

LEAFLET 8**THE PURCHASE AND SAFE USE OF WORK EQUIPMENT****CONTENTS**

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LEAFLET FOR LINE MANAGERS**INTRODUCTION**

1 This leaflet is intended to enable line managers within the MOD to comply with the Secretary of State's Policy for The Management of Safety and Environmental Protection in the MoD. In the acquisition of material and equipment of all kinds, safety and environmental management is to begin at the requirements definition stage and is to be carried forward through service to disposal. All aspects of maintenance and operation (including military service) are to be taken into account and particular care is to be given in assessing risk and environmental impacts where there is no appropriate statute or equivalent civil practice. Further guidance on the management of equipment safety within the MoD can be found in the reference and further reading section of this leaflet.

SCOPE

2 Covers all work equipment procured for use within the MOD using both public and non-public funds, by MOD personnel and authorised contractors.

DEFINITIONS**Purchaser**

3 Purchaser is the person that authorises the provision of work equipment from a supplier. This could be a line manager for local purchase items, or a leader of an Integrated Project Team in the Defence Procurement Agency.

Line Manager

4 Line Manager means all staff, both Service and Civilian, who have authority and responsibility for directing and supervising people working for them, be they permanent, temporary or contractually employed.

Work Equipment

5 Work Equipment is a comprehensive term, which includes single machines (lathes, photocopier), apparatus (bunsen burner), tools (hammer, spanner) and assemblies arranged to function as a unit (automatic storage retrieval system). Work equipment also includes mobile equipment (dumper truck, lift truck).

Maintained

6 Maintained means work equipment that is preserved in an efficient state, effective working order and good repair, so that the H&S of all personnel are not endangered.

Use

7 Use means any activity involving work equipment including, starting, stopping, erecting, installing, dismantling, programming, setting, using, transporting, repairing, modifying, maintaining, servicing and cleaning, and similar related expressions.

Competent Person

8 A person who has sufficient training and experience or knowledge and other qualities to enable him properly to assist the employer in undertaking the measures he needs to take to comply with the requirements and prohibitions imposed on him by or under the relevant statutory provisions. (Management of Health and Safety at Work Regulations 1999)

DUTIES**Purchasers' Duties**

9 The Purchaser shall ensure that the work equipment procured for use complies with the Secretary of State's Policy and the PUWER 98 (see Annex A for more detail). Those managing the procurement process and specification development of work equipment are responsible for:

9.1 Ensuring that equipment purchased is suitable for the operation/fit for purpose and should carry the CE marking, and comply with The Supply of Machinery (Safety) Regulations 1992.

NOTE

Specially developed equipment for the Armed Forces will not require a CE mark.

9.2 Assessing all risk areas and recommending solutions to reduce the risks to as low as practicable.

9.3 Ensuring that appropriate through life safety management arrangements are established for all equipment.

9.4 Ensuring that all risks are identified and forwarded for action by the user.

Line Managers' Duties

10 Line Managers with responsibility for work equipment are required to comply with the Secretary of State's Policy and the PUWER 98 (see ANNEX A for more detail)

- 10.1 Ensure that operational safety standards are achieved and maintained until the equipment is removed from operational service.
- 10.2 Ensuring that work equipment documentation and records of use are maintained throughout the work equipment's lifespan then stored/archived in accordance with local rules.
- 10.3 Ensure that new risk assessments are carried out if there are any changes made that affect the agreed safe system of work.
- 10.4 To advise and report any safety implications on any projected change in the equipment's role.
- 10.5 To carry out periodic work equipment assessments to monitor machine safety and work integrity.
- 10.6 Ensure that residual risks are eliminated or rendered harmless by adequate safe control of the process.

Employee's Duties

- 11 All Employees are to:
 - 11.1 Use work equipment for its intended purpose and in such a way as not to endanger others.
 - 11.2 Report any defects to work equipment to their Line Manager.
 - 11.3 Undertake any training necessary to enable them to competently, and if required legally, use the work equipment e.g. drivers of vehicles

RECORDS

- 12 There is a requirement for the purchaser and/or line manager to maintain records of risk assessment, failure and defect data, maintenance data, training and competence records including outcomes in accordance with the their safe system of work.

REFERENCES AND FURTHER READING

- 13 For the latest advice and updated regulations use the Health and Safety Hierarchy or special advisors for the latest information. The following list is not exhaustive:

- Health and Safety at Work Etc Act. (1974)
- The Provision and Use of Work Equipment Regulations (PUWER) 1998
- The Supply of Machinery (Safety) Regulations 1992
- Approved Code of Practice and Guidance (ACOP) produced by the HSE entitled Safe Use of Work Equipment No L22.
- ACOP produced by the HSE entitled Safe Use of Power Presses No L112
- Operating and Use, and maintenance instructions which are derived from the Safety Case requirements laid down in JSP 318b (Air Worthiness). JSP 430 (Ships Safety Management) and JSP 454 (Land Systems Safety).
- The Workplace (Health, Safety and Welfare) Regulation 1992
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR 95)
- The Noise at Work Regulations 1989
- The Electricity at Work Regulation 1989
- The Management of Health and Safety at Work Regulations 1999
- Leaflet - Lifting Operations and Lifting Equipment.

LEAFLET 8 ANNEX A**THE PURCHASE AND SAFE USE OF WORK EQUIPMENT****CONTENTS**

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GUIDANCE FOR LINE MANAGERS**GENERAL**

1 Provision and Use of Work Equipment Regulation 1998 (PUWER 98) contains 39 separate Regulations, this Annex gives a short description of each to give the reader an insight on the content of each regulation.

2 The first three regulations are the same, as you would expect to find in all Health and Safety Regulations, the citation, commencement dates, interpretation and application.

3 The main body of PUWER 98 is concerned with work equipment and covers fixed installations, hand tools, mobile work equipment and power presses. It must also be noted that this regulation applies to work equipment in use including items purchased before 5 Dec 98. What follows is a shortened version as an introduction but will not cover PUWER 98 in its entirety.

FIXED INSTALLATIONS (PART II) - (INCLUDING WHERE APPLICABLE HAND TOOLS)

4 The Line manager and or Purchaser shall ensure that all work equipment that they are responsible for is:

Suitability

5 Shall be constructed or adapted to be suitable and safe to use and is only to be used for operations for which, and under conditions for which, it is suitable. Where suitable means suitable in any respect, which it is reasonably foreseeable, will not affect the health or safety of any person. (Reg. 4)

Maintenance

6 Shall be maintained in an efficient state, in efficient working order and in good repair with logbooks kept up to date where applicable. (Reg. 5)

Inspection

7 Inspected after installation and before being put into service for the first time and inspected after assembly at a new site or location to ensure that it has been installed correctly and is safe to operate. Also to inspect at suitable intervals and in exceptional circumstances to ensure that health and safety conditions are maintained and that any deterioration can be detected and remedied in good time. (Reg. 6)

Specific Risk

8 Is found likely to involve a specific risk to health and safety shall ensure that the work equipment is restricted to those persons given the task of using it. Repairs, modifications, maintenance or servicing of that work equipment is restricted to those persons who have been specifically designated and are qualified to perform operations described. (Reg. 7)

Information and Instructions

9 To have available to them adequate health and safety information and, where appropriate, written instructions pertaining to the work equipment. (Reg. 8)

Training

10 To ensure that all persons who use work equipment have received adequate training for the purposes of health and safety, including training in the methods which may be adopted when using work equipment, any risks that such use may entail and precautions to be taken. (Reg.9)

Conformity with Community Requirements

11 To ensure that all Work Equipment designed and manufactured after 31 December 1998 should conform to European Community Standards and carries the CE registered mark. Any work equipment that does not have the CE must be fully inspected and brought in line with the current regulations. (Reg. 10)

Dangerous parts of machinery

12 To ensure that all safety guards, jigs, fixtures are fit for purpose i.e. will shield and or guard the user by preventing contact with moving parts that could cause injury to the user by entrapment, shear, puncture, crushing, contact, ejection or impact. (Reg. 11)

Protection against specific hazards

13 To take measures to ensure that the exposure of a person using work equipment to any risk to his health or safety from any hazard is either prevented, or, where this is not reasonably practicable is adequately controlled. (Reg. 12)

High or Low temperatures

14 To consider potential injuries that could be caused during the operation of work equipment by contact with very high or very low temperatures and shall ensure that appropriate protection is provided to prevent injury to any person. (Reg. 13)

Controls for starting

15 To ensure that, where appropriate, work equipment is provided with one or more controls for the purpose of starting, re-starting, controlling change in speed, pressure or other operating conditions. (Reg. 14)

Stop Controls

16 To ensure that emergency stop controls are provided where other safeguards are not adequate to prevent danger. (Reg. 15)

Emergency Stop Controls

17 Ensuring that emergency stop controls are easily identified and within easy reach by the user and others should the need arise. (Reg. 16)

Controls

18 To ensure that all controls are clearly visible and identifiable, including by appropriate marking where necessary. (Reg. 17)

Control Systems

19 Ensure that all control systems are safe and are chosen making due allowance for failures, faults and constraints in use. (Reg. 18)

Isolation from source energy

20 To ensure that where appropriate work equipment is provided with suitable means of isolation from its source of energy. (Reg. 19)

Stability

21 To ensure that work equipment or part of work equipment is stabilised by clamping or otherwise where necessary for purposes of health and safety. (Reg. 20)

Lighting

22 To ensure that suitable and sufficient lighting, which takes account of operation to be carried out, is provided at any place where a person uses work equipment. (Reg. 21)

Maintenance Operations

23 Is constructed or adapted that, so far as reasonably practicable, maintenance operations which involve risk to health or safety can be carried out while the work equipment is shut down or isolated. (Reg. 22)

Markings

24 To ensure that the work equipment is marked in a clearly visible manner with any marking appropriate for reasons of health and safety. (Reg. 23)

Warnings

25 To ensure that warning and warning devices, which are appropriate for, reasons of health and safety are used. (Reg. 24)

MOBILE WORK EQUIPMENT (PART III)

26 Mobile work equipment that can be defined as either towed, remote controlled or self-propelled have further considerations to be included along with those mentioned above. The Line manager and or Purchaser shall ensure that all work equipment that they are responsible for is:

Employees carried on mobile work equipment

27 To ensure that no employee is carried by mobile work equipment unless it is suitable for carrying persons or incorporate features for reducing to as low as reasonably practicable risk to their safety, including risk from wheels or tracks. (Reg. 25)

Rolling over of mobile work equipment

28 To ensure that where there is a risk to an employee riding on mobile work equipment from rolling over is minimize by stabilizing the work equipment (e.g. lowering the centre of gravity by keeping transit loads as low as possible or the use of outriggers during static operations). Alternatively ensure that work equipment can only tip onto its side due to its shape or construction (e. g. Roll cage fitted, full seat belts/harnesses may still be needed to protect the user from the risk of overturning but their use must not increase the risks to safety). (Reg.26, 27)

Self-propelled work equipment

29 To ensure that self-propelled vehicles are provided with a means to prevent unauthorized starting (such as a key). Suitable precautions to prevent collision must be considered (e.g. rail mounted equipment signals, sidings etc.). A device for braking or stopping must be fitted and consideration given to providing a fail-safe emergency device (e.g. auto power cut off switches fitted to the seat of a fork lift truck). (Reg. 28)

Remote-controlled self-propelled work equipment

30 To ensure that remote controlled, self-propelled work equipment shall stop automatically and safely once it leaves its control zone. Features or devices should be incorporated to guard against impact or crushing such as a bump bar or radar devices. (Reg. 29)

Drive Shafts

31 Drive Shafts, if failure could pose a risk, then adequate guards should be fitted to protect people and the shaft from damage. (Reg. 30)

POWER PRESSES (PART IV)

32 PUWER 98 also applies to some mechanically driven presses or press brakes which are power driven, have a flywheel and clutch and which are wholly or partly used to work metal. A power press clutch, in relation to a power press, is a device designed to impart the movement of the flywheel to any tool when required. These regulations also apply during die proving. Other types of power presses are not covered by PUWER 98. (For example hydraulic or other power presses used on other types of material) (Reg. 31)

NOTE

The PUWER 98 Regulations 1 through 24 and Part (V) apply to Power Presses along with those listed below.

33 The Line manager shall ensure that all Power Presses that they are responsible for is:

Inspection at installation or new site

34 Inspected after installation along with any guard, or protection device before being put into service for the first time or after assembly at a new site or location to ensure that it has been installed correctly and is safe to operate. (Reg. 32)

Inspection after adjustments

35 Inspected after setting, resetting or adjustment of its tools, save in trying out its tools or save in die proving unless it has been inspected and tested by a competent person or by a trainee under supervised of a competent person. A completed certificate of compliance must be completed and correctly signed before any work commences. (Reg.33)

Inspection of guards and protective devices

36 To ensure that they are not used after the expiration of the forth hour of a working period unless its every guard and protection device has been inspected and tested while in position on the power press by a competent person. (Reg. 33)

Reports

37 A person making a thorough examination for a line manager under regulation 32 shall notify the line manager forthwith of any defect in a power press or its guard or protection device which in his opinion is or could become a danger to persons as soon as practicable in writing. (Reg. 34)

Keeping information

38 To ensure that the information in every report made to regulation 34 is kept available for inspection for 2 years after it is made. The current certificate raised to regulation 33 is kept available for inspection at or near the power press until it is superseded by a later certificate and after that, until 6 months have passed since it was signed. (Reg. 35)

MISCELLANEOUS (PART V)

39 The final parts of PUWER 98 cover certain Exemptions for the Armed Forces, Transitional Provision, Repeal of Enactment and Revocation of Instruments.

Lifting Equipment

40 PUWER 1998 applies to lifting equipment. More specific regulations dealing with the full operation of lifting equipment can be found in the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER 98), which applies over and above the PUWER requirements. Further information can be found in Leaflet - Lifting Operations and Lifting Equipment

Risk Assessment

41 If any equipment, process or system is changed or introduced there must be a risk assessment carried out to identify any new potential hazards.

42 Any hazard identified that could cause injury or harm to the user or others must be either removed or rendered harmless by adequate safe control of the process. (See Leaflet - Health and Safety Risk Assessment).

43 More Detailed information on PUWER 98 can be found in the ACOP produced by the HSE entitled Safe Use of Work Equipment No L22.

44 For further information on Power Presses see the HSE ACOP entitled Safe Use of Power Presses No L112.