

Workshop 3b

# Lifts – Duty Holders Responsibilities

**Speaker:** Greg Harris, MowvéO Ltd

**Chaired by:** Simon Lowe  
(Methodist Homes)

**Room:** York room



National Housing  
Maintenance Forum

**NHMF**  
**Maintenance**  
**Conference**  
**2019**



# Lifts – Duty Holders Responsibilities

- **The Purpose**
  - **To provide information on the duty holders responsibilities**
  - **To answer any questions that you may have**
  - **To remove any doubt**

# Health and Safety at Work Act 1974

- The Health and Safety at Work Act 1974 (also referred to as HSWA, the HSW Act, the 1974 Act or HASAWA) is the primary piece of legislation covering occupational Health and Safety in Great Britain.
- The Health and Safety Executive, with local authorities (and other enforcing authorities) is responsible for enforcing the Act and a number of other Acts and Statutory Instruments relevant to the working environment.
- The HSWA is supported by a number of documents that support its enforcement for Vertical Transportation (Lifts, Escalators, Moving walks etc.)

# Lifting Operations and Lifting Equipment Regulations

- The Lifting Operations and Lifting equipment Regulations 1998 (LOLER) introduced new requirements for the safe provision and use of lifting equipment.
- Lifting equipment is lifts, escalators, moving walkways and façade access installations etc.
- If you are an owner or responsible for lifting equipment used at work, then you are a 'duty holder' under LOLER.

# Lifting Operations and Lifting Equipment Regulations

- A 'duty holder' has legal responsibilities to ensure that lifting equipment is thoroughly examined and that it is safe to use.
- For lifting equipment used primarily by members of the public, you may find that thorough examination ensures that you comply with the Health and Safety at Work Act 1974.

# Lifting Operations and Lifting Equipment Regulations

- As a 'duty holder' you have responsibilities for:
- Maintaining the lifting equipment
- appointing a competent person
- ensuring that the lifting equipment is examined at statutory intervals

# Lifting Operations and Lifting Equipment Regulations

- **Informing the competent person of any changes in the operation or conditions that may affect the risk assessment**
  - **making relevant documentation available**
  - **acting promptly to remedy any defects**
  - **ensuring that all documentation complies**
- and**
- **Record Keeping.**

# Thorough Examination

- **A thorough examination is a systematic and detailed examination of the lifting equipment.**
- **The competent person will report as necessary to the client or the enforcing authority if a defect is serious.**
- **The recommended test interval may change as a result of the risk assessment.**
- **A thorough examination should not be confused with preventative maintenance.**



# Thorough Examination

- **The competent person is legally required to notify you as soon as possible of any defects.**
- **If you are notified of a serious or significant defect you should take the equipment out of service immediately.**
- **If a Thorough Examination cannot take place or is not completed the Lift must be taken out of service if the current certificate has expired.**

# Maintenance

- **You must ensure that the Maintenance Routines are appropriate to the lift installation.**
- **Beware that a number of companies carry out visual inspections for the majority of visits.**
- **If the lift was handed over with an Operating and Maintenance Manual . The prescribed maintenance tasks should be followed.**

# Provision of USE OF Work Equipment Regulations

- **These Regulations, often abbreviated to PUWER, place duties on people and companies who own, operate or have control over work equipment. PUWER also places responsibilities on businesses and organisations whose employees use work equipment, whether owned by them or not.**
- **PUWER requires that equipment provided for use at work is:**
- **Suitable for the intended use**

# Provision of USE OF Work Equipment Regulations

- **Safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate.**
- **An auto dialler must be working or the lift must be switched off. This used to relate to any passenger carrying lift installed in Accordance with the Lift Regulations 1997. However a recent court ruling has decreed that this applies to all lifts fitted with an auto dialler.**
- **Used only by people who have received adequate information, instruction and training?**
- **Accompanied by 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 markings and warning devices**

# Construction (Design and Management) Regulations 2015

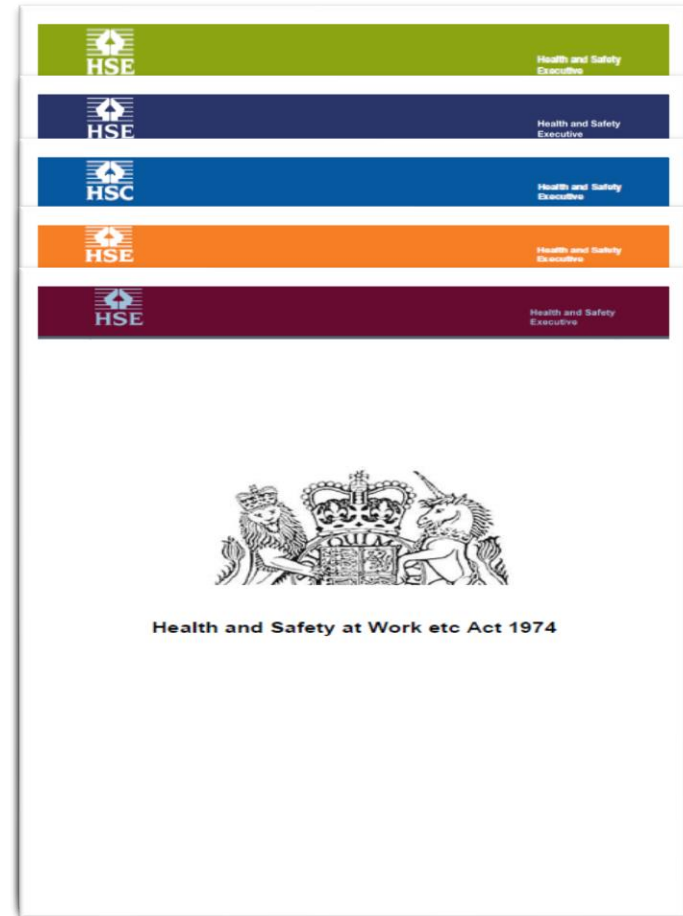
- **Whatever your role in construction, CDM aims to improve health and safety in the industry by helping you to:**
- **Sensibly plan the work so the risks involved are managed from start to finish**
- **Have the right people for the right job at the right time**
- **Cooperate and coordinate your work with others**

# Construction (Design and Management) Regulations 2015

- **Have the right information about the risks and how they are being managed**
- **Communicate this information effectively to those who need to know**
- **Consult and engage with workers about the risks and how they are being managed**

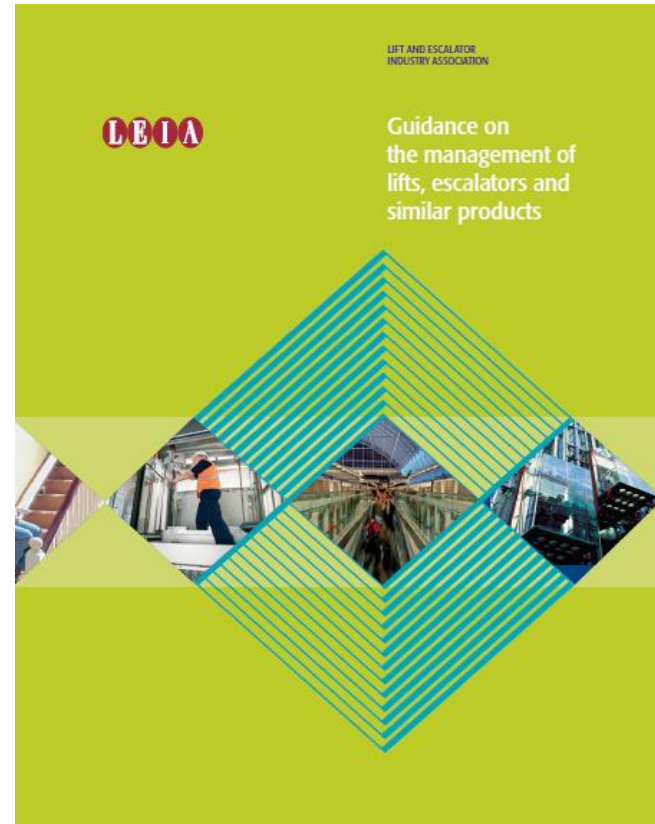
# Useful Guidelines

- The law HSWA
- Lifting Operations and Lifting Equipment Regulations LOLER
- Provision of USE OF Work Equipment Regulations PUWER
- Construction (Design and Management) Regulations 2015 CDM
- HSE Guidance on Thorough Examination and Testing of Lifts



# Industry Guidelines

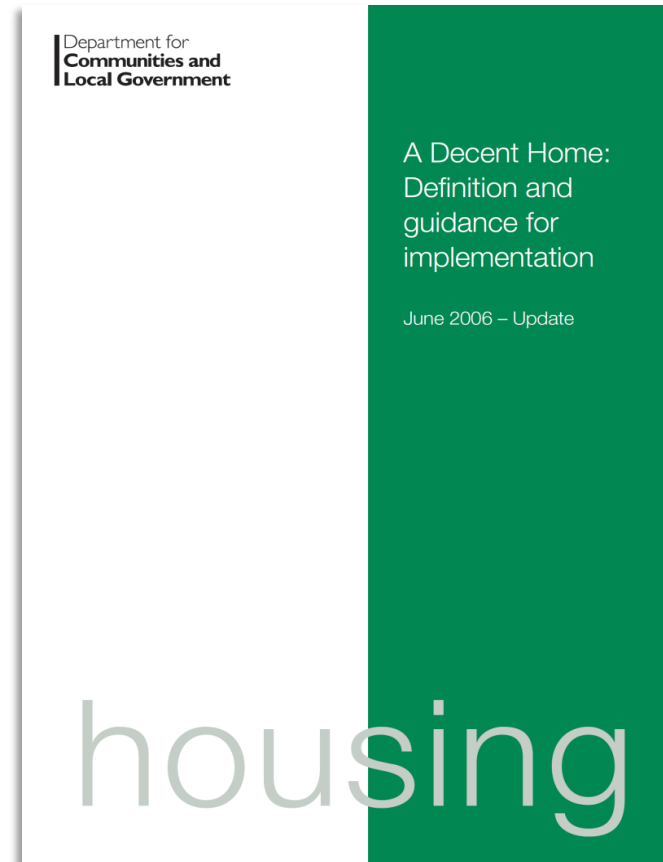
- There are a number of industry guidelines that provide information to ensure that compliance and best practice are realised
- LEIA
- SAFed
- CIBSE





# Sector's Best Practice

- Healthcare
- Housing
- Retail
- Education



# Standards

- **Standards are simply an agreed way of doing things and therefore measuring things**
- **What are the benefits of Standards?**
- **Organisations that implement standards ensure that the minimum safety requirements are met**
- **The use of all applicable standards ensures that tenders offered have a benchmark as a pre-requisite**

# BS7255: 2012 Code of practice for safe working on lifts

## 4 Safety management: responsibilities of owners

### COMMENTARY ON Clause 4

*Not every lift is identical, modern or similarly positioned; nor are all machinery spaces of identical size or shape, nor segregated, illuminated or located within similar environments.*

*Clause 5 gives recommendations to persons responsible for, and involved in, the design, installation, thorough examination, inspection, testing, service, maintenance, repair or dismantling of lifts.*

### 4.1 General

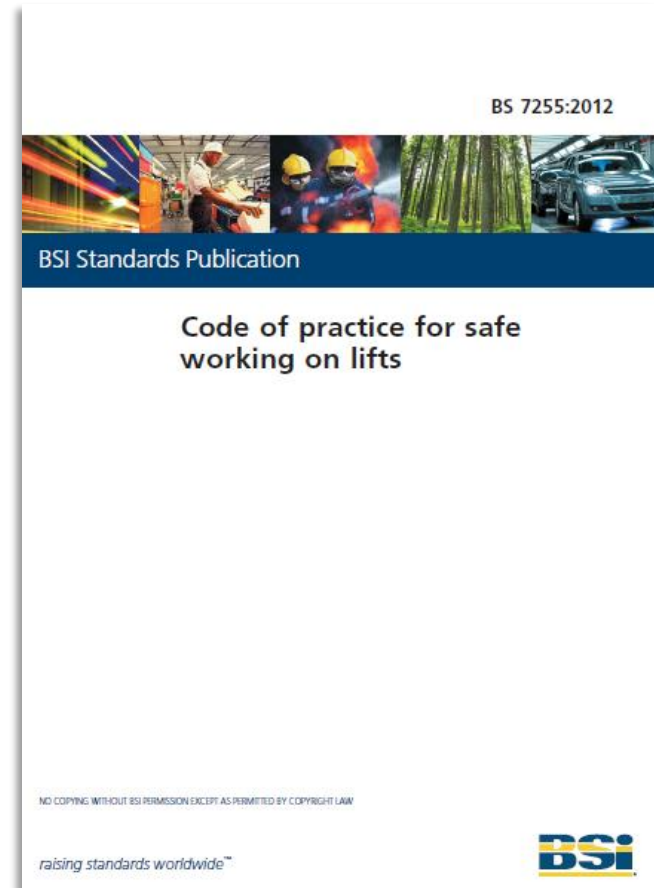
The recommendations given throughout Clause 4 should be applied by owners of lifts and by persons having effective control of the premises in which lifts are installed.

*NOTE 1 Attention is drawn to the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 [5] for duty holders.*

Owners of lifts that were built before 1 July 1999 should follow the advice given in BS EN 81-80.

*NOTE 2 Annex A and Annex B give details of suggested improvements to older lift installations in addition to those given in BS EN 81-80.*

Hazards relating to moving and rotating machinery, electrical equipment, falls from height, etc., which are similar to those experienced in other industrial workplaces, should be identified in a risk assessment in accordance with 4.15.





# BS9102: 2014 Code of practice for safe working on lifting platforms

## 4 Safety management: responsibilities of owners

### COMMENTARY ON CLAUSE 4

*Not every lifting platform is identical, modern or similarly positioned; nor are machinery spaces (if any) of identical size or shape, nor segregated, illuminated or located within similar environments. The range of possible equipment and installations has implications which need to be taken into account with all the subclauses in Clause 4. In particular, the type of equipment installed has implications for:*

- *ensuring the competence of those working on the particular equipment (4.2);*
- *liaison to ensure safe working (4.3);*
- *risk assessment, taking into account the particular type of equipment installed, and ensuring that workers have the appropriate details from the health and safety file (4.4);*
- *provision of appropriate signage for the equipment installed (4.5);*
- *the safe use of the unlocking key (4.7);*
- *the method used for the safe release of trapped users, and related instructions (4.11).*

*The owners of lifting platforms in domestic premises might not be able to fulfil all of the recommendations in Clause 4.*

*Recommendations that are applicable to persons responsible for, and involved in, the design, installation, thorough examination, inspection, testing, service, maintenance, repair or dismantling of lifting platforms are given in Clause 5. Some of the recommendations in Clause 5 might not be applicable to lifting platforms in domestic premises.*

*The site person in charge, supported by their organization, is usually expected to be responsible for the safety of persons working on lifting platforms. This does not absolve individuals from acting responsibly in respect of their personal safety, or site owners or other relevant parties from their respective responsibilities under law.*

BS 9102:2014



**Code of practice for safe  
working on lifting platforms**

**bsi.**

...making excellence a habit™

# Applicable Legislation for Lifts

- **Health and Safety at Work Act**
- **Provision and Use of Work Equipment Regulations**
- **Lifting Operations and Lifting Equipment Regulations**
- **Workplace (Health, Safety and Welfare) Regulations**
- **The Lift Regulations**
- **Machinery Directive**
- **Construction (Design and Management) Regulations**

# Applicable Standards for Lifts

- **BS EN 81-20**
- **BS EN 81-28**
- **BS EN 81-40**
- **BS EN 81-41**
- **BS EN 81-50**
- **BS EN 81-70**
- **BS EN 81-71**
- **BS EN 81-72**
- **BS EN 81-73**

# Applicable Standards for Lifts

- **BS 5266**
- **BS 5655 Part 2**
- **BS 5655 Part 6**
- **BS 5655 Part 11**
- **BS 5655 Part 12**
- **BS 5900**
- **BS 6440**
- **BS 7255**
- **BS 8300**
- **BS 8999**
- **BS 9102**
- **BS EN 13105**



# Quick Recap

- **Legislation**
  - **Industry Guidance**
  - **Standards**
- 
- **Know your responsibilities as owners / duty holders**
  - **Identify your lift equipment and collect as much information as possible on its type and condition**
  - **Have a plan to manage your risks**

# Thank you.

**Greg Harris and  
Stephen Torrington  
MovvéO Limited**

**See you at the  
conference!**