of protective equipment when using a strimmer. Controls such as 'stop' and 'go' should be well labelled and not easily confused, and the 'stop' control should prevent the equipment from causing harm in a fast and effective manner. Where possible, emergency stop controls should be provided, and visible labelling of equipment, with warning signs, where appropriate, is required.

Stability and lighting: Equipment should be stabilised and sufficient light provided for the task at hand.

Mobile Work Equipment

The requirements within this section deal almost entirely with risks due to mobility that arises when mobile equipment (e.g. dumper trucks, excavators, etc) is in motion. Mobile equipment should be suitable for carrying persons, and safety features should be installed to reduce the risk of an accident.

The requirements for equipment used before December 1998, came into effect on 5th December 2002.

The main points are as follows:

Suitability for carrying persons and safety features: This regulation is an explicit and absolute requirement to ensure that no one is carried on mobile equipment unless it is suitable for that purpose.

Means to minimise the risk to safety from its rolling over: If the risks cannot be prevented, then harm caused by the equipment in the act of rolling over should be reduced; for example, by the use of restraining systems and roll-over protective structures (ROPS). These may take the form of cabs or simple roll bars.

Restraining systems are required to be fitted if there is a risk that a piece of mobile plant can overturn.

Roll bars and seat belts are exempted if this increases overall risk; it would make the operation of the equipment more difficult; or "in relation to an item of work equipment provided for the use in the undertaking or establishment before 5th December 1998 it would not be reasonably practicable"

Lighting, clearly labelled controls and safety signs apply, as mentioned above.

The safety of self-propelled work equipment and remote-controlled self-propelled equipment: There are a variety of additional measures, which include facilities for preventing equipment being started by unauthorised persons. Safety bars and restraints, and fire equipment, should either be fitted onto or near equipment.

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These regulations do not just place the responsibility with the employer, but also on "...certain persons having control of work equipment, of persons at work who use or supervise or manage its use or of the way it is used..." - so a duty is placed on everyone involved on any worksite to be safety conscious and ensure adherence to the regulations.

Machinery and equipment that does not comply with the regulations will either have to be upgraded or scrapped. If equipment is upgraded, then a high level of maintenance and record keeping will be required.

The full regulations are available from Her Majesty's Stationery Office (for purchase as a printed document - Statutory Instrument No 2306 of 1998) or on HMSO's Internet site <http://www.hmso.gov.uk/si/si1998/19982306.htm>

Further advice is also available from the Health & Safety Executive Local Authority Enforcement Liaison Committee (HELA), which gives a breakdown to local officers on how to interpret these regulations.
<http://www.hse.gov.uk/lau/lacs/90-3.htm#mobile%20work%20equipment>