

## Provision and use of work equipment regulations 1998 (PUWER) Guidance

### Reviews and Revisions

Action	Date	Reason	Reviewer
PUWER guidance reviewed and updated	26/01/2017	To ensure currency of university practice	John Hall

## Contents

Introduction.....	3
Provision and Use of Work Equipment Regulations 1998 (PUWER) Guidance.....	3
Lifting Operations and Lifting Equipment Regulations 1998 .....	3
Duties Imposed on the Employer/Employee/Others .....	4
Inspection and Maintenance Guidance .....	4
Responsibilities of Duty Holders and Employees .....	5
Provision of New Work Equipment .....	3
Competence .....	6
Guidance Documents Available:	
HSE INDG291: Providing and Using Work Equipment Safely .....	6
HSE INDG290: Lifting Equipment at Work .....	7
HSE L22 Approved Code of Practice PUWER .....	7
HSE L113 Approved Code of Practice LOLER 1998. (revised 2014).....	7

## Introduction

This Guidance sets down the standards for the provision and use of work equipment within the University.

Over and above the general duty of care owed by the University to its staff, students and others under the Health and Safety at Work etc. Act 1974; all work related equipment is covered by **The Provision and Use of Work Equipment Regulations 1998 (PUWER)**.

## Provision and Use of Work Equipment Regulations 1998 (PUWER) – Guidance

Provision and use of Work Equipment Regulations 1998 (as amended) PUWER, places duties on any person who uses, supervises, manages or has any control of equipment used for work purposes. The regulations state that every employer shall ensure:

- That work equipment is so constructed or adapted as to be suitable for the purpose for which it is used or provided
- That work equipment is used only for operations for which, and under conditions for which, it is suitable
- That work equipment is maintained in an efficient state, in efficient working order and in good repair and any maintenance carried out is recorded
- That suitable inspections are carried out at regular intervals if machinery is likely to suffer from deterioration

## Lifting Operations and Lifting Equipment Regulations 1998 (as amended) LOLER

The Lifting Operations and Lifting Equipment Regulations 1998 (as amended) LOLER, places duties on any person who uses, supervises, manages or has any control of equipment used for lifting or lowering loads at work (objects, persons or animals). The regulations state that lifting equipment must be:

- Positioned and installed so as to be safe.
- Of adequate strength and stability and clearly marked with its safe working load.
- Of adequate strength and marked with any information necessary to ensure their safe use (included any load bearing parts or attachments used)
- Properly planned by a competently trained person
- Appropriately supervised and carried out in a safe way

## Duties Imposed on the Employer/Employees/Others

The Provision and Use of Work Equipment Regulations 1998 (PUWER) requires the risks to people's health and safety from equipment that they use at work, to be prevented or controlled. Generally, any equipment which is used by staff or students at work is covered by the regulations.

As well as the use of equipment, the regulations also cover start up, shut down, emergency stop, repairing, modifying, maintaining, servicing, cleaning and transporting. Each Faculty / Service shall make arrangements to ensure that for any work equipment used by them:

- A suitable and sufficient risk assessment is carried out on any work equipment *which carries any significant hazards and risks*.
- Is suitable for its intended use
- Is maintained in a safe condition for use
- Is inspected at regular intervals to ensure that it is, and continues to be, safe for use

The PUWER risk assessment form can be found [here](#), and is saved on SharePoint for future use.

## Inspection and Maintenance Guidance

The level of inspection and maintenance required will depend upon the type of work equipment being used, its use, and the conditions to which it is exposed. This will be determined through the risk assessment process and the use of manufacturer's guidelines and recommendations.

Any inspection and maintenance should concentrate on the safety-related parts which are necessary for the safe operation of the work equipment. In summary, the types of inspections required include:

- Visual checks before use (e.g. electric cable condition on hand-held power tools, functional testing of brakes, lights on mobile machinery)
- Weekly/monthly inspections (e.g. presence of guarding, function of safety devices, tyre pressures)
- More extensive thorough examinations (e.g. general condition of a ladder, close examination of a safety harness, portable appliance testing)

An example checklist for a fork lift truck can be found [here](#)

Thorough examinations will be undertaken by a competent person. The definition of what constitutes a 'competent person' is identified below. Such an inspection will involve a systematic and detailed examination of the work equipment. To determine the extent of any thorough examination, the competent person will assess the risks and considering factors such as where the work equipment is used, frequency of use, and its age and condition.

## Responsibilities of Duty Holders and Employees

In addition to ensuring equipment suitability, maintenance and inspection, each faculty / service shall ensure that:

- Where a machine has a maintenance log, this is kept up to date
- Where the safety of work equipment depends on the manner of installation, it must be inspected after installation and before being put into use; (e.g. mobile tower scaffolds). Records should be kept to show that this has taken place
- Clear, adequate safety markings and warnings, health and safety information is displayed including written instructions (where necessary) on its use for all people using, supervising or managing the use of work equipment
- Those who use, supervise or manage the use of work equipment have received adequate training, which should include the correct use of the equipment, the potential risks arising from its use and the precautions to take
- The risks to people from parts and substances falling or being ejected from work equipment, or the rupture or disintegration of work equipment is prevented or controlled
- The risks from extreme temperatures from the work equipment or the material being processed or used are managed to prevent injury
- Work equipment is provided with appropriately identified controls for starting, stopping and controlling the equipment and that these control systems are safe

## Provision of New Work Equipment

When providing new work equipment for use at work, each faculty / service shall ensure it conforms to the essential requirements of European Community Law (for new machinery this means the Machinery Directive). They will check that the new equipment:

- Is CE marked
- Comes with a [Declaration of Conformity](#) \*
- Is provided with instructions in English
- Is free from obvious defects

The [PUWER Conformity Assessment](#) form lists in detail the checks to be carried out.

NOTE: \*The Declaration of conformity confirms that the equipment complies with the safety requirements of the European product safety directives listed. The declaration must contain:

- The name and address of the organisation taking responsibility for the product
- A description of the product
- A list of which product safety directives it complies with
- Details of relevant standards used
- A date and signature by a representative of the organisation placing it on the EU/EEA market.

Guidance on buying new machinery available from [HSE INDG271\(rev1\)](#)

### Declaration of Incorporation

If Equipment comes with a Declaration of Incorporation then it is **NOT safe to use by itself**, as it is not a fully functioning piece of work equipment.

**The Declaration of incorporation** is a printed document, which must be supplied with partly completed machinery; that is machinery, which is either a drive system or an assembly – part of a machine but something that cannot in itself perform a specific application, and is only intended to be incorporated or assembled with other machinery/equipment to form a working machine.

The manufacturer of this equipment should make it as safe as possible, providing instructions for its safe assembly/ incorporation and a printed Declaration of Incorporation. However, a partly completed machine should not be CE marked. The person who later combines this with other equipment to form a complete machine, has the duty to comply with the relevant supply legislation, including CE marking.

NOTE: If a University faculty or service is assembling any equipment using components from different manufacturers, then a competent person must carry out a suitable assessment on the completed assembly using the [PUWER conformity assessment](#) form **before its first use**. Advice and training on this is available from the safety team.

## Competence

A competent person is someone who has sufficient technical and practical knowledge of the equipment to be able to detect any defects or maintenance issues and assess how significant they are. It is also important that the competent person is sufficiently independent and impartial to allow them to make an objective assessment. For this reason, it is not advisable for the same person who performs routine maintenance to carry out the thorough examination, as they are then responsible for assessing their own work.

Each faculty / service will, where appropriate, utilise an external company to act as the competent person, ensuring they meet the above criteria. The competent person will understand what is meant by a 'thorough examination' and what the law requires.

## Guidance Documents Available

### HSE INDG291: Providing and Using Work Equipment Safely

This guide provides an outline of the requirements of the Provision and Use of Workplace Equipment Regulations (PUWER) and what the University must do to keep people safe.

<http://www.hse.gov.uk/pubns/indg291.pdf>

### **HSE INDG290: Lifting Equipment at Work**

This guidance provides general information about the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). It describes what the University may need to do to protect persons in the workplace and is available at the following link:

<http://www.hse.gov.uk/pubns/indg290.pdf>

### **HSE L22 Approved Code of Practice PUWER 1998**

This Approved Code of Practice sets out what is needed to comply with the Provision and Use of Work Equipment Regulations 1998. The Regulations, commonly known as PUWER, place duties on people and companies who own, operate or have control over work equipment. It applies to anyone with responsibility (direct or indirect) for equipment and its use (e.g. employers, employees, self-employed and hirers).

**PUWER: The HSE Approved Code of Practice L22 can be found [here](#)**

### **HSE L113 Approved Code of Practice LOLER 1998. (Revised 2014)**

This Approved Code of Practice and guidance is for those that work with any lifting equipment provided at work or for the use of people at work, those who employ such people, those that represent them and those who act as a competent person in the examination of lifting equipment. It sets out what you should do to comply with the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). These regulations apply to lifting equipment and builds on the requirements of the Provision and Use of Work Equipment Regulations (PUWER).

**LOLER: The HSE Approved Code of Practice L113 can be found [here](#)**