

# 22 Work Equipment

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## Introduction

1. This chapter sets out the MOD procedures and guidance for managing the safe use of work equipment and complements the Provision and Use of Work Equipment Regulations (PUWER) within GB and The Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations on registered merchant ships.

2. The scope of work equipment is extremely wide, generally, any equipment which is used by an employee at work is covered, e.g. hammers; knives; ladders; scaffolding; warehouse racking; local exhaust ventilation or dust extraction; drilling machines; power presses; installations (series of machines connected together); angle grinders; circular saws; photocopiers; paper shredders; vehicles used within a workplace or site such as fork lift trucks; dumper trucks; etc. and covers those who provide their own work equipment for work related purposes. The legislation is disapplied where there is more specific legislation for particular technology, including many high-hazard sectors, elements of service and military vehicles. Complex systems and higher hazards are governed by full Safety and Environmental Cases.

3. This chapter does not apply to inert pieces of equipment or plant which do not require routine inspection, have their own legislation, and when used correctly, do not pose a significant risk of harm to the user or others e.g. desks, pens, or chairs.

4. PUWER requires employers and persons who have control over, supervise or manage the use of work equipment to ensure that equipment provided for use at work is:

- a. suitable for use for the purposes and conditions in which it is provided;
- b. erected, assembled or installed correctly;
- c. guarded as necessary to prevent access to any dangerous parts of machinery;
- d. used only by people who have received adequate information, instruction and training;

- e. accompanied by suitable safety measures, e.g. protective devices, markings, warnings;
  - f. maintained by competent persons (e.g. suitably qualified and / or experienced) in a safe condition for use; and
  - g. regularly inspected (frequency as specified by legislation or risk based where not dictated by legislation) to ensure that it is, and continues to be, safe for use.
5. Consumer protection law for product safety and PUWER apply in general terms, with certain types of equipment and uses excluded or amplified by their own statute. Defence guidance on specific requirements for:
- a. electrical safety is detailed in JSP 375, Volume 1, Chapter 23;
  - b. lifting equipment is detailed in JSP 375, Volume 1, Chapter 24; and
  - c. pressure vessel safety is in JSP 375, Volume 1, Chapter 29.
6. More specialist equipment and complex military systems shall be covered by a Safety and Environmental Case compliant with DSA01-2 Chapter 9.

## **Roles and Responsibilities**

### **Procurement / Acquisition**

7. Local purchase procedures and procurement or acquisition teams must ensure that appropriate through-life safety management arrangements are established for all equipment supplied; such that it is safe to use and reduce the risks (e.g. physical, chemical, biological, environmental) to as low as is reasonably practicable and compliant with any relevant product specific legislation. Where appropriate new equipment should carry a Conformité Européenne (CE) mark or UK Conformity Assessed (UKCA) and be accompanied by the relevant certificates, declarations and instructions for its safe installation, use, training requirements and maintenance. The technical file must ensure that all reasonably foreseeable risks are identified, and information sent to the user or relevant accountable person. For complex systems a sponsor, DE&S compliant processes and Safety Case shall be agreed with the Duty Holder.
8. Depending on the risk associated with new equipment or plant that is introduced, site plans and risk assessments may need to be updated to reflect the new asset and its positioning. CE markings do not guarantee safety and are simply a manufacturers' statement that the component / equipment conforms to standards recognised by relevant EU directive(s). In certain circumstances equipment developed specifically for military or Police application does not require CE marking (or maritime Wheel-Mark). However, a military item is not automatically exempt with most regulations implementing the CE directives specifically requiring dual use equipment (i.e. equipment which is sold for either military or civilian purposes) must be CE marked.

## **Infrastructure Provider**

9. The infrastructure provider must ensure that all fixed plant and assets they provide are installed and located in such a way as to reduce risks to users and others, ensuring there is sufficient space to operate, maintain and / or repair the equipment safely.

10. The infrastructure provider responsible for providing and / or maintaining fixed assets must ensure that the requirements for testing and inspection are adhered to and provide the receiving Head of Establishment (HoE) with the required assurance. The Commanding Officer (CO) of activities on that site should be provided with this assurance and any information on risk control required of them.

## **Commanding Officer / Head of Establishment**

11. The CO / HoE shall make sure that adequate resources and suitable procedures are in place for identifying, recording, testing, maintaining and inspecting work equipment (including personal work equipment, where its use is permitted) and the provision of training in its safe use. Where the infrastructure is managed by a Maintenance Management Organisation (MMO) or equipment is owned and / or maintained by a third-party organisation (e.g. project team, external contractor) that the point of demarcation (and responsibility) shall be agreed, clearly defined and documented. Relevant procedures shall be communicated to all potential users and include instructions or limitations on its use and the provision for the reporting of defective equipment and its isolation / removal from service (see HSE - Approved Code of Practice L22 - Provision and Use of Work Equipment Regulations (PUWER) and DSA01-2 Chapter 9 for Safety Cases).

## **Managers**

12. Managers shall ensure that all work equipment provided is installed and located in such a way as to reduce risks to users and others, ensuring there is sufficient space to operate and maintain the equipment safely and where appropriate, access is controlled for use by authorised persons only. Managers must ensure that equipment is only used for its designed purpose unless authorised modifications (following competent design control), inspection and testing (to verify design intent) and risk assessments are completed by competent persons.

13. Managers shall ensure that all work equipment is used in such a way as to reduce risks to users and others and that there is sufficient space to operate and maintain equipment safely in accordance with manufacturer's specifications and instructions. Managers shall ensure that provision is made to ensure that activities will not be conducted:

- a. with a lack of supervision and / or poor planning;
- b. when using equipment that is not appropriate; or
- c. knowingly taking unnecessary risks (e.g. not following a Safe system of Work or permit to work).

14. Appropriate information, training and supervision shall be provided in the safe use and maintenance of work equipment including Safe Systems of Work. Managers shall ensure that where appropriate, staff hold a current license or certificate, or by other means are deemed competent. Information and instructions shall cover as a minimum:

- a. any limitations on the use of the work equipment;
- b. the risks associated with the use of the work equipment;
- c. conclusions drawn from staff's experience from using the work equipment;
- d. safe operating procedures and the need for the use of safety devices; and
- e. safety signs and hazard notices.

15. Regular inspections of work equipment must be undertaken by competent persons and the results of these inspections formally recorded<sup>1</sup>. The frequency of these inspections<sup>2</sup> shall be proportionate to the risk that it presents to the operator or others (maintainers or other workers<sup>3</sup>), taking into account how quickly the equipment is likely to deteriorate, how it is used and by whom, and the conditions it is exposed to (environmental, risk of damage, etc.). The purpose of a physical inspection shall be to identify whether or not the equipment can be operated, adjusted, maintained or used safely. Inspectors shall highlight any deterioration (e.g. defect, damage, wear) detected so that it is remedied before it results in unacceptable risks. Inspections will vary from a simple visual external inspection to a detailed comprehensive inspection and may include some dismantling and / or testing and incorporate as a minimum:

- a. checks that guards are in place and in good condition;
- b. that emergency-stop devices work; and
- c. that such devices cannot easily be disabled or bypassed.

16. Managers shall also audit that maintenance processes under their control are carried out by competent persons, ensuring the frequency at which maintenance activities are carried takes (as a minimum) the following factors into account:

- a. compliance with legal requirements;
- b. intensity of use – frequency and maximum working limits;
- c. operating environment, (office, extreme heat / cold, marine, outdoors etc.);

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<sup>1</sup> See chapter 4 – Workplace Inspection and manufacturers instruction / technical file

<sup>2</sup> Can be specified in legislation, or industry standards from simple equipment e.g. work platforms, ware-house racking etc – weekly checks by a competent person to appropriate surveys and engineering inspections annually or for several years as specified in certification etc.

<sup>3</sup> Noting the consequence may result in a RIDDOR injury, fatality or serious harm

- d. the way it is used – is the equipment used for the same task as the manufacturer intended or does it change;
- e. risk to health and safety from malfunction or failure;
- f. assessment of proper maintenance, care and protection; and
- g. manufacturer's instructions.

17. If the safe operation of equipment is affected due to deterioration or as a result of other circumstances, managers must ensure the equipment is isolated / removed from use until it has passed inspection / testing by a competent person.

### **All Personnel**

18. All personnel shall comply with all information, instruction and undertake any user checks (including a daily visual check prior to use) and training required by managers in the safe use of work equipment; and immediately inform the manager or supervisor of any condition or occurrence likely to indicate the equipment is unsafe or defective.

19. Personnel shall not modify or use modified work equipment unless these modifications are authorised and completed by competent persons. Amendments to the technical file should be made accordingly.

20. Personnel shall only operate equipment that they are qualified and authorised to use and where applicable hold an appropriate current license / certificate.

### **Retention of Records**

21. Risk assessments and associated documents must be retained in accordance with the requirements of JSP 375, Volume 1, Chapter 39 (Retention of Records).

### **Related Documents**

22. The following documents should be consulted in conjunction with this chapter:

- a. JSP 375, Volume 1;
  - (1) Chapter 02 - Office & General Workplace Safety
  - (2) Chapter 08 - Risk Assessment;
  - (3) Chapter 12 - Working with Display Screen Equipment
  - (4) Chapter 23 - Electrical Safety
  - (5) Chapter 24 - Lifting Operations and Lifting Equipment

- (6) Chapter 26 - Control of Vibration
  - (7) Chapter 34 - 4C System: The Management of Visiting Workers and Contractors; and
  - (8) Chapter 39 - Retention of Records.
- b. Other MOD Publications;
- (1) DSA01.1 – Defence Policy for Health, Safety and Environmental Protection;
  - (2) DSA01.2 Chapter 2 – Requirement for Safety and Environmental Management Systems in Defence;
  - (3) DSA01.2 Chapter 4 – Risk Management in Health, Safety & Environmental Protection; and
  - (4) DSA02 series Defence Regulations.
- c. Legislation and Guidance;
- (1) [Health and Safety at Work, etc. Act](#);
  - (2) [Supply of Machinery \(Safety\) Regulations](#);
  - (3) [The Merchant Shipping and Fishing Vessels \(Provision and Use of Work Equipment\) Regulations](#);
  - (4) [HSE L22 – Safe use of work equipment](#);
  - (5) [HSE L26 – Work with display screen equipment](#);
  - (6) [HSE HSG76 - Warehousing and Storage](#);
  - (7) [HSE INDG229 - Using work equipment safely](#);
  - (8) [HSE INDG271 - Buying new machinery](#); and
  - (9) [HSE INDG291 - Simple guide to the provision and Use of Work Equipment Regulations](#).