

West Lothian Council

**Lifting Operations and Lifting Equipment Regulations (LOLER) – Guidance**

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## **AIM**

01. The aim of this guidance document is to highlight the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) in order to allow duty holders within West Lothian Council to abide by the regulatory standards set in the aforementioned legislation.

## **WHAT IS LOLER**

02. LOLER builds on the requirements of the Provision and Use of Work Equipment Regulations 1998 (PUWER). This means that all the requirements of PUWER apply to lifting equipment as well as LOLER, which is more specific. An example of equipment under LOLER is a vehicle with a tail lift. LOLER will apply only to the lifting part of the vehicle whilst PUWER will apply to the remainder of the vehicle i.e. oil checks.

03. LOLER will also apply if the equipment is hired to or from another organisation. Inspection documents must be available on request under these circumstances.

04. LOLER applies to the use of lifting equipment (machinery, appliance, apparatus, tool or installation) provided as work equipment and applies to all workplaces and work situations covered by the Health and Safety at Work etc. Act 1974. The primary use of the equipment is defined below.

**Lifting equipment - work equipment for lifting and lowering loads (including a person or animal) including the attachments for anchoring, fixing or supporting it**

**Accessory for lifting - means work equipment for attaching loads to machinery for lifting**

## **LIFTING OPERATIONS**

05. All lifting operations are required to be risk assessed. This needs to be proportionate to the risk involved in the task. Some considerations are listed below.

**Control measures to prevent the person using it being crushed, trapped, struck or falling from the carrier**

**To protect other people in the vicinity from falling equipment**

**Safe means of access and egress for staff and members of the public**

**Environmental factors i.e. effects of high wind, soft ground or inclement weather**

**Adequate training and qualifications for the use of lifting equipment**

**The positioning and installation of lifting equipment**

**Emergency plans covering the unintentional release, fall or drifting of a load**

**The risk of overturning the lifting equipment**

**The potential for exceeding the Safe Working Load (SWL)**

06. All lifting operations must also be;

**Properly planned and executed by a competent person i.e. a person with relevant experience with the equipment and circumstances of the lift**

**Appropriately supervised i.e. no other actions should be taken other than those identified by the competent person on the safe system of work and risk assessment**

**Carried out in a safe manner i.e. all foreseeable risks have been identified and documented on the risk assessment with control measures in place**

## **LIFTING EQUIPMENT**

07. All lifting equipment must be of adequate strength and stability for each load. Consideration will have to be given to any accessories and fixing points.

08. LOLER applies when equipment is provided for employees for work purposes i.e. on construction sites, offices, schools, homeworkers and nursing homes. If services have any doubt whether equipment falls under LOLER or not, the Health and Safety Adviser for that service should be consulted. The following equipment is an example of what will be considered lifting equipment.

**Cranes, lift trucks and telescopic handlers**

**Pallet trucks, specifically those that have the ability to raise the forks**

**Goods or passenger lifts which are provided for those at work**

**Ropes, pulleys, gin wheels or dumb waiters**

**Vehicle inspection tables**

**Scissor lifts and Mobile Elevating Work Platforms (MEWP)**

**Ropes used for climbing or work positioning**

**Front-end loaders on a tractor and excavators (used for lifting)**

**Hoists and slings used for lifting people i.e. from a bed, bath or pool**

**A loader crane fitted to a lorry e.g. used to raise bins for delivery duties**

**A refuse vehicle loading arm, e.g. used to raise bins for tipping**

**Transporter or vehicle recovery equipment**

**Skip collection vehicles**

**Vehicles with tail lifts**

09. Under LOLER any accessory used for lifting must be treated in the same manner as the lifting equipment. This includes maintenance and thorough examination. Examples of lifting accessories are listed below.

**Slings**

**Removable eyebolts**

**Chains**

**Ropes**

**Shackles**

**Grabs**

**Magnets**

**Vacuum lifters**

**Crane forks**

**Lifting beams and spreaders**

10. The following list highlights equipment that is not considered to be lifting equipment under LOLER. This equipment will still fall under the requirements of PUWER and as such, is required to be suitable for the intended purpose and maintained.

**Conveyor belts**

**Winches (where a load where the load does not leave the ground)**

**Roller shutter doors**

**Tipper trucks**

**Eyebolts permanently fixed in the load (these form part of the load)**

**Fall arrest equipment, including eyebolts fastened to a structure**

**Escalators**

### **Marking of lifting equipment**

11. All equipment and accessories designed for lifting must be visibly marked with a Safe Working Load (SWL). This is the maximum weight that can be lifted by the equipment. The markings should be on both lifting equipment and any lifting accessory and is to include each configuration of the load i.e. a spreader beam designed for stage lighting with various lifting points must highlight different configurations of loading. Configuration information can be kept with the equipment. Equipment that is not designed to carry a person must also be clearly marked to that effect.

## Derating

12. Where appropriate, the SWL of the lifting equipment should be reduced to take into account the environment and mode in which it is being used i.e. weather conditions.

## EXAMINATIONS, MAINTENANCE AND INSPECTIONS

### Maintenance

13. A comprehensive maintenance regime should be in place for all lifting equipment and accessories. This is a completely separate entity from a thorough examination and can be carried out 'in house'. Maintenance on lifting equipment could range from a simple visual check prior to use to stripping and cleaning the equipment. In all cases maintenance must only be carried out by a competent individual and recorded.

### Thorough examination

14. A thorough examination must be carried out by a competent person who has the appropriate practical and theoretical knowledge and experience of the lifting equipment being examined. They must also be sufficiently independent, impartial and have third party accreditation such as UKAS. This means that an independent contracted company who does not carry out the maintenance task on the lifting equipment is appointed. Currently this contract is overseen by Risk and Insurance. A thorough examination on lifting equipment must be carried out;

**Before using it for the first time – unless the equipment has an EC Declaration of Conformity less than one year old and was not assembled on site e.g. scissor lifts**

**If it was assembled on site, it must be examined by a competent person to establish the assembly was correct and safe, e.g. a platform lift installed in a building**

**After assembly and before use at each location for lifting equipment that requires assembly or installation before use, e.g. tower cranes**

**Examined regularly in service if the equipment is exposed to conditions causing deterioration that is likely to result in dangerous situations i.e. weather or chemicals**

**If the equipment is hired, it must be from a reputable supplier and the record of inspection must be in date and accompany the equipment**

15. If the competent person carrying out the inspections identifies a defect which presents an immediate or imminent risk of serious personal injury, they must send a copy of the report to the Health and Safety Executive (HSE) of the equipment's failings. The Property Helpdesk, Risk and Insurance and Health and Safety should also receive a copy of this report to action.

16. Any lifting equipment identified as having this type of defect must not be used until the situation is rectified. The responsible person must ensure that the equipment cannot be operated inadvertently by physical means (signage can be used in addition).

## Frequency of examination

17. All lifting equipment and accessories must have a thorough examination in accordance with their examination scheme. The conditions of use, loading and age of equipment will dictate how often these inspections are done but they can be more frequent if there is reason to believe that there could be safety issues i.e. after a modification or repair. If more frequent inspections are required these should be stipulated in the examination scheme. Under LOLER these examination dates must not exceed the statutory maximum stated below.

**6 months – All lifting equipment designed to lift a person and accessories of any lifting equipment**

**12 months – All other lifting equipment**

## Records of examinations and inspections

18. The record of inspection must be easily accessible to any operator of lifting equipment wishing to use it. This can be electronic or hard copy.

19. Each service must hold a consolidated lifting equipment asset register. For individual locations this should be held with the compliance book. A responsible person must be nominated to manage the register.

20. At present West Lothian Council has an online schedule of all identified lifting equipment. This system still requires nominated responsible staff to notify Risk and Insurance of unregistered or new equipment falling under the scope of LOLER. If any equipment lifts a load then it must be registered.

21. The records of all lifting equipment must be retained. The table below indicates the time frame for retention.

| Type of examination or inspection   | How long to keep records  |
|---|---|
| Thorough examination before first use.  | Lifting equipment – until the employer ceases to use the lifting equipment.<br>Lifting accessories – for two years. |
| Thorough examination before use where the safety of the equipment depends on the installation conditions. | Until the equipment is no longer in use at the place where it was installed/assembled.                              |
| In-service thorough examination (6-monthly, 12-monthly or examination scheme).                            | Until the next report is made or two years, whichever is the later.   |
| In-service inspections/tests.   | Until the next report is made.  |

**Annex 1 to LOLER guidance - Flow chart**

