Seeds of safety

Lifting-related deaths and injuries still remain worryingly high. But adherence to regulations and best practice could make a real difference, as Brian Wall reports

Accidents related to lifting continue to represent one of the major causes of deaths, injuries and time off work in the workplace. On the plus side, official HSE figures do show a small, but steady, decline in these incidents in recent years, but the fact is there remains much to be done.

Stringent regulations brought in to help combat the situation – in particular, the Lifting Operations and Lifting Equipment Regulations (LOLER) and Provision and Use of Work Equipment Regulations (PUWER), both in 1998 – have clearly done so, by promoting awareness and encouraging plant operators to implement procedures and policies, as well as the equipment inspections they mandate.

The legislation covers all types of lifting equipment, broadly defined as any device used to handle loads in a workplace. This can include, but is certainly not limited to, forklifts, side loaders, trailer loaders, scissor jacks, hydraulic hoists and rams, industrial lifts, cranes and tail lifts installed on commercial vehicles, goods lifts and hoists, as well as similar equipment used in other mobile and static applications.

Further, while the regulations play a vital role by imposing legal obligations governing the use and upkeep of such equipment, that isn't the end of the story, as Richard Short, sales director at Penny Hydraulics, points out. "Imposing a rigorous regime of testing and inspection on lifting and load handling equipment is designed to reduce the risk of mechanical failures that no doubt contribute significantly to workplace accidents. But this is about more than simply complying with the requirements of LOLER and PUWER."

He notes that, while these regulations – as well as the Machinery Directive – provide the all-important mandatory framework, the role of the plant engineer in ensuring that lifting equipment is maintained and used correctly is just as critical. Some will be competent persons, charged with carrying out statutory thorough examinations (STEs) on whom the regulations rely. Many more will be the front-line technicians and managers, dealing with potential defects day-to-day that might constitute safety risks.

Highest standards

His point: any STE can only check the condition of a piece of plant or equipment on the day of the test, and the process assumes that it will be subject to user checks and proper maintenance inspections at regular intervals between STEs. Indeed, the STE report should include a statement that the equipment is safe to operate (LOLER Schedule 1 7b) and identify any components likely to fail before the next STE (as per LOLER HSE Guidance paragraph 314: 'to detect unacceptable deterioration ... to the extent that safety is compromised or could be compromised before the next thorough examination takes place').

"Although the STE is the legal requirement [see www.hse.gov.uk/pubns/indg422.pdf], any responsible owner or operator of lifting equipment will want to carry out basic checks more frequently, for their own peace of mind and to instil a safety-first culture," comments Short.

The objective, he insists, should be to maintain the equipment such that it is always safe to use. "Following the manufacturer's maintenance instructions is an absolute minimum requirement. And, while load testing is no longer required during every STE, plant engineers may deem it a sensible precaution to include this as routine," he adds.

All the more reason to welcome organisations such as SAFed (The Safety Assessment Federation), which ensures safety in the workplace. Representing the UK independent engineering

Above and right: statutory thorough examination on a forklift and goods lift, respectively

inspection and certification industry, SAFed acts as a focal point for issues and concerns relating to the statutory inspection and certification, safe use and operation of plant, machinery and equipment.

In carrying out this activity, SAFed member companies provide a risk-based inspection approach, in line with the relevant legislation. "For example, when reviewing the rejection criteria for chains on a fork lift truck, if the chains were close to or on the limit, we would then consider all the factors that affect deterioration – such as heavy or light use, operating conditions, type and weight of load, maintenance regime, etc – and use this evidence to determine the continued safe use of the equipment," states SAFed chief executive Richard Hulmes.

Common sense, common safety

"If that environment is a light one, maybe indoors, there might not be an issue. However, if the truck is operating outdoors in a harsh environment, with heavier or critical loads, such as munitions, remedial action might well be required earlier. In other words, it's all about proportionality, very much in line with 'Common sense, common safety', as in the recent review by Lord Young." [The Prime Minister's adviser on health and safety law and practice. See the full report at www.number10.gov.uk/wp-content/uploads/402906_CommonSense_acc.pdf and go to page 10 for our cover feature].

As for how the service works, SAFed members believe in working with their clients in a fair and flexible way, continues Hulmes. "For instance, they may go into a company to inspect equipment and find that the inventory of equipment notified is very different to what is on site," he suggests. "That is not so unusual for, say, a construction company, where plant is constantly being moved from site to site. Our engineer surveyors will carry out such inspections as are possible at the time, and work with the organisation to see how the rest of the equipment can also be covered. We try to accommodate the needs of businesses that are operating in often difficult environments, while also making sure that safety is never compromised."

But Hulmes worries that too many organisations still operate to the minimum legal requirement and appear to resent intrusion. "It's not surprising, given the economic conditions and the desire to maximise efficiency. There will also be occasions when our engineers may require supplementary tests, such as a strip-down of hidden parts or non-destructive testing. But this would be supported by evidence of deterioration in the condition and integrity of the plant, to cater for hidden parts beyond direct examination," he explains.

"Engineers do not have x-ray eyes and the point of concern – perhaps a holding pin – may, for example, have been painted over," continues Hulmes. "Ultimately, it's a judgment call, but we always seek to have a strong ongoing dialogue with an owner, in order to develop a relationship that encourages them to notify us of their concerns and also to be aware of potential problems, over and above the inspection process itself."

And he adds: "SAFed's aim is always to provide relevant advice, guidance, information and experience, while adhering to the principles of best practice and sensible risk management, in order to deliver a cost effective service, without compromising safety." PE

Richard Hulmes, chief executive of SAFed, the Safety Assesment Federation

Slipping beneath the safety net

'E' or 'CE' marking of machinery indicates that a product's design and construction comply with all the essential health and safety requirements (ESHRs) required by the relevant European Directive (including the Machinery Directive). However, in recent months, BITA – the British Industrial Truck Association – has heard evidence of non-marked industrial trucks being brought into the EU and specifically the UK.

"If there is no compliance mark, users have no guarantee that a truck design meets the minimum standards required for safety laid down by the EU," warns BITA's technical consultant Bob Hine. "It also prevents users having the confidence that a truck is in safe operating condition."

BITA's Guidance Note GN66, 'Thorough Examinations under the Provisions of LOLER and 'E' or 'CE' Mark' (www.bita.org.uk), advises that the thorough examiner's line manager should advise the owner or user to obtain a manufacturer's 'Declaration of Conformity' with EU requirements, via the truck vendor. If that is not forthcoming, the truck owner should take legal advice concerning the illegal supply of equipment, demand a full refund from the supplier and report the circumstances to the HSE and/or Department of Business, Innovation & Skills (BIS).

"It's also possible that an imported lift truck does bear an 'E' or 'CE' mark, but the competent person nonetheless either knows or suspects that it does not comply," adds Hine. "In this case, the truck's Declaration of Conformity would again be required. If that is not available, the thorough examination should be completed, but the report should indicate why the examiner doubted the CE Mark's validity."