

CORPORATE SAFETY COMMITTEE – 22ND JANUARY 2004

SUBJECT: PROPOSED LEGISLATION

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of a proposal, by the Health and Safety Commission (HSC), to introduce legislation to cover all work at height.

2. SUMMARY

2.1 The main aims of the legislation, which is based on the Temporary Work at Heights Directive, are to reduce the number of deaths and major injuries arising out of falls from height and to assist in realising one of the HSC priorities to reduce fatalities and major injuries by 10% by 2010.

2.2 The proposed regulations bring together the current legal requirements contained in:-

- The Construction (Health, Safety and Welfare) Regulations 1996
- The Workplace Regulations 1992
- The Lifting Operations and Lifting Equipment Regulations 1998
- The Provision and Use of Work Equipment Regulations 1998 and, other, industry specific, legislation relating to working at height, into a cohesive, single set of regulations flexible enough to apply to all industries and flexible enough to allow for technical innovation.

2.3 A risk assessment approach is to be taken by the regulations, which will also require a hierarchy of measures to ensure:

- the competence of workers
- that safe systems of work are established
- that proper planning, including emergency planning, takes place
- that appropriate equipment is chosen and used correctly and,
- that weather conditions do not jeopardise health and safety measures.

2.4 The Regulations, which prioritise means of collective protection above personal protective measures, will apply to construction, window and other industrial cleaning/maintenance, erecting bill posters, arboricultural work, sheeting loads on lorries, working close to excavations and using kick stools and step ladders.

2.5 They will also cover personal tools and equipment for working at height, which may be brought into a workplace, as will the selection, inspection and maintenance of equipment for working at heights, work on fragile surfaces, protection against falls and falling objects and denying unauthorised access to danger areas.

2.6 Ladders can be used for work at height only if a risk assessment has demonstrated that the use of more suitable work equipment is not justified because of the low risk and:

- i) the short duration of use or,
- ii) existing features on site which cannot be altered.

2.7 The timescale for the introduction of the legislation is not currently known. As soon as the position has been clarified, the CSU will inform managers responsible for specifying and carrying out work of the new requirements.

3. The Committee are asked to note the contents of this report.

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