

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

Introduction

This circular informs Schools/Departments of the key requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) which came into force on 5 December 1998.

LOLER replaces existing legal requirements relating to the use of lifting equipment.

The Regulations aim to reduce risks to people's health and safety from lifting equipment provided for use at work.

The Provision and Use of Work Equipment Regulations 1998 apply to all work equipment including lifting equipment but LOLER applies over and above the general requirements of PUWER in respect of all lifting equipment.

Definition of Lifting Equipment

The Regulations define lifting equipment as "work equipment used at work for lifting and lowering loads and includes attachments used for anchoring, fixing or supporting the load." Such a definition covers a wide range of equipment including: vacuum lifting cranes, hoists, scissors lifts, fork lift trucks, passenger lifts, mobile elevating work platforms, vehicle inspection platform hoists, vehicle tail lifts, bath hoists, dumb waiters, pallet trucks, agricultural lifting equipment.

Equipment includes cranes, such as front-end loaders. Equipment that does not have as its principal function a use for lifting or lowering of the type associated with traditional lifting equipment (cranes, chains, etc.) is generally excluded from the Regulations, e.g. three-point linkage on tractors and horizontal conveyors or horizontal winching operations. The safety of such equipment would be subject to PUWER.

Attachments include chains, ropes, slings, pulleys, eyebolts, shackles; examples of situations include rope and pulley systems on building sites and ropes used for climbing or work positioning in arboriculture).

A large number of these items of equipment were already covered by previous regulations but each School needs to carry out a review to ensure that all equipment used for lifting and lowering loads is now included.

The regulations apply whether the equipment is owned, borrowed or hired; old or new.

Key Requirements of LOLER

1. Strength and stability

The lifting equipment must be sufficiently strong, stable and suitable for the proposed use. Similarly the load and anything attached to it must be suitable and of adequate strength.

2. Positioning and Installation

Lifting equipment must be positioned or installed to prevent risk of injury, e.g. from the equipment or the load falling or striking people.

3. Marking of lifting equipment

Lifting equipment, including accessories, must be visibly marked with any appropriate information to be taken into account for its safe use, e.g. safe working load. Equipment for lifting people must be appropriately marked as must equipment which must not be used for lifting people but might be in error.

4. Organisation of lifting operations

Lifting operations must be planned and supervised and carried out in a safe manner by people who are competent to do so.

5. Lifting Equipment for Lifting Persons

Such equipment must not present a risk of crushing or trapping, nor must people be at risk of falling from the equipment or being struck by it.

6. Thorough examination and inspection

a. The legal requirements for thorough examination of lifting equipment are:

i. Prior to first use

Before a School/Department uses any lifting equipment for the first time, a thorough examination must be carried out by a competent person *unless* there is physical evidence available to show that it is safe to use. Such evidence would include if the equipment:

(a) has not been used before and there is documentation drawn up within the 12 months prior to its first use, an initial test certificate in the form of an "EC Declaration of Conformity"

or (b) has been obtained from another organisation (e.g. hired or borrowed) and is accompanied by evidence that the necessary thorough examination has been carried out, e.g. a copy of the last test certificate is available.

This evidence or the competent person's examination report must be kept until the School/Department ceases to use the lifting equipment, or in the case of accessories, 2 years.

ii. Prior to first use where installation conditions are critical

Lifting equipment to be used for the first time where safety is dependent on the installation conditions must be thoroughly examined after installation but prior to being put into service. The report must be kept until the equipment is no longer used in that location.

iii. Periodic examinations once equipment is in service

- Lifting equipment in use must be thoroughly examined at least every 12 months.
- Accessories (chains, slings, ropes, etc.) must be thoroughly examined at least every 6 months.
- Equipment used for lifting people must be thoroughly examined at least every 6 months.
- For the above, the examination is in accordance with an examination scheme and is to identify any remedial action in good time before deterioration affects safety.

iv. After adverse incidents

Lifting equipment should also be inspected by a competent person after any incident or circumstances which may have adversely

affected the safety or integrity of the equipment, e.g. involvement in an accident or dangerous occurrence or after long periods out of use.

- b. All examinations must be carried out by a competent person (defined as a person "who has such 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"). A competent person will normally be from an outside independent organisation who has sufficient training and experience in examination and inspection of lifting equipment.
- c. Following all examinations or inspections of lifting equipment, the School/Department should receive a report in writing from the competent person. This should be kept on record in the School/Department for two years.
- d. Any defects will be made known in writing and the equipment should not be used until such defects have been rectified, unless the competent person indicates a timescale for the action to be taken; the latter is for defects that do not immediately endanger people but might do so in the near future.
- e. The competent person has a duty to inform the relevant enforcing authority where there is an existing or imminent risk of serious personal injury. Reports of defects should be kept on record until another such report is received.
- f. All records may be kept in hard copy form, stored electronically or on computer disk, as long as they are readily retrievable

7. Storage of Equipment

Lifting equipment must be kept in a manner which will not result in its deterioration due to physical damage, corrosion, rotting, attack of fabric by rodents.

Summary of School/Departmental Arrangements

Each school/department is responsible for:

- identifying and having an inventory of all the equipment that would fall under the LOLER regulations.
- identifying when lifting equipment is due for examination
- contacting a competent person (Allianz Engineering) for the examinations to take place
- organising remedial action for any defects found during examinations
- keeping relevant documents and reports readily retrievable

References available in the Safety Office

- The Lifting Operations and Lifting Equipment Regulations 1998, SI 98/3207
- Safe Use of Lifting Equipment. Lifting Operations and Lifting Equipment Regulations 1998. Approved Code of Practice and Guidance. L113 1998
- Simple Guide to the Lifting Operations and Lifting Equipment Regulations 1998
- Leaflet INDG290

- Safe Use of Work Equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and Guidance. L22 1998.