



Lifting Operations and Lifting Equipment (LOLER) Policy

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1 Statement of Aims and Objectives

- 1.1. The Lifting Operations and Lifting Equipment (LOLER) policy is applicable to all employees of South East Coast Ambulance Service NHS Foundation Trust, referred to throughout this policy as 'the Trust', as well as other staff including temporary employees (e.g. agency/bank, contractors/students) and any other people who may be affected by the Trust's activities.
- 1.2. This policy seeks to set out how the Trust will comply with the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) where it applies to lifting equipment and builds upon the requirements of the Provision and Use of Work Equipment Regulations 1998 (PUWER).
- 1.3. This policy forms part of the suite of policies which contribute to compliance with Statutory Instruments contained within the Trust's Health & Safety Policy.

2 Principles

- 2.1. The Health and Safety at Work, etc. Act 1974 requires the Trust to ensure, so far as is reasonably practicable, the health and safety of all employees while at work. It also has a responsibility to ensure that others are not put at risk by work-related activities.
- 2.2. The Management of Health and Safety at Work Regulations 1999 commits the Trust to managing health and safety effectively by assessing the risks of health and safety to staff while they are at work and to others who may be affected by our work activities.
- 2.3. Lifting activities and equipment should be managed in the same way as any other risk and integrated into the existing arrangements for managing health and safety.
- 2.4. The Trust will:
 - Have policy covering the use of lifting equipment provided as work equipment
 - Have systems to ensure all lifting operations are properly planned
 - Have monitoring to ensure all lifting equipment is used in a safe manner
 - Have thorough examination of lifting equipment, at suitable intervals, by a competent person
 - Have co-operation across departments with different responsibilities for work-related safety
 - Adhere to the Trust's risk assessment procedure

3 Arrangements

This policy and arrangements are to be applied throughout the Trust and will extend to encompass the full range of the Trust's work and undertakings. This will include:

- All Trust premises
- Shared premises where Trust staff work
- All places where staff undertake their duties

3.1 Equipment and Operations Covered by LOLER regulations

3.1.1 LOLER applies to ALL lifting equipment used for work purposes, even where it was manufactured and put into use before LOLER came into force in 1998. LOLER builds on the requirements of PUWER and applies when equipment is provided for those at work or for work purposes.

3.1.2 Lifting equipment includes any equipment used at work for lifting or lowering loads as a principal function. It includes attachments used for anchoring, fixing, or supporting it. Examples of equipment and accessories include:

- Goods/Passenger Lifts (which are provided for those at work, e.g. in an office block)
- Hoists or slings used for lifting people
- Rope and pulley systems
- Scissor lift
- Mobile elevating work platforms (MEWPs)
- Vehicle Inspection platform hoists
- Vehicle tail lifts
- Chains, ropes
- Slings
- Removable eyebolts, shackles, hooks

3.2 Risk Assessment

3.2.1 Under the Management of Health and Safety at Work Regulations 1999, the Trust must make a suitable and sufficient assessment of the risks employees and others who could be affected by our activities. The risk assessment will therefore help in the selection of lifting equipment and assess its suitability for the task. It is sensible to consult and involve those who will be using the equipment and those who are responsible for planning lifting operations.

3.2.2 The risk assessment will consider the following factors:

- How often the lifting equipment will be used
- Where the lifting equipment will be used
- The nature and characteristics of the load that the equipment will lift
- The lifting capacity and stability of the equipment for its proposed use
- The safe working load of the equipment
- Any limitations on use specified by the supplier or manufacturer
- Provision of adequate information, training and instruction of operators
- Proper planning by a competent person of all lifting operations
- Supervision, where required
- Maintenance and inspection regimes, as applicable
- Protection against slips, trips and falls
- Any risk of damage to the lifting equipment which could result in failure
- Any risk of the lifting equipment striking a person or object and the consequences
- Sufficient headroom, where applicable, and other proximity hazards
- Any risks from any electrical, hydraulic or pneumatic power supplies or badly designed safeguards
- Housekeeping and lighting around the work area
- Appropriate information, training and instructions for operators/users

This list is not exhaustive. Where work involves special hazards or higher risk activities, requirements may be greater.

3.3 Marking of Lifting Equipment and Accessories

- 3.3.1 All lifting equipment and accessories for lifting will clearly display the safe working load for each configuration or have information which clearly indicates its safe working load for each configuration kept with the machinery. This must be clearly marked or readily available to the operator or user of the equipment.
- 3.3.2 Accessories should be marked and stored in such a way so as to be readily identifiable as to what piece of lifting equipment with which they should be used.
- 3.3.3 New equipment should be CE marked and be supplied with a Declaration of Conformity and instructions, written in English.

3.4 Pre use checks

- 3.4.1 Users of any lifting equipment will have appropriate training, information and instruction, so that they may confidently undertake pre-use checks on lifting equipment and accessories and are able to identify faults or damage to the equipment. (These checks are NOT the same as maintenance or thorough examination).

3.5 Competent Person

- 3.5.1 The Trust will ensure that the person undertaking thorough inspections has appropriate practical and theoretical knowledge and experience of the lifting equipment to be thoroughly examined as will enable them to detect defects or weaknesses and to assess their importance in relation to the safety and continued use of the lifting equipment.
- 3.5.2 The competent person will not be the same person who performs routine maintenance (as they would be responsible for assessing their own work).
- 3.5.3 The competent person should be sufficiently independent and impartial to make objective decisions and may be utilised from Trust employees or externally sourced.

3.6 Thorough Examination

- 3.6.1 The extent of the thorough examination will depend on an assessment of the risks based on the type of lifting equipment, where it is installed and how it will be used.
- 3.6.2 Thorough examination will be undertaken by a competent person:
- On initial use or following installation
 - Periodically during the life of the equipment to ensure it remains fit for use
 - Following certain exceptional circumstances, e.g. if it becomes damaged, has been out of use for a long period, or after a significant change in use.

Type of equipment	6 Month	12 Month	Examinations scheme
Accessory for lifting	✓		✓
Equipment used to lift people	✓		✓
All other lifting		✓	✓

- 3.6.3 Thorough examinations and supplementary inspections (where required) will be carried out under LOLER and limited to the lifting mechanism. However, PUWER requires all work equipment that is exposed to conditions causing deterioration which may result in dangerous situations to be inspected, therefore, for some lifting equipment there will be a requirement to inspect both the distinct lifting elements as well as the non-lifting elements.
- 3.6.4 If the competent person discovers a defect that involves an existing or imminent risk of serious personal injury, then this must be reported immediately and a copy of the report must be sent to the relevant enforcing authority (Health and Safety Executive) by the Health and Safety department, even if the defects are remedied immediately.
- 3.6.5 The Trust will take action to rectify any defect it is informed about and where notification is received of a serious or significant defect, the lifting equipment must be taken out of service until the defect has been put right to ensure that the Trust remains compliant with the law. For defects that need to be rectified within certain timescales, the defective equipment must be repaired or replaced within the specified time.

3.7 Load testing

- 3.7.1 The competent person will decide whether a load test is necessary and the nature of the test as part of the thorough examination.

3.8 Record keeping

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. 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.

4 Definitions

Terminology	Definition
COMPETENT PERSON:	A practical and reasonable person with sufficient documented training and experience, who knows what to look for, how to recognise it when they see it, and how to deal with it to make it safe. They also know and work within the limits of their competence.
HARM	Injury to or death of persons, or damage.
HAZARD	A potential source of harm.
LOLER	Lifting Operations and Lifting Equipment Regulations
NEAR MISS	An incident, which did not show a visible result, but had the potential to do so.
PUWER	Provision and Use of Work Equipment Regulations.
RISK ASSESSMENT	A process where hazards are identified and risks evaluated, with the objective of eliminating or reducing the risks to an acceptable level, in the UK this generally means reducing risk to a level which is tolerable and as low as reasonably practicable (ALARP).

5 Responsibilities

- 5.1 The Chief Executive Officer** is accountable for ensuring the effective implementation of this Policy and monitoring the overall effectiveness of this Policy.
- 5.2 The Director of Nursing and Quality Directorate** has been designated as the lead Board member with the responsibility for Health and Safety and as such will ensure that robust management systems exist to reasonably minimise and/or adequately control the risks of harm to patients, staff and others from harm that may arise from Trust lifting equipment.
- 5.3 The Health and Safety Department** will be responsible for monitoring all injuries resulting from lifting operations and activities.

5.4 **Managers** will be responsible for the effective implementation of this policy within their area of control.

5.4.1 Managers are responsible for ensuring all members of staff under their control are fully aware of this policy.

5.4 **The Estates Department** will ensure appropriate maintenance, inspection and thorough examinations are undertaken relating to lifting equipment within their area of control, liaising with landlords as appropriate, and that records are kept, as appropriate.

5.5 **The Fleet Department** will ensure appropriate maintenance, inspection and thorough examinations are undertaken relating to lifting equipment within their area of control and that records are kept, as appropriate.

5.5.1 The Fleet Department will monitor all vehicle-related incidents recorded via Datix and defects via FLEETMAN.

5.5.2 The Fleet Department will provide advice, guidance and support to Operations Managers, Line Managers and staff on vehicle related issues.

5.6 **Employees** do not have specific duties under LOLER. However, employees still have general duties under the Health and Safety at Work, etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999, such as taking care of themselves and others who may be affected by their actions, co-operation with others and reporting of unsafe equipment or conditions.

6 Education and training

6.1.1 LOLER Specific training will be subject to a training needs analysis.

6.1.2 In addition, staff identified to undertake work activities where LOLER is applicable will have the task based LOLER risk assessment shared with them including receiving information and instruction.

5.1.3 Managers will ensure all staff required to use LOLER regulated equipment as part of their work activity will be given training locally in the correct and safe use of the equipment and all associated personal protective equipment (PPE).

7 Monitoring compliance

- 7.1 The Director of Nursing and Quality Directorate Central Health and Safety Working Group (CHSWG) will monitor that policy is adhered to and fit for purpose.

8 Audit and Review

- 8.1 This policy will be audited by the Central Health and Safety Working Group (CHSWG) at regular intervals, and initially six months after this policy is approved and disseminated.
- 8.2 Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).
- 8.3 This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.
- 8.4 All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

9 References

- Health and Safety at Work, etc. Act 1974
- Management of Health and Safety at Work Regulations, 1999
- The Provision and Use of Work Equipment Regulations, 1998
- The Lifting Operations and Lifting Equipment Regulations, 1998
- The Corporate Manslaughter and Homicide Act 2007
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- HSE L113 (2nd edition) Safe Use of Lifting Equipment – Lifting Operations and Lifting Equipment Regulations 1998 – Approved Code of Practice
- HSE INDG290 (rev1) Lifting Equipment at Work
- HSE INDG422 Thorough Examination of Lifting Equipment
- HSE HSIS No.4 How Lifting Operations and Lifting Equipment Regulations Apply to Health and Social Care

10 Equality Analysis

- 11.1 The Trust believes in fairness and equality, and values diversity in its role as both a provider of services and as an employer. The Trust aims to provide accessible services that respect the needs of each individual and exclude no-one. It is committed to comply with the Human Rights Act and

to meeting the Equality Act 2010, which identifies the following nine protected characteristics: Age, Disability, Race, Religion and Belief, Gender Reassignment, Sexual Orientation, Sex, Marriage and Civil Partnership and Pregnancy and Maternity.

- 11.2 Compliance with the Public Sector Equality Duty: If a contractor carries out functions of a public nature then for the duration of the contract, the contractor or supplier would itself be considered a public authority and have the duty to comply with the equalities duties when carrying out those functions