

Summary of Legal Requirements relating to Lifts

It is recommended that the full text of the Health and Safety at Work etc. Act 1974 (HSWA) [10] be consulted, together with any associated Approved Codes of Practice and guidance.

Summary of the Health and Safety at Work etc. Act 1974

Persons concerned with lifts have duties under the Health and Safety at Work etc. Act 1974 (HSWA) [10], which include the following.

- a) Employers have a duty to ensure, so far as is reasonably practicable, the health and safety of their employees while at work. This includes the provision of plant and systems of work that are safe and without risk to health, means to safely use and handle articles and substances, necessary information, instruction, training and supervision, safe means of access and egress and a safe working environment.
- b) Employers, the self-employed and employees, have a duty to conduct their undertakings in such a way as to ensure, so far as is reasonably practicable, that all persons who may be affected by the work activity are not exposed to risks to their health and safety.
- c) Manufacturers, suppliers etc. of articles for use at work have a duty to ensure, so far as is reasonably practicable, that the articles are so designed and constructed that they will be safe and without risk to health when they are being set, used, cleaned or maintained.
- d) Erectors and installers of articles for use at work have a duty to ensure, so far as is reasonably practicable, that nothing about the way articles are erected or installed is unsafe or a risk to health.
- e) Persons concerned with premises have a duty to persons other than employees who use non-domestic premises made available to them as a place of work. It is the duty of the person who controls the premises to take such measures as it is reasonable for them to take to ensure, so far as is reasonably practicable, that the premises, the means of access and egress to and from the premises, and any plant or substance in the premises, are safe and without risk to health.

Summary of the Management of Health and Safety at Work Regulations 1999

The Management of Health and Safety at Work Regulations 1999 (MHSWR) [5] include a requirement (regulation 3) that every employer and self-employed person should make a suitable and sufficient assessment of the risks to health and safety of themselves and others arising out of, or in connection with, the conduct of the undertaking. The significant findings of the assessment should be recorded. The purpose of the assessment is to identify and quantify the risk. Employers are expected to implement preventative and protective measures to eliminate risk. Effective control measures should be put in place to address residual risks and hazards. The regulations also include requirements on training, health and safety assistance, information for employees and the requirements to put in place such arrangements as are appropriate for the effective planning, organisation, control, monitoring and review of the preventative and protective measures necessary.

Summary of the Control of Substances Hazardous to Health Regulations 1999

The Control of Substances Hazardous to Health Regulations 1999 (COSHH) [4] require that hazardous substances such as oils (used for lift purposes) are not stored in lift machinery areas except in appropriate containers.