

The Work at Height Regulations 2005

Background

The Work at Height Regulations 2005 came into force on 6 April 2005 and apply in Great Britain (England, Wales and Scotland). They implement EC Directive 2001/45/EC - The Temporary Work at Height Directive - and apply to employers and persons under their control and to the self-employed.

There is no Approved Code of Practice (ACOP) but the HSE have issued a Brief Guide, Ref: INDG401, which can be downloaded free from the internet.

Definition of "work at height"

The Regulations define work at height as:

- 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.

The Regulations do not apply to the provision of instruction or leadership in caving or climbing by way of sport, recreation, team building or similar activities.

Regulation 4 – Organisation and Planning

Regulation 4 requires that every employer ensures that work at height is properly planned, appropriately supervised and carried out in a manner which so far as is reasonably practicable is safe.

Regulation 5 – Competence

Regulation 5 requires that every employer shall ensure that no person engages in any activity, including organisation, planning and supervision, in relation to work at height or work equipment for use in such work unless he is competent to do so or, if being trained, is being supervised by a competent person.

Regulation 6 - Avoidance of risks from work at height

Regulation 6 requires that every employer 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.

Regulation 7 - Selection of work equipment for work at height

Regulation 7 requires that employers give priority to collective protection measures over personal protection measures. They must also take account of the distance and consequences of a potential fall and the need for easy and timely evacuation and rescue in an emergency.

Regulation 8 - Requirements for particular work equipment

Regulation 8 covers requirements for particular work equipment including guard-rails toe-boards and barriers, working platforms, nets and airbags, personal fall protection systems and ladders. Schedules covering these requirements are included in the regulations. Schedule 6 dealing with the requirements for work with ladders is set out in full below.

Regulation 9 - Fragile surfaces

Regulation 9 states that no person at work shall pass across or near, or works on, from or near, a fragile surface where it is reasonably practicable to carry out work safely and under appropriate ergonomic conditions without his doing so.

Employers must ensure, so far as is reasonably practicable, that suitable and sufficient platforms, coverings, guard rails or similar means of support or protection are provided and used so that any foreseeable loading is supported by such supports or borne by such protection

Other Regulations

Other Regulations deal with falling objects, danger areas, inspection of work equipment, inspection of places of work at height and duties of persons at work.

SCHEDULE 6 - REQUIREMENTS FOR LADDERS

1. Every employer shall ensure that a ladder is used for work at height only if a risk assessment under regulation 3 of the Management Regulations has demonstrated that the use of more suitable work equipment is not justified because of the low risk and -
 - a. the short duration of use; or
 - b. existing features on site which he cannot alter.
2. Any surface upon which a ladder rests shall be stable, firm, of sufficient strength and of suitable composition safely to support the ladder so that its rungs or steps remain horizontal, and any loading intended to be placed on it.
3. A ladder shall be so positioned as to ensure its stability during use.
4. A suspended ladder shall be attached in a secure manner and so that, with the exception of a flexible ladder, it cannot be displaced and swinging is prevented.
5. A portable ladder shall be prevented from slipping during use by -
 - a. securing the stiles at or near their upper or lower ends;
 - b. an effective anti-slip or other effective stability device; or
 - c. any other arrangement of equivalent effectiveness.
6. A ladder used for access shall be long enough to protrude sufficiently above the place of landing to which it provides access, unless other measures have been taken to ensure a firm handhold.
7. No interlocking or extension ladder shall be used unless its sections are prevented from moving relative to each other while in use.
8. A mobile ladder shall be prevented from moving before it is stepped on.

9. Where a ladder or run of ladders rises a vertical distance of 9 metres or more above its base, there shall, where reasonably practicable, be provided at suitable intervals sufficient safe landing areas or rest platforms.
10. Every ladder shall be used in such a way that -
 - a. a secure handhold and secure support are always available to the user;
and
 - b. the user can maintain a safe handhold when carrying a load unless, in the case of a step ladder, the maintenance of a handhold is not practicable when a load is carried, and a risk assessment under regulation 3 of the Management Regulations has demonstrated that the use of a stepladder is justified because of -
 - i. the low risk; and
 - ii. the short duration of use.

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Additional information and advice is available from the DAC team:

Jim May, Pastoral and Advisory Secretary,	jmay@stalbans.anglican.org
Judith Calvert, Assistant Secretary,	jcalvert@stalbans.anglican.org
Debbie Cochrane, Group Secretary,	dcochrane@stalbans.anglican.org
Emma Critchley, DAC Assistant,	ecritchley@stalbans.anglican.org

Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, Herts, AL1 1HE
Tel: 01727 818138 Fax 01727 844469