

The work at height regulations 2005

Falls from height are the biggest single cause of workplace deaths in incidents and one of the main causes of major injury. In 2003/04 falls from height accounted for 67 fatal accidents at work and nearly 4,000 major injuries. The greater majority of these were predictable and preventable. These regulations apply to all work at height where there is a risk of a fall liable to cause personal injury.

Definitions

Regulation 2

Some definitions listed are:

'work at height' means

- a) work in any place, including a place at or below ground level;
- b) obtaining access to or egress from such place while at work, except by a staircase in a permanent workplace, where, if measures required by these Regulations were not taken, a person could fall a distance liable to cause personal injury;

'working platform' means any platform used as a place of work or as a means of access to or egress from a place of work. This includes any scaffold, suspended scaffold, cradle, mobile platform, trestle, gangway, gantry and stairway which is so used;

'access' and 'egress' include ascent and descent;

'fragile surface' means a surface which would be liable to fail if any reasonably foreseeable loading were to be applied to it;

'ladder' includes a fixed ladder and a stepladder.

Responsibilities

Regulation 3

Sets out who has responsibilities and to whom, including the self employed.

Organising and planning

Regulation 4

Every employer shall ensure that work at height is properly planned, appropriately supervised and carried out in a manner which is so far as is reasonably practicable safe, and that its planning includes the selection of work equipment in accordance with regulation 7.

Employers must plan for emergencies and rescue.

Work at height should only occur when weather conditions do not jeopardise the health or safety of persons involved in the work (except where members of the police, fire, ambulance or other emergency services are acting in an emergency).

Competence

Regulation 5

Employers must ensure the competence of anyone involved in organising, planning or supervising work at height and any associated work equipment.

Avoidance of risks from falls at height

Regulation 6

In identifying the measures required by this regulation employers must take account of the requirement to do risk assessments under the Management of Health and Safety at Work Regulations. Employers shall ensure that work is not carried out at height where it is reasonably practicable to carry out the work safely otherwise than at height. Where work is carried out at height, every employer shall take suitable and sufficient measures to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury. If that is not possible steps must be taken to limit the distance and consequences of any potential fall.

Selection of work equipment for work at height

Regulation 7

In selecting work equipment for use in work at height, employers shall give collective protection measures priority over personal protection measures, taking account of:

- i) the working conditions and the risks to the safety of persons at the place where the work equipment is to be used;
- ii) in the case of work equipment for access and egress, the distance to be negotiated;
- iii) the distance and consequences of a potential fall;
- iv) the duration and frequency of use;
- v) the need for easy and timely evacuation and rescue in an emergency;
- vi) any additional risk posed by the use, installation or removal of that work equipment or by evacuation and rescue from it; and
- vii) the other provisions of these regulations.

Requirements for particular work equipment

Regulation 8

Requires equipment listed in the schedules attached to the regulations to meet the requirements of those schedules. These include guard rails, toe boards, barriers, working platforms, scaffold, net, fall arrest devices etc.

Fragile surfaces

Regulation 9

Employers must avoid work on fragile surfaces. Where this is not possible suitable and sufficient platforms, coverings etc. must be provided, preventing any overloading of structures and, where necessary, minimising the distance of any potential fall.

Falling objects

Regulation 10

Employers must prevent injury from falling materials or objects. Where this is not reasonably practicable employers must prevent any person from being struck by any falling material or object. Materials or objects must not be thrown or tipped from height if it is liable to cause injury to any person. Materials and objects must be stored to prevent collapse, overturning or unintended movement.

Danger areas

Regulation 11

Employers must prevent people from entering areas where there is a risk of being hit by falling materials etc. This must be done by the use of suitable devices and those areas must be clearly marked.

Inspection of work equipment

Regulation 12

This regulation only applies to work equipment covered by Regulation 8 and Schedules 2 to 6.

This regulation requires inspection of work equipment used in the prevention of falls from height. Different types of equipment are listed with different requirements. Some are listed here. Refer to the regulations for more detail.

Inspection is defined as such visual or more rigorous inspection by a competent person as is appropriate for safety purposes and includes any testing appropriate for those purposes, and 'inspected' shall be construed accordingly.

Employers shall ensure that, where the safety of work equipment depends on how it is installed or assembled, it is not used after installation or assembly in any position unless it has been inspected in that position.

Employers shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is inspected at suitable intervals and each time that exceptional circumstances which are liable to jeopardise the safety of the work equipment have occurred.

Employers shall ensure that a working platform used for construction work and from which a person could fall 2 metres or more is not used in any position unless it has been inspected in that position or, in the case of a mobile working platform, inspected on the site, within the previous 7 days.

The regulations give details of how they fit with the inspection requirements of the Lifting Operations and Lifting Equipment Regulations 1998.

The regulations give detail of the circumstances for recording inspection details and the keeping of those inspection reports.

Inspection of places of work at height

Regulation 13

On each occasion before use, employers must check each surface, parapet, permanent rail or other such fall protection measure.

Duties of persons at work

Regulation 14

Defects and dangerous activity must be reported to the person in control. Equipment must be used according to the training and instruction given.

Exemptions by HSE

Regulation 15

Details the circumstances under which the Health and Safety Executive are empowered to give exemptions to these regulations.

Schedules

These give more detailed requirements on specific topics.

Schedule 1: Existing places of work and means of access or egress at height.

Schedule 2: Guard rails, toe boards, barriers and similar collective means of protection.

Schedule 3: Working platforms.

Part 1 All working platforms.

Part 2. Scaffolding.

Schedule 4: Collective safeguards for arresting falls.

Schedule 5: Personal fall protection systems.

Schedule 6: Ladders.

Schedule 7: Particulars to be included in a report of inspection.

Further information

Work at Height Regulations 2005 Statutory Instrument. SI 2005/735 Available from the Stationery Office 2005 or free at <http://www.legislation.hmso.gov.uk/si/si2005/20050735.htm>

The work at height regulations 2005. A brief Guide. HSE. Available free from HSE books or at <http://www.hse.gov.uk/pubns/indg401.pdf>

Question and Answer Brief for the Construction Industry on the Work at Height Regulations 2005. HSE. Available free from HSE Books or at <http://www.hse.gov.uk/construction/pdf/fallsqa.pdf>

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