

# Lifting Operations & Lifting Equipment (LOLER)

## Introduction

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) covers any work activity that involves the use of lifting equipment. However, the Provision and Use of Work Equipment Regulations 1998 (PUWER) also applies to lifting equipment in terms of maintenance, guarding and control systems, etc.

LOLER applies to specific risks arising from the use and operation of lifting equipment, i.e. the lifting and lowering of loads, including the coupling and uncoupling of lifting gear attachments between load and the lifting appliance itself, as well as operating conditions, lifting of persons, tests and inspections, keeping of records, etc.

Lifting equipment used in Shropshire Council work activities include passenger and goods lifts, dumbwaiter lifts and hoists, vehicle inspection hoists, vehicle tail lifts, scissor lifts, lift trucks, front end tractor loaders, bath and pool hoists, ropes, slings, pulleys, chains, hooks, eyebolts, bearers and frames, etc.

Shropshire Council recognises the necessity to use lifting equipment in many of its work activities and takes account of the need to eliminate or reduce risks to its employees, service users and others where lifting operations are being carried out.

The Lifting Operations and Lifting Equipment Regulations 1998 bring together elements of the old Factories Act, the Offices Shops and Railway Premises (Hoists and Lifts) Regulations and the Construction (Lifting Operations) Regulations, legislation most relevant to Shropshire Council work activities but which is now revoked.

Lifting equipment owned by Shropshire Council would have already been accounted for under this previous legislation and should still be covered by examination and maintenance schemes, usually operated in conjunction with our own Insurers Engineers and Property Services Group.

Service areas will need to check that all lifting equipment and lifting gear (accessories) is accounted for and used in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations and the following safe working arrangement.

## **Arrangements for securing the health and safety of employees and others**

Service areas are to ensure that any lifting equipment and ancillary lifting gear used at their workplaces is:-

- of adequate strength and appropriate for the work activity
- placed so that any lifting operations may be carried out without risk to employees or others
- used in a competent manner through provision of information and appropriate training of users
- subjected to test and inspection by a competent person at suitable intervals
- maintained regularly and repaired, as necessary, by a competent person
- appropriately and individually marked to indicate nature of use and limits of capacity in terms of loading and configuration
- listed in a suitable register with \*records of inspections, facts and details of any repair or modification work undertaken.

\* Records should be kept local to the equipment in use wherever possible, although records held centrally (e.g. Property Services Group) are acceptable as long as they are easily accessible.

### **Operators**

Operators/users of lifting equipment should be provided with a suitable working position and for mobile lifting equipment, e.g. fork-lift truck, must be protected from roll-over, crushing, entanglement from moving parts, etc., (see Work Equipment - Provision and Use arrangement).

Where operators may be affected by the environment (e.g. extreme temperatures, noise, dust, fumes, etc.) there must be adequate protection provided, such as cab ventilation, heating and sound proofing.

Operators must be competent to use lifting equipment and should receive relevant training to ensure this is so. Particular regard must be paid to the maturity and judgement of any person required to operate lifting equipment.

Whilst there is no age limit for operating lifting equipment, the Health and Safety (Young Persons) Regulations 1997 will apply to a young person (under 18) and a risk assessment must be carried out in order to comply with those regulations.

Account must be taken of safe access and egress, floor surfaces, etc., where lifting equipment is being used with measures taken to prevent slips, trips and falls.

### **Operating conditions**

All lifting operations must be planned and where necessary supervised/monitored by competent persons.

Account must be taken of location, headroom and side clearance, and floor conditions which could affect stability, loads to be lifted and the duration and potential hazards of the specific operation to be carried out.

Planning should minimise the need to lift loads above areas occupied by persons

and must be prevented from uncontrolled freefall, and from being released unintentionally.

Where the lifting operation may be affected by adverse weather conditions (e.g. high winds) suitable methods of prediction and measurement will need to be employed.

Lifting equipment and lifting gear must be clearly marked to indicate safe working loads (SWL) and if this is dependant upon the configuration of the equipment these details must also be marked or kept available with the equipment.

Lifting gear must also be marked in such a way as to identify its safe use and will include details of any other limitations of use.

Lifting equipment with a significant risk of overturning or overloading is to be fitted with suitable visual/audible capacity limit indicators (automatic safe load indicators (ASLI)).

### **Lifting equipment for lifting persons**

Lifting equipment for lifting persons must be suitable for the task, e.g. passenger lift, bosuns chair, disabled person hoist, etc., and must be clearly marked that it is equipment for lifting persons with details of capacity limits such as SWL and number of people it can carry safely.

Persons carried by lifting equipment must be protected from being crushed, trapped or from falling.

Where necessary, over-speed brake systems must be incorporated, e.g. passenger lift.

Where equipment is not suitable for lifting persons but may be used inadvertently (e.g. goods lift) it must be clearly marked "not to be used for lifting persons".

### **Thorough examination - inspection and testing**

Previous procedures (under older legislation) for test inspection, etc., of lifting equipment have now been replaced although a thorough examination may still include visual examination, dismantling and functional tests.

Advice should be sought from manufacturers' instructions and competent persons for guidance on what will be necessary for a thorough examination for each piece of equipment.

Additional inspection may be identified by the user of the equipment depending upon the work being carried out, any specific risks on site which may affect the condition of the equipment (e.g. exposure to weather or harsh environment such as chemical fumes, etc.)

All thorough examinations and inspections must be undertaken by a competent person and in most instances this is arranged by Property Services Group using Specialists or Insurance Engineers.

A thorough examination need not be carried out where:-

- the equipment is brought into service for the first time (e.g. portable crane with manufacturers certification)
- it has not been used before and is covered by a declaration of conformity made during the previous 12 months
- the equipment has been obtained from another undertaking accompanied by a copy of the previous report of a thorough examination valid for use before the expiration of stated re-examination date.

A thorough examination must be carried out:-

- where safety depends upon the installation conditions to ensure that it has been installed correctly and is safe to operate
- after installation and before being put into service for the first time (e.g. a passenger lift fixed installation)
- after assembly and before being put into service at a new location
- on equipment for lifting persons which must be thoroughly examined at least every six months
- on lifting gear accessories for lifting persons which must be thoroughly examined at least every six months
- on all other lifting equipment which must be thoroughly examined at least every 12 months
- after exceptional circumstances liable to affect the safety of the lifting equipment (e.g. unplanned overload, unforeseen exposure to harsh conditions, maltreatment and bad practice in the use of equipment).

**See Annex 1 Information to be contained in a report of a thorough examination.**

### **Record keeping**

Records of reports must be kept where:-

- a thorough examination is made of equipment first put into use by the user, records to be kept until the lifting equipment is no longer used (disposed of, or scrapped)
- a thorough examination is made of lifting gear accessories first put into use by the user, records to be kept for two years after its report is made
- a thorough examination of equipment is made because of the installation conditions, records to be kept until the equipment is no longer used (disposed of, or scrapped).

In the case of all other thorough examinations records to be kept until the next report is made or for two years, whichever is the longer.

Interim (unscheduled) inspection reports to be kept until the next report is made.

## **Summary of statutory duties**

The Health and Safety at Work Act 1974 requires that safe systems of work be instigated with effective maintenance of plant and machinery (work equipment) and appropriate training and information for users.

The Management of Health and Safety at Work Regulations 1992 require a risk assessment to be carried out to identify the nature and level of risks associated with certain work activities and with work equipment.

In addition, the requirements of the Personal Protective Equipment Regulations 1992 could be relevant to the operation of certain work equipment and the issue of protective clothing/ equipment to operators may be necessary.

The most recent legislation -Provision and Use of Work Equipment Regulations 1998 and the Lifting Operation and Lifting Operation Regulations 1998 which bring together both in generic terms for work equipment used at work, and in specific terms for individual areas of use such as power presses, wood-working machinery and in the case of Lifting Equipment.

### **Information to be contained in a report of a thorough examination (Regulation 10(1))**

1. The name and address of the employer for whom the thorough examination was made.
2. The address of the premises at which the thorough examination was made.
3. Particulars sufficient to identify the equipment including, where known, its date of manufacture.
4. The date of the last thorough examination.
5. The safe working load of the lifting equipment or (where its safe working load depends on the configuration of the lifting equipment) its safe working load for the last configuration in which it was thoroughly examined.
6. In relation to the first thorough examination of lifting equipment after installation or after assembly at a new site or in a new location:-
  - a) that it is such thorough examination
  - b) (if such be the case) that it has been installed correctly and would be safe to operate.
7. In relation to a thorough examination of lifting equipment other than a thorough examination to which paragraph 6 relates:-
  - a) whether it is a thorough examination:
    - i) within an interval of 6 months under regulation 9(3)(a)(i);
    - ii) within an interval of 12 months under regulation 9(3)(a)(ii);
    - (iii) in accordance with an examination scheme under regulation (9)(a)(iii); or
    - (iv) after the occurrence of exceptional circumstances under regulation (9)(3)(a)(iv)
  - b) (if such be the case) that the lifting equipment would be safe to operate.
8. In relation to every thorough examination of lifting equipment:-
  - a) identification of any part found to have a defect which is or could become a danger to persons and a description of the defect;
  - b) particulars of any repair, renewal or alteration required to remedy a defect found to be a danger to persons;

c) in the case of a defect which is not yet but could become a danger to persons:-

- i) the time by which it could become such a danger;
- ii) particulars of any repair, renewal or alteration required to remedy it;

d) the latest date by which the next thorough examination must be carried out;

e) where the thorough examination including testing, particulars of any test;

f) the date of the thorough examination.

9. The name, address and qualification of the persons making the report; that he is self-employed, or if employed, the name and address of his employer.

10. The name and address of a person signing or authenticating the report on behalf of its author.

11. The date of the report.

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