

## **COMPLIANCE WITH POWER PROCEDURE**

### **1. INTRODUCTION**

The University uses work equipment in its operations and accepts that it has a duty of care to ensure the use of these is done in a manner that is safe and legal. The legal standards for this are given in the Provision and Use of Equipment Regulations 1998 (PUWER) made under the Health and Safety at Work Act 1974.

This procedure is intended to ensure that all staff and students of the University who use work equipment do this in a manner that assists the University to discharge its duty of care and comply with the above Regulations. This procedure is not intended to limit the use of tools and equipment within the University but to ensure that their use is both safe and legal.

### **2. SCOPE OF PROCEDURE**

This procedure applies to all Schools and Departments of the University and applies on all campuses and premises. It also applies to work equipment that is used on field trips. The standards of the procedure must also be applied to any equipment that is hired or borrowed from another party for use by staff or students of the University and to equipment that is supplied or hired to third parties by the University (see also Section 4.1, below).

Work equipment is any machinery, appliance, apparatus, tool or installation for use at work (whether exclusively used at work or not). This includes equipment which staff or students provide for their own use at work. The scope of work equipment is therefore extremely wide and encompasses tools as simple as a hammer or a screwdriver as well as those that are more complex - an electric drill, hot food cabinet or a paper shredder, and laboratory equipment such as a hospital bed, fume cupboard or monitoring and measuring equipment.

The definition of the use of work equipment in the Regulations is also very widely interpreted and '...means any activity involving work equipment and includes starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning'.

### **3. FOUNDATION IN POLICY**

This procedure is aimed at ensuring the University discharges the Responsibilities outlined in the Health, Safety and Wellbeing Policy and must be followed when any work equipment is used by staff or students of the University.

There is a specific requirement, under the the Provision and Use of Equipment Regulations 1998 to ensure the safe management and use of work equipment. The responsibility to ensure compliance rests with the University, the School / Support Department and all individuals involved.

Failure properly to manage the use of work equipment is a breach of the regulations and may leave the University and individuals involved open to prosecution.

The procedure which follows details what standards must be met to ensure machinery safety and compliance with the Regulations. Compliance with this procedure will ensure that there is no breach of legislation. Failure to follow this procedure is likely to lead to a breach of legislation.

Additionally, this procedure provides links to Approved Codes of Practice and Guidance on the Health and Safety Executive's website. Reference to these should be made when purchasing, installing and maintaining work equipment. While the ACOPs are not law, they were made under section 16 of the Health and Safety at Work Act (HSW Act) and so have a special status, as outlined in the introduction to the Provision and Use of Equipment Regulations Approved Code of Practice:

*“Following the guidance is not compulsory and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice.”*

Conversely, failure to follow the Approved Code of Practice could put the University into the position of having to prove that enough had been done to ensure compliance.

## **4. PROCEDURE**

### **4.1 Management Responsibilities:**

All Managers are required to ensure that the use of all work equipment within their area of responsibility is assessed as part of the Risk Assessment process required by the Management of Health & Safety at Work Regulations.

The Manager must ensure that all work equipment is compliant with the Regulations, a broad outline of which is found below in Sections 4.2 and 4.3 as well as ensuring that equipment that new equipment complies (see 4.4 and 4.7. The full text of the Regulations, Approved Code of Practice and Guidance may be found at the Health and Safety Executive website.

**Managers should prevent staff from borrowing tools and equipment for use on non- University business. Such use increases the University's civil and criminal liability.**

**Where staff bring their own tools and equipment to use in the University, these should be subject to the same inspection and maintenance procedures as tools and equipment owned by the University.**

It is not anticipated that staff involved in the purchase or use of work equipment will require any specific training to allow them to comply with this procedure and the Regulations. The requirements of the Regulations are clear and easily understood. Where additional assistance or guidance is required Resilience and Safety staff will be able to provide this.

### **4.2 The Provision and Use of Equipment Regulations 1998, requires that:**

Equipment provided for use at work is:

- a) Suitable for the intended use,

- b) Safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate,
- c) Used only by people who have received adequate information, instruction and training in its use,
- d) Fitted, as appropriate, with suitable health and safety measures, such as protective devices and controls. These will normally include emergency stop devices, adequate means of isolation from sources of energy, clearly visible warning markings (to UK standards) and warning devices,
- e) Used in accordance with specific requirements, for mobile work equipment and power presses (see below at 4.5 and 4.6).

Some work equipment is subject to other health and safety legislation in addition to the Provision and Use of Equipment Regulations. For example, lifting equipment such as cranes and patient hoists must also meet the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), pressure equipment must meet the Pressure Systems Safety Regulations and any personal protective equipment required must meet the Personal Protective Equipment at Work Regulations 1992.

### **4.3 What must be done to achieve compliance:**

Where the University uses work equipment or is involved in providing work equipment for others to use (eg for hire or loan), we must manage the risks from that equipment. This means that Managers must have systems in place to:

- a) Ensure the equipment is constructed or adapted to be suitable for the purpose it is used or provided for,
- b) Take account of the working conditions and health and safety risks in the workplace when selecting work equipment (exposure to moisture, chemicals, vibration, heat, etc.),
- c) Ensure work equipment is only used for suitable purposes and not adapted or modified (in an uncontrolled manner) to carry out some alternative purpose,
- d) Ensure work equipment is maintained in an efficient state, in efficient working order and in good repair – where appropriate through the manufacturer's recommended service regime,
- e) Where a machine has a maintenance log, keep this up to date with details of service and maintenance, any repairs (the log should be available for inspection at all times, preferably with the equipment),
- f) Where the safety of work equipment depends on the manner of installation, it must be inspected after installation (and if appropriate, commissioned) and before being put into use,
- g) Where work equipment is exposed to deteriorating conditions liable to result in dangerous situations, it must be inspected at appropriate intervals to ensure faults are detected in good time so the risk to health and safety is managed,

- h) Ensure that all people using, supervising or managing the use of work equipment are provided with adequate, clear health and safety information. This will include, where necessary, written instructions on its use and suitable equipment markings and warnings
- i) Ensure that all people who use, supervise or manage the use of work equipment have received adequate training, which should include the correct use of the equipment, the risks that may arise from its use and the precautions to take to avoid injury,
- j) where the use of work equipment is likely to involve a specific risk to health and safety (eg woodworking machinery, see <http://www.hse.gov.uk/woodworking/workingmachine.htm>), ensure that the use of the equipment is restricted to those people trained and appointed to use it,
- k) Take effective measures to prevent access to dangerous parts of machinery. This will normally be by fixed guarding but where routine access is needed, interlocked guards (sometimes with guard locking) may be needed to stop the movement of dangerous parts before a person can reach the danger zone. Where this is not possible – such as with the blade of a circular saw – it must be protected as far as possible and a safe system of work used. These protective measures should follow the hierarchy laid down in PUWER regulation 11(2) and the Provision and Use of Work Equipment, Approved Code of Practice and Guidance or, for woodworking machinery, the Safe use of Woodworking Machinery: Approved Code of Practice and Guidance, see (<http://www.hse.gov.uk/pubns/books/l114.htm>),
- l) Take measures to prevent or control the risks to people from parts and substances falling or being ejected from work equipment, or the rupture or disintegration of work equipment,
- m) Ensure that the risks from very hot or cold temperatures from the work equipment or the material being processed or used are managed to prevent injury,
- n) Ensure that work equipment is provided with appropriately identified controls for starting, stopping and controlling it, and that these control systems are safe,
- o) Where appropriate, provide suitable means of isolating work equipment and controlling access through permits to work from all power sources (including electric, hydraulic, pneumatic and gravitational energy),
- p) Ensure work equipment is stabilised by clamping or otherwise to avoid injury,
- q) Take appropriate measures to ensure maintenance operations on work equipment can be carried out safely while the equipment is shut down, without exposing people undertaking maintenance operations to risks to their health and safety.

#### **4.4 Provision of new work equipment:**

When providing new work equipment for use at work, you must ensure it conforms with the essential requirements of European Community law (for new machinery this means the Machinery Directive). You must check to ensure it:

- a) is CE marked indicating that the manufacturer of the product is declaring conformity with all of the Directives relating to that product
- b) Comes with a Declaration of Conformity relating to the particular product and which should declare key information, including: the name and address of the organisation taking responsibility for the product, a description of the product, a list which product safety Directives it complies with, (where appropriate) the details of relevant standards used, as well as being dated and signed by a representative of the organisation placing it on the EU/EEA market
- c) Is provided with instructions in English. New products must be accompanied by information, usually an Instruction Manual. All European product safety Directives require information to be made available to end users to enable the safe use of products, and installers to enable the product to be safely installed before use. User instructions should be comprehensive, easy to understand, and in the user's own language. Other information provided on the product such as warnings, which may be given in pictorial form, should be explained in the user instructions.
- d) Is free from obvious defects – and that it remains so during its working life

#### **4.5 Mobile work equipment**

When providing mobile work equipment, e.g., fork lift trucks, it must be ensured that:

- a) Where employees are carried, the equipment is suitable for that purpose
- b) The risks from rolling over are minimised, and any person being carried is protected in the event of fall or rollover. This should include protection against crushing, through the provision of a suitable restraint and a rollover protection system
- c) Self-propelled equipment can be controlled safely with braking devices, adequate driver vision and, where necessary, lighting
- d) Measures are taken to prevent any risks from drive shafts that power accessories attached to mobile work equipment, by using adequate guards

#### **4.6 Power presses**

When providing power presses for working on cold metal, you must thoroughly examine them and their safeguards before first putting them into use, and periodically afterwards. This means you must ensure that the inspection and testing of guards and protection devices is carried out by a competent person at frequent intervals (manufacturer's recommendations), and that records of these examinations, inspections and tests are kept. The Approved Code of Practice and Guidance "Safe use of power presses: Provision and Use of Work Equipment Regulations 1998 as applied to power presses, is available from the HSE website.

#### 4.7 Additional Legislation

Most new work equipment that is machinery will also fall within the scope of the Supply of Machinery (Safety) Regulations 2008. Machinery, and certain other work equipment within scope of the Directive, must undergo conformity assessment and be appropriately CE marked before being placed on the market or brought into use. This includes:

- a) Machinery which needs to be installed on / with other equipment or in a structure before it can be used
- b) Safety components placed independently on the market
- c) Lifting equipment / accessories
- d) Partly completed machinery (machinery which cannot itself perform a function) also comes within scope of the Machinery Directive

Other more specific legislation may also apply (for example the Lifting Operations and Lifting Equipment Regulations, when lifting equipment is used at work - see Health and Safety Executive Guidance at <http://www.hse.gov.uk/work-equipment-machinery/loler.htm>). In some cases, equipment used at work is more appropriately covered by other, more specific legislation (eg the Personal Protective Equipment Regulations (<http://www.hse.gov.uk/toolbox/ppe.htm>) and the Electricity at Work Regulations (<http://www.hse.gov.uk/electricity/>)). You may therefore have to ensure that the requirements of other legislation are met alongside those of PUWER; for example, the Workplace (Health, Safety and Welfare) Regulations 1992 (see <http://www.hse.gov.uk/pubns/books/l24.htm>), in relation to the workplace risks to pedestrians arising from mobile work equipment.

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