



working at height regulations

In 2003/04 falls from height accounted for 67 fatal accidents at work and nearly 4000 major injuries. They remain the single biggest cause of workplace deaths and one of the main causes of major injury.

The 'Work at Height Regulations 2005' have been developed to prevent the deaths and injuries caused each year by falls at work.

What is 'work at height'?

A place is 'at height' if a person could be injured falling from it, even if it is at or below ground level. 'Work' includes moving around at a place of work (except by a staircase in a permanent workplace) but not travel to or from a place of work. For instance, a sales assistant on a stepladder would be working at height, but the regulations are not likely to be applied to a mounted police officer on patrol.

Do the rules apply to you?

The Work at Height Regulations 2005 apply to all work at height where there is a risk of a fall liable to cause personal injury. They place duties on employers, the self-employed, and any person who controls the work of others (eg facilities managers or building owners who may contract others to work at height) to the extent they control the work.

The Regulations do not apply to the provision of paid instruction or leadership in caving or climbing by way of sport, recreation, team building or similar activities. If you are an employee or working under someone else's control, the regulations say that you must:

- report any safety hazard to them;
- use the equipment supplied (including safety devices) properly, following any training and instructions (unless you think that would be unsafe, in which case you should seek further instructions before continuing).

In certain cases the regulations can apply outside Great Britain. There are some exemptions for shipping, offshore installations, and docks. People

and organisations acting in the interests of national security may be exempted by the Secretary of State for Defence. You may ask the Health and Safety Executive (HSE) to exempt certain people, premises, equipment, or activity from some of the regulations relating to guard rails and the like, but you will have to show that there is no risk to anyone's health or safety.

What you must do as an employer

As an employer you must do all that is reasonably practicable to prevent anyone falling. The Regulations set out a simple hierarchy for managing and selecting equipment for work at height (see overleaf).

The Regulations require duty holders to ensure:

- all work at height is properly planned and organised;
- all work at height takes account of weather conditions that could endanger health and safety;
- those involved in work at height are trained and competent;
- the place where work at height is done is safe;
- equipment for work at height is appropriately inspected;
- the risks from fragile surfaces are properly controlled; and
- the risks from falling objects are properly controlled.

Planning

Under the regulations planning means you must:

- ensure that no work is done at height if it is safe and reasonably practicable to do it other than at height;
- ensure that the work is properly planned, appropriately supervised, and carried out in as safe a way as is reasonably practicable;
- plan for emergencies and rescue;
- take account of the risk assessment carried out under regulation 3 of the Management of Health and Safety at Work Regulations.

The regulations hierarchy

Duty holders must:

- avoid work at height where they can;
- use work equipment or other measures to prevent falls where they cannot avoid working at height; and
- where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

Weather

You must ensure that any work is postponed while weather conditions endanger health or safety. However, this does not apply to emergency services acting in an emergency.

Staff training

You must ensure that everyone involved in the work is competent (or, if being trained, is supervised by a competent person). This includes involvement in organisation, planning, supervision, and the supply and maintenance of equipment.

Where other precautions do not entirely eliminate the risk of a fall occurring, you must (as far as it is reasonably practicable to do so) train those who will be working at height how to avoid falling, and how to avoid or minimise injury to themselves should they fall.

The place where work is done

You must ensure that the place where work is done at height (including the means of access) is safe and has features to prevent a fall, unless this would mean that it is not reasonably practicable for the worker to carry out the work safely (taking into account the demands of the task, equipment and working environment).

Equipment, temporary structures, and safety features

When selecting equipment for work at height you must:

- use the most suitable equipment;
- give collective protection measures (eg guard rails) priority over personal protection measures (eg safety harnesses);
- take account of:
 - the working conditions; and
 - risks to the safety of all those at the place where the work equipment is to be used.

You must ensure that all equipment, temporary structures (eg scaffolding), and safety features comply with the detailed requirements of the 'working at heights regulations'.

Inspections

'Inspection' is defined as 'such visual or more rigorous inspection by a competent person as is appropriate for safety purposes including any testing appropriate for those purposes'. You must ensure (as far as it is reasonably practicable to do so) that each individual place at which work is to be done at height is checked on every occasion before that place is used.

You must ensure item such as ladders, working platforms, guard rails and airbags are inspected:

- after it is assembled or installed (or after it has been assembled and installed if both are required), if its safety depends on how it is assembled or installed;
- as often as is necessary to ensure safety, and in particular to make sure that any deterioration can be detected and remedied in good time.

Fragile surfaces

You must ensure that no one working under your control goes onto or near a fragile surface unless that is the only reasonably practicable way for the worker to carry out the work safely, having regard to the demands of the task, equipment, or working environment. If anyone does work on or near a fragile surface you must:

- ensure (as far as it is reasonably practicable to do so) that suitable platforms, coverings, guard rails, and the like are provided (and used) to minimise the risk;
- do all that is reasonably practicable, if any risk of a fall remains, to minimise the distance and effect of a fall.

If anyone working under your control may go onto or near a fragile surface, you must do all that is reasonably practicable to make them aware of the danger, preferably by prominent warning notices fixed at the approaches to the danger zone.

Falling objects

Where it is necessary to prevent injury, you must do all that is reasonably practicable to prevent anything falling. If it not reasonably practicable, you must ensure that no one is injured by anything falling. You must ensure that nothing is:

- thrown or tipped from height if it is likely to injure anyone;
- stored in such a way that its movement is likely to injure anyone.

If the workplace contains an area in which there is a risk of someone being struck by a falling object or person, you must ensure that the area is clearly indicated and that (as far as reasonably practicable) unauthorised people are unable to reach it.

This factsheet is taken from information provided in the HSE brief guide to 'the work at height regulations 2005'. For a more comprehensive guide we recommend you visit www.hse.gov.uk or contact **EPM Solutions on 0141 848 6609**.

With our compliments

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