

Working at height - know your stuff

The Health and Safety Executive's (HSE) new Work at Height Regulations are set to come into force in the coming months, so C&A asked sales and marketing director at Nationwide Access, Harry Waters, to discuss the implications for the access industry for those who work at height.

Nobody can deny that working at height is dangerous. Falling from height is the biggest single cause of death and serious injury in the workplace – and that includes all industries. And, yet despite the known risks, people put their own and other people's lives at risk every day by using inappropriate, and often plain idiotic, methods of working at height.

The HSE is fighting a never-ending battle to combat unsafe working practices, but its inspectors cannot be present at every work site all the time. Nevertheless, it is the responsibility of the employer to ensure that conditions on site are safe and comply with the prevailing health and safety law. If not, and an accident takes place, a visit from the HSE may be followed by prohibition notices or even prosecution.

The HSE will soon have another weapon with which to challenge unsafe practices: the new Work at Height Regulations 2004. These new regulations will implement the Temporary Work at Height Directive (2001/45/EC) and are expected to become law within the next six months.

The small print

The imminent introduction of this new legislation has already had a beneficial effect in the workplace – and it hasn't even become law yet, but knowledge of the impending regulations has focused attention on safe working at height and people are generally alert to the problem.

So what is so revolutionary about these new regulations? Surprisingly, much of the Regulations amounts to a combination of existing health and safety law, including the Health and Safety at Work Act (1974), the Provision and Use of Work Equipment Regulations 1998 (PUWER), Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and the Management of Health and Safety at Work Act Regulations 1999 (Reg.3).

There are, however, significant new requirements. Most noticeably, where previous legislation specified certain measures to be taken at a height of two metres or more, the new regulations state that measures must be taken at any height above ground level. This new requirement recognises the statistical fact that the majority of major injury accidents caused by falls from height are from below two metres.

The new Regulations are wide-ranging. They cover all work activities where there is a possibility that a fall is liable to cause injury. This is regardless of the equipment being used or the duration the person is



Sales and marketing director at Nationwide Access, Harry Waters.

working a height. In other words, the new Regulations cover all falls except slips and trips.

Several terms incorporated in the new Regulations deserve some explanation. For example, the Regulations refer to 'working platforms', but this is not a specific description. A working platform is any piece of equipment used to stand on while working at height. It can mean a scaffold, a cradle, a platform temporarily attached to a forklift truck, trestle stages and mast-climbing work platforms. Mobile elevating work platforms (MEWPs), such as scissor lifts and self-propelled boom lifts also fall under this heading.

The Regulations also make reference to 'work restraints' (any device used to prevent a person reaching a fall point, such as the edge of a roof); 'fall arrest' (a system used to stop a worker from hitting a solid surface should a fall occur); and 'work position' (which means a system where the worker is sat in position, for example using a boatswain's chair of rope access method), but initially every consideration should be given to avoidance.

More fundamental than these specifics, though, is the requirement that work at height is properly planned, appropriately supervised, and a proper risk assessment carried out prior to the work commencing.

This reinforces concepts such as the 'competence' of the planner, inspector or supervisor – something the employer will have to be able to demonstrate in the event of an accident involving a fall from height.

Certification

Already, we are receiving frequent calls from customers anxious to know how they can obtain a 'Work at Height Certificate'. If they are puzzled, then so are we – there is no certificate as such known to us, and yet our customers' employers are apparently requiring the users of powered access equipment to produce one.

The International Powered Access Federation (IPAF) has produced a comprehensive training package for equipment users, including a relatively new course on the use, maintenance and inspection of harnesses, and associated equipment. This equipment is referred to specifically in the new Regulations. It turns out, from anecdotal evidence, that a training certificate from this course is usually what the employer actually requires, even though it is not a certificate proving competence in all aspects of work at height.

In fact, when it comes to equipment, the new Regulations are not prescriptive. Rather they stipulate the use of the 'most suitable equipment'. This apparently innocuous phrase will actually have the most profound effect on the execution of work at height – even effectively banning that most fundamental of access tools, the ladder, in many instances.

Ladders are not outlawed by the new Regulations, but the European Directive makes it clear that they should only be used as work stations where a risk assessment shows that the use of other work equipment is not justified because of the low risk and, either the short duration of the job, or unalterable features of the work site. The ladder will no longer be the automatic choice for many jobs – instead it will be a last resort.

Powered access

For us in the powered access industry, this is good news because while there will always be a role for steps, ladders and scaffolds, it is an incontrovertible fact that for many jobs currently undertaken from the top of a ladder, or a scaffold platform, a scissor or boom lift would be a safer option. In other words, a powered access platform could be, to quote the proposed regulations, the "most suitable equipment".

As I mentioned earlier, the Work at Height Regulations 2004 largely represent a bringing together and tightening up of existing legislation. And so, ironically, although the regulations might have a profound effect on the choice of access equipment for any given job, the basic requirements for ensuring safe work at height are already in place.

What this all boils down to is that, if you are already employing good working practices and comply with the requirements of existing legislation, you have nothing to fear from the new Work at Height Regulations.