



Lifting Operations and Lifting Equipment Regulations 1998

The Lifting Operations and Lifting Equipment (LOLER) Regulations came into force in 1998. They cover all operations and equipment which involve lifting people and goods at work. They cover such equipment as cranes, lifts, hoists, chains, ropes, slings, hooks, shackles, eyebolts, rope and pulley systems, and forklift trucks. They also cover second-hand and leased equipment, e.g. companies hiring out cranes retain duties over how the equipment is used and maintained by their customers. They apply to all workplaces - building sites, offices, hospitals, farms, factories, etc. All the requirements of the Provision and Use of Work Equipment 1998 Regulations apply to lifting equipment.

General requirements

Risk assessment - In order to carry out a risk assessment of lifting equipment and operations, the following factors need to be considered:

- How often and where the equipment will be used;
- What limitations on use are specified by the manufacturer or supplier of the equipment;
- The type of load being lifted, its weight, shape and what it consists of;
- The risk of a load falling or striking a person or object;
- The risk of the lifting equipment striking a person or some other object; and
- The risk of the lifting equipment failing or falling over while in use.

Strength and stability (Regulation 4) - Employers must ensure that equipment has adequate strength and stability for each load particularly with regard to mounting or fixing points. An appropriate safety factor should be introduced to guard against all foreseeable failure modes. Factors which affect the stability of equipment include the characteristics of the surface on which it is used, the size and nature of the load, the way the load is intended to be lifted, and the maximum wind loading. Mobile equipment which can be dismantled and assembled at different locations, e.g. tower cranes, must be stable under all foreseeable conditions.

Lifting people (Regulation 5) - This applies to people using lifts as part of their work. Employers must ensure that equipment for people is such as to prevent people being crushed, trapped or struck or falling from the carrier. This also applies to people carrying out activities from the carrier. There must be suitable devices to prevent the carrier falling. There must be a means of rescuing people trapped in a carrier. People should be lifted by equipment not designed for lifting people only in exceptional circumstances where it is not practicable to use less hazardous means.

Installation and positioning (Regulation 6) - Equipment must be installed and positioned to reduce as much as possible the risk of the equipment or load striking a person or the load drifting, falling freely or being released unintentionally. Loads should not be lifted over people. Loads should normally be placed within an enclosure. Access by people to lifting shafts should be prevented by gates which are automatically locked except when the equipment is at the landing.

Marking (Regulation 7) - Equipment, including accessories, must be marked with the safe working load. Equipment for lifting persons should clearly indicate the maximum number to be carried. Equipment not intended for lifting persons but which could be so used in error must be clearly marked that it is not designed for lifting persons.

Planning and supervision (Regulation 8) - Employers must ensure that every operation with equipment involving the lifting or lowering of a load must be properly planned by a competent person, appropriately supervised and carried out in a safe manner. The planner should have adequate practical and theoretical knowledge and experience.

The plan must address the risks identified by the risk assessment and propose appropriate control measures. It must cover the selection of appropriate equipment plus its safe use for the particular task. For routine tasks involving a single piece of equipment, the plan would normally be devised by the operator. For complex or unusual tasks, appropriate supervision should be provided. The plan should ensure that loads are not carried or suspended over persons.

If an operator cannot observe the full path of a load, the employer must provide a person(s) able to guide him. Appropriate measures must be taken to ensure that loads are attached, detached and secured safely. Environmental factors must be taken into account, e.g. when weather conditions deteriorate, the use of equipment in the open air should be halted. Equipment must not be used if there is a danger of it overturning. Proximity hazards must be avoided, e.g. contact with overhead power lines. Equipment must be stored in a way that ensures it does not deteriorate.

Employees involved in lifting operations must have appropriate training and instruction. Where two or more pieces of equipment are used, the plan should be in writing.

Examinations (Regulation 9) - Employers must ensure that equipment is thoroughly examined before it is put into service for the first time and after any significant change that affects its operation. If the equipment is obtained from another undertaking, it must be accompanied by physical evidence that it has been examined.

Where safety depends on the installation conditions, it must be thoroughly examined on each occasion after installation or assembly and before use. Equipment must be thoroughly inspected at least every six months if intended for carrying people, at least every 12 months if used for other purposes, or according to a scheme devised by the examiner.

Examinations should also take place after any exceptional event such as accident or dangerous occurrence. Examinations must be carried out by competent persons who are sufficiently independent and impartial for objective decisions to be made. Examinations may involve the performance of tests as determined by the competent person.

Reports and defects (Regulations 10 and 11) - A person carrying out a thorough examination must report as soon as possible in writing, providing the following information:

- Name and address of employer for whom the examination was made;
- Address of the premises at which the examination was made;
- Particulars sufficient to identify the equipment including the date of manufacture;
- Date of the last examination;
- The safe working load for the equipment;
- In relation to the first examination after assembly or installation at a new site or location that the examination has been performed and the equipment is safe;
- In relation to a periodic examination, the interval since the previous examination and whether the equipment is safe;
- Particulars of any defects and repairs, renewal or alteration needed in consequence;
- Particulars of any tests performed;
- The latest date for the next examination;
- The date of the examination;
- The name, address and qualifications of the examiner, whether he is self-employed or the name and address of his employer;
- The name and address of any person authenticating the report and the date of the report.

An examiner must report defects forthwith to the employer owning or using the equipment.

The defects must also be reported to the relevant enforcing authority.

When a defect is reported an employer must not use the equipment until it is rectified.

Employers must retain copies of examination reports and make these available for inspection when requested to do so.

What safety reps can do

Safety reps should ensure:

- That a suitable and sufficient risk assessments are carried out of all lifting equipment and operations and operators;
- The employer consults the safety rep *"in good time"* on all aspects of health, safety and welfare in accordance with Regulation 4A of the Safety Representatives and Safety committee Regulations 1977;
- The employer provides the safety rep health, safety and welfare information in accordance with Regulation 7 of the Safety Representatives and Safety committee Regulations 1977;
- That equipment has the strength and stability for the job intended and that it is properly installed;
- That equipment for lifting people meets necessary safety requirements;
- That all equipment is clearly marked with the safe working load which is never exceeded;
- That all jobs are properly planned and supervised;
- That all necessary examinations are carried out with the results reported to employers and the enforcement authority;
- That equipment is taken out of use until defects are rectified; and
- Those workers are advised to leave the vicinity if there is a serious and imminent danger that equipment might fail.